

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, **JUNE 15, 2020.**

1. CALL TO ORDER

Mayor Hudson called the June 15, 2020 Regular Meeting of the City Commission to order at 6:30 PM.

2. OPENING PRAYER - Pastor Stafford Fisher, New Covenant Prayer Center

3. PLEDGE OF ALLEGIANCE

4. ROLL CALL

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

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

Commissioner Alexander was present by telephone conference call.

5. APPROVAL OF MINUTES

- a. Approval of Minutes from the June 01, 2020 Regular Meeting.

Motion was made by Commissioner Thomas Perona, seconded by Commissioner Jeremiah Johnson to approve the minutes from the June 01, 2020 Regular Meeting.

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

Passed

6. PROCLAMATIONS

- a. Proclamation recognizing June 19th as Juneteenth Independence Day

7. LETTERS TO COMMISSION

- a. Letter from the Knight family in appreciation of the entire Fort Pierce Police Department efforts during this time of COVID- 19.

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.

Al Boettjer – 13d.

Shirley Briggs – 13d.

Don Bestor – 13c.

Charlie Hayek – 13d Submitted by email and read by the City Clerk into the record.

9. ADDITIONS OR DELETIONS TO AGENDA AND APPROVAL OF AGENDA

Motion was made by Commissioner Reginald Sessions, seconded by Commissioner Rufus Alexander to hear item 13d immediately preceding item 13a.

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

Passed

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

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

Passed

10. MISCELLANEOUS REPORTS

None.

11. CONSENT AGENDA

- a. Approve Upland Software, Inc: Filebound renewal with addition of upgrade to cloud-based solution in the amount of \$123,816.60 for the course of three years, not to exceed \$41,272.20 annually.
- b. Approve purchase of ESRI, Annual Small Government Term Enterprise License Agreement and Training Pass over the course of 3 years in the amount of \$135,450.00. Not to exceed \$45,150.00 annually.
- c. Approval of Kimley-Horn & Associates Specific Authorization No. 1 in an amount not to exceed \$65,000.00 for the Citrus Avenue Bridge rehabilitation.
- d. Approve purchase for Geographic Technologies Group: GIS Professional Services in the amount not to exceed \$88,500.00.
- e. Approval to award Wirenutz Electrical Contractor the North 17th Street electrical service upgrades in the amount of \$55,202.60.
- f. Approval of Agreement for Easements by the City on behalf of FPUA with Mr. Joey Miller.

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

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

Passed

12. PUBLIC HEARINGS - Any Public Comment on these items, if not being offered in person, should be submitted by noon on the day of the meeting using the Sworn Public Comment Form which is available on the city's website at:

<http://www.cityoffortpierce.com/DocumentCenter/View/8741/Sworn-Public-Comment-for-Public-Hearings>

- a. Ordinance 20-013 reducing Business Tax Receipt fees by 5% for the next two years.

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

ORDINANCE NO. 20-013

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF FORT PIERCE, FLORIDA, AMENDING CHAPTER 9, ARTICLE II, BUSINESS TAX, SECTION 9-30, FEES, TO PROVIDE FOR A 5% DECREASE IN BUSINESS TAX FEES FOR BUSINESSES, PROFESSIONS, OR OCCUPATIONS; PROVIDING FOR A SEVERABILITY CLAUSE; REPEALING ORDINANCES OR PARTS THEREOF IN CONFLICT HEREWITH; AND PROVIDING FOR AN EFFECTIVE DATE. FIRST READING
Mayor Hudson opened the Public Hearing. Seeing no one, Mayor Hudson closed the Public Hearing.

Motion was made by Commissioner Thomas Perona, seconded by Commissioner Reginald Sessions to approve Ordinance No. 20-013.

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

Passed

13. CITY COMMISSION

- a. Review and approval of the Request for Proposals for the management and lease of the Savannah Road Animal Shelter.

