

MINUTES OF A REGULAR MEETING OF THE CITY COMMISSION OF THE CITY OF FORT PIERCE, FLORIDA, HELD IN THE CITY HALL COMMISSION CHAMBERS, 100 NORTH U.S. #1, FORT PIERCE, FLORIDA, AT 6:30 P.M. ON MONDAY, **APRIL 06, 2020.**

1. CALL TO ORDER

Mayor Hudson called the April 06, 2020 Regular Meeting of the City Commission to order at 6:30 PM.

2. PLEDGE OF ALLEGIANCE

3. ROLL CALL

Present: Mayor Linda Hudson; Commissioner Jeremiah Johnson; Commissioner Thomas Perona; Commissioner Reginald Sessions

Absent: Commissioner Rufus Alexander

Staff Present: City Clerk Linda Cox
City Manager Nicholas Mimms
City Attorney Peter Sweeney

Commissioner Alexander joined the meeting by telephone at 6:51 PM.

4. APPROVAL OF MINUTES

- a. Approval of Minutes from March 16, 2020 Regular Meeting

Motion was made by Commissioner Thomas Perona, seconded by Commissioner Reginald Sessions to approve the minutes from the March 16, 2020 regular meeting.

AYE: Mayor Linda Hudson, Commissioner Jeremiah Johnson, Commissioner Thomas Perona, Commissioner Reginald Sessions

Passed

5. PROCLAMATIONS

6. LETTERS TO COMMISSION

- a. Thank you note from Margie, Rafael, Nicole and Stephanie to Chief Hobley-Burney and all Police Department law enforcement officers with appreciation and gratitude for serving their communities and risking their lives everyday.
- b. Email from Luciana Ortiz expressing her appreciation of receiving a letter from Code Enforcement Officer Isaac Saucedo thanking her for being in compliance with the City's Code of Ordinance.

7. COMMENTS FROM THE PUBLIC ON AGENDA ITEMS NOT REQUIRING PUBLIC HEARINGS

Any person who wishes to comment on an agenda item which is not under Public Hearings on the Agenda may be heard at this time and must sign up to speak in advance. Please limit your comments to three (3) minutes or less, as directed by the Mayor, as this section of the Agenda is limited to thirty minutes. The City Commission will not be able to take any official actions under Comments from the Public. Speakers will address the Mayor, Commissioners, and the Public with respect. Inappropriate language will not be tolerated.

None.

8. ADDITIONS OR DELETIONS TO AGENDA AND APPROVAL OF AGENDA

Staff has requested that item 9a., Fair Housing Presentation, be removed from the agenda. This item will instead be posted on the City of Fort Pierce website.

Motion was made by Commissioner Jeremiah Johnson, seconded by Commissioner Reginald Sessions to approve and set the Agenda as amended.

AYE: Mayor Linda Hudson, Commissioner Jeremiah Johnson, Commissioner Thomas Perona, Commissioner Reginald Sessions

Passed

9. MISCELLANEOUS REPORTS

- a. PULLED AT THE REQUEST OF STAFF: Fair Housing Presentation (Information will be posted on the City's Website)

10. CONSENT AGENDA

- a. Approval to piggyback the Sourcewell Contract #112014-NWY for the purchase of one (1) 2019 Peterbilt demonstrator refuse collection truck, New Way Truck, Scranton, IA 54162, in accordance with the attached quote, in an amount not to exceed \$248,925.00.
- b. Approval of a Site Plan extension with Development Review & Design Review for the Fresh Wind Fresh Fire Church located at 401 North 25th Street. The new expiration date would be June 4, 2021.
- c. Approval of an extension for the Planned Development (PD) Approval for the project commonly known as Villages at Midway, located on northside of Midway Road and west of I-95. This project was originally approved on April 4, 2016 via Ordinance No. 16-009. The new date for the site plan expiration would become June 3, 2021.
- d. Review and approval of the First Amendment to Interlocal Agreement for Operation of Temporary Animal Shelter with St. Lucie County.
- e. Review and approval of the Interlocal Agreement for the rehabilitation and operation of the Animal Shelter on Savannah Road.
- f. Approve award of the RFP No. 2020-015, Aquatic Vegetative Control and Lake Maintenance contract to Kerner LLC DBA Kerner Environmental, Stuart, FL in an amount not to exceed \$126,750.

