

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, **MAY 04, 2020.**

**1. CALL TO ORDER**

Mayor Hudson called the May 04, 2020 Regular Meeting of the City Commission to order at 6:30 PM.

**2. OPENING PRAYER - Commissioner Jeremiah Johnson**

**3. PLEDGE OF ALLEGIANCE**

**4. 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 6:32 PM.

**5. APPROVAL OF MINUTES**

- a. Approval of Minutes from April 20, 2020 Regular Meeting.

Motion was made by Commissioner Thomas Perona, seconded by Commissioner Jeremiah Johnson to approve the minutes from April 20, 2020 Regular Meeting.

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

Passed

**6. PROCLAMATIONS**

**7. LETTERS TO COMMISSION**

- a. Email from John Lindsay, seasonal resident from Canada, to the Fort Pierce community in support of their vigilance and discipline for the management of the coronavirus.

**8. 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.

**9. ADDITIONS OR DELETIONS TO AGENDA AND APPROVAL OF AGENDA**

Add to Agenda: Item 13d. Resolution 20-R22 – Refunding Note Correction.

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

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

Passed

## 10. MISCELLANEOUS REPORTS

### a. Second Quarter Financial Report

Johnna Morris, Finance Director presented the Financial Report for the Second Quarter ending March 31, 2020. This presentation included the fund evaluation report for the general fund, marina fund, solid waste fund, golf course, Sunrise Theatre, and building and code; the general fund projected shortage or overage for the Fiscal Year 2019-2020; the general fund revenue detail; and, the general fund summary of expenditures by department. The marina currently has a negative resource, but this is due to the current State of Emergency COVID-19 pandemic and state of construction. All grant funds are operating positively. All departments have cut their budgets by two and one-half percent as a contingency for what may be needed for this fiscal year. Further reductions in expenses may be required to avoid a reduction in services or personnel.

## 11. CONSENT AGENDA

- a. Approve memorandum of understanding for the Manatee Observation and Education Center to allow the FPUA to continue operating the Manatee Observation and Education Center for a term of twenty-five (25) years, after which the term shall automatically renew for successive five (5) year terms.
- b. Approve letter of support for GraceWay Village recognizing their efforts in response to COVID-19 and long term community support.
- c. Approve lease to own purchase of four (4) 2019/2020 Peterbilt refuse collection trucks for the Solid Waste Division in an amount not to exceed \$19,590.24 monthly, \$235,082.88 annually, for a term of five (5) years.
- d. Approve acceptance of the Coronavirus (COVID-19) Relief & Recovery grant in the amount of \$25,000.
- e. Approve award of Bid No. 2020-025 to Marina & Site Contractors, Inc. for the Indian Hills Recreation Area Multi-Use Trail Improvements in an amount not to exceed \$495,745.50.
- f. Approve the Collective Bargaining Agreement with the Coastal Florida Police Benevolent Association (Police Officer Unit) for the period of October 1, 2019 through September 30, 2022.
- g. Approve Collective Bargaining Agreement with the Coastal Florida Police Benevolent Association (Sergeants' and Lieutenants' Unit) for the period of October 1, 2018 through September 30, 2021.

Commissioner Perona pulled item 11c for discussion.

Commissioner Alexander pulled item 11e for discussion.

Motion was made by Commissioner Reginald Sessions, seconded by Commissioner Jeremiah Johnson to approve items 11a, 11b, 11d, 11f, and 11g.

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

Passed

Regarding item 11c, Commissioner Perona inquired if the cost of a new fleet will be offset by the cost of maintenance on an older fleet. Mike Reals, Public Works Director agreed that the cost of upkeep and maintenance will offset the cost of the purchase for the new vehicles. The goal is to head towards a five-year replacement program on the vehicles. Solid Waste vehicles have a life span expectancy of seven years. Peterbilt is a Fort Pierce business so all warranty work would be done here.

Motion was made by Commissioner Thomas Perona, seconded by Commissioner Reginald Sessions to approve item 11c.

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

Passed

Regarding item 11e, Commissioner Alexander realizes that these funds will be reimbursed by the FDOT but inquired as to the start and completion dates for this project. Jack Andrews, City Engineer anticipates the start date during the second week of June, 2020 and the duration should be approximately four months. Mr. Andrews confirmed that this project is to be 100% reimbursed by FDOT.

Motion was made by Commissioner Rufus Alexander, seconded by Commissioner Jeremiah Johnson to approve item 11e.

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

Passed

## 12. PUBLIC HEARINGS

## 13. CITY COMMISSION

- a. Submittal of applications for appointment to the Communitywide Council.

There is still one position available for the target area appointment to the Communitywide Council. This item will come back to the City Commission on May 18, 2020.

- b. Submittal of applications to serve on the Police Officers Retirement Fund - 185 Board.

One application for re-appointment to serve on the Police Officers Retirement Fund has been received. This item will come back to the City Commission on May 18, 2020.

- c. For Informational Purposes - House Rule: Code of Civility

- d. **ADD ON ITEM:** Resolution 20-R22 correcting references to Capital Improvement Revenue Note from 2014A to 2014 in Resolution 20-R21 adopted on April 20, 2022.

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

### RESOLUTION 20-R22

A RESOLUTION OF THE CITY OF FORT PIERCE, FLORIDA **SUPPLEMENTING ITS RESOLUTION NO. 20-R21** BY AMENDING ALL REFERENCES TO CAPITAL IMPROVEMENT REVENUE NOTE, SERIES 2014A TO CAPITAL IMPROVEMENT REVENUE NOTE, SERIES 2014; PROVIDING FOR SEVERABILITY AND PROVIDING AN EFFECTIVE DATE.