Peggy Arraiz, Code Enforcement Manager presented the Request for Proposal (RFP) for the management and lease of the Savannah Road Animal Shelter. Highlights of the RFP include: Operation of an animal shelter to service the City of Fort Pierce and the unincorporated areas of St. Lucie County; provide low cost veterinary services to pet owners; provide necessary care to the animals impounded by the two jurisdictions and the animals surrendered by citizens; and, operate in a fiscally responsible manner and focusing on fundraising, volunteers, community outreach and adoptions. June 24, 2020 the final RFP will be posted on Demandstar and the City of Fort Pierce website. The deadline for submittal of sealed bids will be July 23, 2020. After evaluation by the committee, recommendations will be presented to the City Commission at the August 17, 2020 meeting.

Phase I of the rehabilitation and construction are on target to be completed by June 30, 2020. As of July 01, 2020, operations will be transferred from the temporary shelter to the Savannah Road location. Ms. Arraiz discussed the objectives, scope of services, experience and qualifications required, as well as the evaluation process and timeline for proposals received. It is important that potential operators promote adoptions and provide public information.

Commissioner Perona reviewed the RFP and would like to recommend Susan Parry to be added to the evaluation committee along with Peggy Arraiz.

Peggy Arraiz provided slides showing the rehabilitation work that has been done so far. Construction work continues.

Motion was made by Commissioner Jeremiah Johnson, seconded by Commissioner Thomas Perona to approve the RFP as presented with an amendment that the evaluation committee includes Susan Parry and Peggy Arraiz.

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

Passed

b. Resolution 20-R29 Temporarily Reducing Planning Department Fees

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

RESOLUTION NO. 20-R29

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FORT PIERCE, FLORIDA; AMENDING BY RESOLUTION THE FILING FEES FOR DEVELOPMENT APPLICATIONS PURSUANT TO SECTION 22-141 BY THE CODE OF ORDINANCES, TO TEMPORARILY REDUCE PLANNING DEPARTMENT FEES AS SHOWN ON EXHIBIT A AND EXHIBIT B THROUGH NOVEMBER 30, 2020; RESTATING OTHER PLANNING DEPARTMENT FEES; AND PROVIDING FOR AN EFFECTIVE DATE

Jennifer Hofmeister, Planning Director presented a resolution to reduce or suspend certain planning fees for a period of approximately six months. Ms. Hofmeister discussed historical fee schedules along with the current temporary modification to the planning department fees through November 30, 2020. The adjustment includes suspending the pre-application meeting, sign permit, and sidewalk café permit application fees and reducing the application fee for non-residential site plans for projects 4,001 square feet and larger and residential site plans with twenty-one or more units.

Upon the completion of this temporary fee suspension, Jennifer Hofmeister has requested direction from the City Commission to review the fee schedule and present a new resolution with fees going forward.

Motion was made by Commissioner Jeremiah Johnson, seconded by Commissioner Thomas Perona to approve Resolution 20-R29.

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

Passed

c. Follow-up discussion and direction regarding resuming special event permitting and facility rentals.

Mike Reals, Director of Public Works discussed new rental and special event agreements with safety guidelines for public properties and facilities. Staff reviewed the guidelines that surrounding communities have imposed. The special event guidelines drafted include safety procedures that will be incorporated in the special event permit. Enforcement of the safety guidelines outlined will be the responsibility of the event permit holder. The safety procedures which are proposed follow the State of Florida guidelines as well as the CDC recommendations.

Mike Reals explained that for current events such as the Farmer's Market, Jazz Market, Jazz on Moore's Creek, they are ready to resume at the City Commissions direction. Any new events that are not pre-established, would have to go through the full permit process which would take a minimum of thirty days.

The City Commission discussed the concern with the current COVID-19 status impact on the community. The numbers are rising with positive cases. Attractions such as the Farmer's Market will draw people from surrounding communities.

Motion was made by Commissioner Jeremiah Johnson, seconded by Commissioner Thomas Perona to approve the new parameters and procedures for the COVID-19 facility rental and special event use guidelines and safety procedures as presented.