Commissioner Perona pulled item 10e for discussion.

Motion was made by Commissioner Thomas Perona, seconded by Commissioner Jeremiah Johnson to approve items 10a, 10b, 10c, 10d, and 10f.

AYE: Mayor Linda Hudson, Commissioner Jeremiah Johnson, Commissioner Thomas Perona, Commissioner Reginald Sessions

Passed

As to item 10e, Commissioner Perona expressed gratitude to all staff that participated in the drafting of this contract. Peggy Arriaz, Code Compliance Manager, also acknowledged the legal department who was vital to this project.

Motion was made by Commissioner Thomas Perona, seconded by Commissioner Reginald Sessions to approve item 10e.

AYE: Mayor Linda Hudson, Commissioner Jeremiah Johnson, Commissioner Thomas Perona, Commissioner Reginald Sessions

Passed

11. PUBLIC HEARINGS

- a. Ordinance No. 20-010 - Final Budget Amendment of the General Fund 2018-2019 Budget. FIRST READING

City Clerk Linda Cox introduced the ordinance, read by title only, into the record.

ORDINANCE NO. 20-010
AN ORDINANCE AMENDING THE 2018-19 BUDGET OF THE CITY OF FORT PIERCE, FLORIDA BY INSERTING THEREIN A SCHEDULE ATTACHED HERETO AND DESIGNATED AS THE 2018-19 FINAL BUDGET AMENDMENT. THE SAID SCHEDULE PROVIDES FOR THE INCREASES AND/OR DECREASES IN REVENUES AND APPROPRIATIONS IN THE GENERAL FUND; AND PROVIDING FOR AN EFFECTIVE DATE. FIRST READING

Johnna Morris, Finance Director presented a summary of the proposed Final Budget Amendment of the General Fund for the 2018-2019 Budget. The budget is being amended to adjust for revenues and expenditures actual final figures.

Mayor Hudson opened the Public Hearing. Seeing no one, Mayor Hudson closed the Public Hearing.

Motion was made by Commissioner Jeremiah Johnson, seconded by Commissioner Reginald Sessions to approve Ordinance 20-010.

AYE: Mayor Linda Hudson, Commissioner Jeremiah Johnson, Commissioner Thomas Perona, Commissioner Reginald Sessions
Passed

12. CITY COMMISSION

- a. Approval of FY 2019 Final Budget Amendments for Grant Funds: CDBG, SHIP and Grant Administration

Johnna Morris, Finance Director provided an overview of the FY 2019 Final Budget Amendments for Grant Funds for the Community Development Block Grant (CDBG), SHIP, and Grant Administration.

Motion was made by Commissioner Reginald Sessions, seconded by Commissioner Jeremiah Johnson to approve item 12a.

AYE: Mayor Linda Hudson, Commissioner Jeremiah Johnson, Commissioner Thomas Perona, Commissioner Reginald Sessions
Passed

- b. Consideration of FPUA's FY2019 Final Budget Amendment

John Tompeck, Director of Utilities and Nina B. Penick, CPA, provided an overview of the FPUA's FY 2019 Final Budget Amendment and the Comprehensive Annual Report. Mr. Tompeck's presentation included the Financial Operation Results, Electric Operating Revenues (less power cost and consumption), Water Operating Revenues and Consumption, Wastewater Operating Revenues and Gallons Billed, Natural Gas Operating Revenues (less gas cost and consumption), Operations and Maintenance Expenses, Operating Income and Debt Service, and City Distribution. Ms. Penick provided detailed slides supporting the Budget Amendment. The FPUA's current bond rating with Fitch is "A+" and with S & P is "A". Both ratings were affirmed 2019, and both firms have rated our outlook as stable.

Motion was made by Commissioner Thomas Perona, seconded by Commissioner Jeremiah Johnson to accept the FPUA FY-2019 Final Budget Amendment as presented.

AYE: Mayor Linda Hudson, Commissioner Rufus Alexander, Commissioner Jeremiah Johnson, Commissioner Thomas Perona, Commissioner Reginald Sessions
Passed

- c. Acceptance of the FPUA Comprehensive Annual Financial Report (CAFR) for FY 2019.