This item is to correct a clerical error within the resolution.

Motion was made by Commissioner Reginald Sessions, seconded by Commissioner Jeremiah Johnson to approve Resolution 20-R22.

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

Passed

## 14. 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.

Cathy Townsend  
Courtney Purnell  
Pinkie Hendley  
Sandy Krischke  
Rebecca Demanuel  
Kris Einstein  
John Lloyd

## 15. COMMENTS FROM THE CITY MANAGER

Nick Mimms, City Manager, introduced Caleta Scott, Grant Administration Manager, to give an update on the launch of the City of Fort Pierce small business and mortgage or rent relief grant program. Ms. Scott thanked staff and DeVoshay Johnson, IT Manager, and the IT team for working through the weekend to finalize the online development for the grant application. Some logistics had to be worked out at the last minute, but the pre-qualification process for grant applications has begun. Today, 215 business and 561 households began the pre-qualification process and four businesses completed their application. Applicants have expressed concern because there are so many documents required to be submitted with the application. The requirements are established by the federal government under the specific grant program from which the funds are disbursed. For federal audit purposes and by federal requirements, income and eligibility must be documented and proven. The City has established a dedicated email account and telephone number for this effort. Mr. Mimms also commends staff on a job well done. This is historically the largest grant program to be distributed to small businesses and residents in the City of Fort Pierce.

Audria Moore-Wells presented an update on the Covid-19 testing program in the City of Fort Pierce. A call center was established for residents to pre-register for testing. A link on the City's website was established for residents to register and complete the self-screening online. Two tests will be offered to 1200 residents: a swab test for Covid-19 to determine if a person who is ill has the virus, and an antibody test via blood draw to determine if a person has been previously exposed to the virus. Testing will be done May 11-15, 2020.

Mr. Mimms presented an update on the food distribution program. Approximately 3,000 meals were distributed this past weekend to our community by the Boys & Girls Club of Fort Pierce. All the cooking was done at the Garden Terrace location on Avenue J. This program will continue to run through the end of May.

Special events in the City of Fort Pierce will remain cancelled. City Hall remains closed. The City is looking at a gradual opening, but protective measures need to be in place for the safety of the employees and the safety of the public. Boards and committees are currently not meeting, but activity is taking place.

Public hearings will need to resume soon. Peter Sweeney, City Attorney reminded the City Commission that the Governor's Executive Order 20-52 which declared COVID-19 a public health emergency is set to expire on May 08, 2020. The Governor reserved the right to extend the expiration date. There will be no jury trials in the State of Florida until July 02, 2020. Commissioner Perona mentioned that the City's suspension of public hearings was intended to follow the Governor's order; however, the City of Fort Pierce reserved the right to amend the rule in the best interest of City business. Mr. Mimms will review the boards and committees and determine which ones are in critical need of a physical meeting or public hearing.

The City Commission reviewed the upcoming agenda for the Conference Agenda meeting and agreed that the meeting scheduled for May 11, 2020 should be cancelled.

City Attorney, Peter Sweeney has no further comments.

a. Reports

**16. COMMENTS FROM THE COMMISSION**

Commissioner Sessions inquired about the tree mitigation bond for the new Classical Academy Charter School. Mr. Mimms stated that the bond amount was generated by the developer based upon the design proposal. We currently do not have a waiver provision; however, if the City Commission directs staff to provide a waiver provision, staff will make that happen. City Attorney, Peter Sweeney stated that there is no provision in the City Code for a waiver. To take an action that is not written in the City Code is problematic. The proper way would be to amend the Ordinance retroactively. To amend Chapter 22, it would have to go before the Planning Board as a text amendment. It would then require two ordinance readings at a public hearing. Jennifer Hofmeister, Planning Director explained the process of tree mitigation for this project. Clearing of the site began before a re-assessment of the trees was done which may have resulted in a lower bond amount. It is the staff's responsibility to enforce the City Code. The planning staff is currently reviewing all sections of the City Code pertaining to their department.

Commissioner Sessions also mentioned that the Sunrise Theatre is sponsoring a coloring contest with some very nice prizes.

Commissioner Perona mentioned that people were out and about this weekend in Fort Pierce. Not only on the pathways and roadways but also on the waterways. Commissioner Perona expressed thanks to Code Enforcement, staff and the Police Department for

monitoring and enforcing the social distancing.

Commissioner Alexander would like to acknowledge and thank the staff and all city employees for doing a great job. People need to remain cautious with the COVID-19 virus. Please remain serious and vigilant staying safe. Commissioner Alexander would like to see the tree mitigation issue resolved without impact to the school, staff, or children.

Commissioner Johnson acknowledged the challenges relating to tree mitigation at the school. Commissioner Johnson wanted to also acknowledge Teacher Appreciation Week. Teachers and students are facing unique challenges, and he is grateful for them.

Mayor Hudson acknowledged City Clerk's Appreciation week. The Florida League of Cities wrote a civic-minded children's book called, "The City That Talks". Mayor Hudson has offered to read this book to students and to do a virtual reading of this book with the Sunrise Theatre.

**17. 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 Linda Hudson adjourned the meeting at **9:18 PM**.

ATTEST:

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CITY CLERK

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MAYOR COMMISSIONER