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

Passed

Mike Reals would like to follow up on the discussion from the conference agenda regarding summer youth activities. Fort Pierce has looked at what surrounding communities are doing as well as community partners. If we were to offer any summer youth programs, the number of participants would be very limited so that social distancing can be maintained. The challenge is, kids will be kids, and kids like to play. The recommendation from staff for activities if we were to go forward, would be no contact sports, no football, no basketball, no baseball but instead, would be art-based or mentoring/tutoring type activities. This would take place at the recreation facility.

Commissioner Sessions does not recommend going forward with youth activities at the current time. The COVID-19 numbers are too high to put youth at risk. Commissioner Sessions will not support youth programs under the current circumstances, but perhaps in the future.

Commissioner Perona suggested that we support community partners that are already offering summer camps and programs. Commissioner Johnson agrees that no-contact activities like music and arts should be encouraged. If there are current programs in place, we should support those partners and non-profits. Commissioner Alexander does not want to see children unsupervised this summer. We should look into feeding and hydrating the children. Mentoring and tutoring would be beneficial.

The consensus of the City Commission is to continue to postpone youth activities until the fall for the safety of the children and to support community partners and non-profits with their existing programs.

- d. Discussion at the request of Commissioner Sessions regarding a proposed ordinance on the handling of body worn camera footage and review of police rules and procedures for purposes of reformation.

Item 13d. was heard during the meeting immediately preceding item 13a.

Commissioner Sessions is concerned with systematic racism that is occurring in Fort Pierce and across the country. Recent rallies held in Fort Pierce and surrounding communities have inspired and motivated Commissioner Sessions to join the movement and make a difference. He stated we are all of one accord regardless of age or race, and we want to make a difference. Commissioner Sessions drew parallels between national events and events that have happened in Fort Pierce. Commissioner Sessions expressed concern with FPUA billing discrepancies between different areas of the city. Commissioner Sessions would like a review of the following police policies and procedures:

1. Chokehold policy;
2. De-escalation training;
3. Knock-first warrant execution policy;
4. Re-organization of police advisory board; and
5. Body-Camera policy enforcement.

Commissioner Sessions expressed his desire to have these five items written as ordinances and not just as policy to be proactive and not reactive.

Commissioner Perona wanted to clarify that the City Commission unanimously supports the Police Department and will continue to work on the budget and strategic planning to seek out and allocate funding and find resources for the necessary equipment, education, and pay which has been discussed many times. The City Commission has always and will continue to support the Fort Pierce Police Department.

Commissioner Alexander would like to see more of the citizens coming forward if they have concerns and would like this item to be discussed at a conference agenda meeting.

Mayor Hudson acknowledged that a lot of information was given tonight. The City of Fort Pierce has policies and procedures in place to protect the citizens and police officers many of which are governed by Florida State Statute. Mayor Hudson would like clarification on what is in place now so the City Commission, as policy-makers, can make good decisions. The City Commission unanimously agrees that the top priority is to keep the citizens of Fort Pierce safe, and we look to the experts and professionals in this field for guidance on making good policy decisions. Mayor Hudson also clarified for the citizens that it takes three Commissioners to pass any policy.

Commissioner Johnson stated that the appointee's on the Policy Advisory Board report back to the Commissioners with their comments and concerns. The advisory board is made up of citizens of our community and it is important that we hear from them. Commissioner Johnson suggested a joint session with the City Commission and Police Advisory Board. The City Commission is a legislative board. Commissioner Johnson does not feel it is appropriate for the City Commission to start legislating operational policy; that is up to the department heads and the City Manager whom we hold accountable. There are policies in place now that are all-inclusive. It is the Commission's job to hold those in charge of the policies accountable. We have talked in previous Commission meetings about what we can do to change what is happening in the City of Fort Pierce Police Department. We are talking about increased salaries, benefit packages, and equipment. The budget is being scrutinized to find these resources. Commissioner Johnson wants the police officers to be encouraged.

Commissioner Sessions acknowledged that we did not come here tonight to create and write an ordinance. As elected officials, we have to abide by the Sunshine Law. Commissioner Sessions intention was to express his opinion and to start the discussion about these issues. Commissioner Sessions urged the Commissioners to reflect on these topics, do research and then have these items added to the conference agenda for further discussion.