Motion was made by Commissioner Thomas Perona, seconded by Commissioner Jeremiah Johnson to accept the FPUA Comprehensive Annual Financial Report for FY 2019.

AYE: Mayor Linda Hudson, Commissioner Rufus Alexander, Commissioner Jeremiah Johnson, Commissioner Thomas Perona, Commissioner Reginald Sessions
Passed

- d. Update on Resolution No. 20-R09 originally presented on 2/3/2020 regarding a recommendation of condemnation and demolition of property identified as 913 Avenue B.

Peggy Arriaz, Code Compliance Manager provided an update on Resolution No. 20-R09 regarding the recommendation of condemnation and demolition for property identified as 913 Avenue B. Ms. Arriaz reported that the owner did enter into a contract with a demolition contractor and the structure has been demolished. The property is in compliance and no further action is required.

e. Resolution 20-R20 Extending the Declaration of Local Emergency

City Clerk Linda Cox introduced the Resolution, read by title only, into the record.

RESOLUTION NO. 20-R20

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FORT PIERCE, FLORIDA EXTENDING THE DECLARATION OF LOCAL EMERGENCY; AUTHORIZING CITY CLERK TO FILE SAID RESOLUTION WITH THE CLERK OF CIRCUIT COURT; AND PROVIDING FOR AN EFFECTIVE DATE.

Commissioner Perona inquired if the Mayor and Commissioners received a packet of petitions regarding a development on South Ocean Drive of which they confirmed receipt. This brings up the process for quasi-judicial and legislative hearings during this State of Emergency. The Commission does not want to disenfranchise the community from the decision-making process. Commissioner Perona inquired with the City Attorney if the Commission has a right to suspend or put a moratorium on the quasi-judicial and legislative hearings until the Governor clears the State of Emergency. This is a concern of all City Commissioners. The Declaration of Emergency is more than just a local emergency. No one knows how long this declaration will last. Commissioner Perona suggested duplicating the Governor's Order and extensions. The public is concerned with being excluded from the hearing process. Commissioner Perona stated that we are government in the sunshine, and we like to have our community involved in the process. If we find at a later time the emergency is lasting too long and there is business that needs to be attended to, we have staff and a legal department that can determine a way to get it done without excluding the public.

City Attorney Peter Sweeney advised the City Commission that Supreme Court Chief Justice has suspended all jury trials in the State of Florida through the end of May for both criminal and civil trials. City Clerk, Linda Cox, said many other jurisdictions in the State of Florida have canceled all legislative and quasi-judicial hearings because there is no effective way to have the public listen to the testimony and evidence presented and to be able to safely offer comment.

Motion was made by Commissioner Thomas Perona, seconded by Commissioner Reginald Sessions to amend Resolution No. 20-R20 and direct that no advertisements or public hearings, either quasi-judicial or legislative, be held until such time as the city's local emergency order and the Governor's Safer at Home Order, including any amendments thereto, have expired or upon subsequent written direction by the City Commission.

AYE: Mayor Linda Hudson, Commissioner Rufus Alexander, Commissioner Jeremiah Johnson, Commissioner Thomas Perona, Commissioner Reginald Sessions

Passed

City Manager, Nick Mimms recommends canceling the informal Conference Agenda meeting scheduled for Monday, April 13, 2020. The City Commission unanimously agrees to cancel the informal meeting. Mr. Mimms would like the City Commission to be assured and have confidence that the City of Fort Pierce operations shall continue. The City of Fort Pierce is in a declaration of emergency. Emergency purchasing, operations, and procedures are taking place right now. Mr. Mimms will continue to keep the City Commission up to date with all emergency activities happening in the City of Fort Pierce. Board and committee meetings will be evaluated on an individual basis, based upon the need and the livelihood of our city, citizens, and employees.

Commissioner Johnson would like the City of Fort Pierce to be ready for virtual meetings. Nick Mimms stated that our I.T. Director, DeVoshay Johnson, has prepared a purchase order for laptop computers and video conferencing equipment and hardware. The purchase was approved. We will be ready for video conferencing for remote presentations by developers, applicants, or presenters who may be unable to be physically present at a meeting.