Mayor Hudson would like the Police Advisory Board to look at the recommendations.

Commissioner Perona has heard that the body camera policy is broken but does not know how it is specifically broken. This issue needs to be clearly identified and addressed.

Commissioner Perona has read the police policy, heard from the police officers and folks at the state level, that we have one of the best policies that go along with this. If it's broken, let's fix it. The City Commission has the obligation to look at the whole issue and meter out the resources to handle the actual problems that have been identified. Commissioner Perona does not understand how the body cameras are not doing the job intended, and how the body cameras are failing the Fort Pierce Police Department and the citizens of Fort Pierce.

Commissioner Sessions said the problem is the body cameras are not turned on and that is the problem. The policy is what needs to be enforced.

Nick Mimms, City Manager suggested holding a special workshop to address the issues brought forward tonight. Mr. Mimms does not think it should be combined at the next conference agenda which is a budget workshop. A special workshop would allow all items to be identified and discussed so we can work together and improve the situation.

Motion was made by Commissioner Reginald Sessions, seconded by Commissioner Rufus Alexander to address these five issues at a conference agenda meeting.

Commissioner Alexander expressed that we need to be proactive on these issues. Commissioner Johnson agrees that further discussion is necessary. The items need to be taken one at a time. Regarding the body cameras, Commissioner Johnson would like to know the specific deficiencies so improvements can be made.

Motion was made by Commissioner Reginald Sessions, seconded by Commissioner Rufus Alexander to modify his original motion to discuss the one item, policy for body-worn cameras, at the next conference agenda meeting.

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

NAY: Commissioner Jeremiah Johnson

Passed

Commissioner Johnson wants to clarify for the record that his vote during the roll call was to support having a special meeting in July for this item and to not have it combined with the budget workshop at the next conference agenda.

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.

Dr. Pinkie Hendley
Michelle Longarzo
Graham Kelley
Mazella Smith
Rick Reed
Betty Bradwell
Kyle McCarthy
Ionis Jefferson
Diane Hobley-Burney
Kenny Norris

15. COMMENTS FROM THE CITY MANAGER

City Manager, Nick Mimms introduced Caleta Scott, Grants Administration Manager who provided an update on the COVID-19 Grant Recovery Program. Approximately \$117,000.00 has been disbursed to date. The grant program will re-open and be expanded to include businesses that were established in 2018 and will also include home-based businesses. There remains approximately \$164,000.00 available for grants. Caleta Scott will present to the City Commission the amended 2019 action plan which will include assisting non-profits with their needs.

City Manager, Nick Mimms had no further updates.

City Attorney, Peter Sweeney had no updates.

16. COMMENTS FROM THE COMMISSION

Commissioner Alexander wishes for everyone to remain in prayer. Pray for each other and reflect. There's no need to be so angry.

Commissioner Perona knows everyone is on edge and social tensions are high. Everyday brings change. Leaders of the community need to and will remain focused.

Commissioner Sessions expressed thanks to District 1 for addressing a problem within the community. Commissioner Sessions feels that the City Manager has allowed city employees to disrespect him which is against policy and this needs to be addressed. Commissioner Sessions is requesting security from the Sheriff's Department. Please wear masks for personal protection from COVID-19.

Commissioner Johnson clarified that comments made by a speaker were misrepresented. The Code of Civility that was developed by the City Commission at the last strategic planning session is just not being followed. The public should be respected when they have their three minutes to address the Commission to share their opinion or views. Commissioner Johnson is committed to following the Code of Civility that he signed and prays every day for the people of the City of Fort Pierce, staff, the Commission, and the Mayor with a humble heart.

Mayor Hudson expressed that the most important thing a city can do is keep its citizens safe. Mayor Hudson thanks the police department for all their efforts. Mayor Hudson thanks and appreciates staff for their hard work during hurricanes and this state of emergency.

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 11:16 PM.

ATTEST:

CITY CLERK

MAYOR COMMISSIONER