Deputy Chief Ridle presented a brief update on the Emergency Management for the City of Fort Pierce. As of today, St. Lucie County has 107 cases with five deaths due to COVID-19. Florida has experienced a spike due to ongoing testing and as the virus spreads. The national peak is projected for May 03, 2020. The modeling will continue to change. Since the Governor's order was issued, the City of Fort Pierce is receiving approximately eight calls per day that are COVID-19 related. The State of Florida will be distributing 100,095 masks to all counties. There is no curfew in place. Police Officers continue to visit businesses to educate them on social distancing.

Nick Mimms, City Manager, provided a brief update on COVID-19:

Communications: The City of Fort Pierce is receiving daily updates that are being forwarded to the City Commission via email and text. Video updates are being provided to the public. Routine press releases are being sent out. The City of Fort Pierce is trying to expand the community text messaging. We have reached out to several local pastors to get their contact information, so they can pass the information to their parishioners. We need to do whatever we can to get the information out to the citizens. We are seeing the community coming together and working together to enhance social distancing. People are educating themselves by wearing facial masks and practicing social distancing.

City Employees: By Executive Order from the governor's office, we are still considered an essential business. Our operation has not been altered. We are making sure our senior and health-impaired employees receive the necessary time off or the ability to work from home or the use of the Families First Coronavirus Response Act for additional sick leave to protect themselves. We are encouraging as many employees as possible to work from home. The City of Fort Pierce is not granting administrative leave. We anticipate shortfalls in our revenue for the upcoming fiscal year. We have identified roughly one million dollars to be set into a contingency account to prepare for the upcoming fiscal year and shortfalls from this fiscal year.

13. COMMENTS FROM THE PUBLIC

Any person who wishes to comment on any subject may be heard at this time. Please limit your comments to three (3) minutes or less, as directed by the Mayor, as this section of the Agenda is limited to thirty minutes. The City Commission will not be able to take any official actions under Comments from the Public. Speakers will address the Mayor, Commissioners, and the Public with respect. Inappropriate language will not be tolerated.

Rick Reed
Keith Holmes, email read into the record.

14. COMMENTS FROM THE CITY MANAGER

No further comments.

City Attorney Peter Sweeney had no further comments.

a. Reports

15. COMMENTS FROM THE COMMISSION

Commissioner Alexander:
Hopes that everyone stays safe and healthy.

Commissioner Perona:
Has noticed the kindness spreading amongst neighbors. People are attentive to the warnings.

Commissioner Sessions:
Representatives from Allied Health of Fort Lauderdale representatives were in the audience tonight. They have provided COVID-19 testing at remote sites in Miami, Palm Beach, and Pembroke Park. The Mayor of Pembroke Park has sent a letter of recommendation. Allied Health provides testing at no charge and has a 48-hour turn-around time for results. Commissioner Sessions is assisting Allied Health to get set up and begin testing here. Commissioner Sessions would like to offer encouragement to all citizens during this time and commends the citizens with social distancing practices as well as acknowledging a great job by the officers who approach groups to offer education.

Commissioner Johnson:
Commissioner Johnson wishes everyone in our community to stay safe. Commissioner Johnson would like to thank all law enforcement, first responders and health-care professionals. Thoughts go out to all teachers, students and parents who have had to adapt to a new world of learning. Don't give up on your dreams; and, don't lose focus on your future.

Mayor Hudson:
Mayor Hudson would like to thank all those who cannot work from home, those on the front line, first responders, health care workers, and grocery store clerks. This is temporary. Our residents and business have shown innovation. Mayor Hudson is proud of faith community who continue to communicate with their congregations and pass vital information to those

who may not have access to social media or the internet.

16. ADJOURNMENT

Immediately following adjournment, please move toward the doors and exit the chambers. This allows for the safe and courteous exit of all persons, and those on the dais. Conversations after the meeting should be held outside of chambers, in the foyer or elsewhere, but not in the commission chambers where lights will be out as soon as the chambers are empty.

Mayor Hudson adjourned the meeting at 8:09 PM.

ATTEST:

CITY CLERK

MAYOR COMMISSIONER