

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 6:00 PM ON MONDAY, **JANUARY 04, 2021**

**1. CALL TO ORDER**

Mayor Hudson called the January 04, 2021 Regular Meeting of the City Commission to order at 6:00 PM.

**2. OPENING PRAYER - Reverend Ruben Mitchell, Triumph the Church and Kingdom of God in Christ**

**3. PLEDGE OF ALLEGIANCE**

**4. ROLL CALL**

Present: Commissioner Rufus Alexander; Commissioner Curtis Johnson, Jr.; Commissioner Jeremiah Johnson; Commissioner Thomas Perona; Mayor Linda Hudson

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

Commissioner Alexander was present by telephone conference call.  
Commissioner Curtis Johnson was present by telephone conference call.

**5. APPROVAL OF MINUTES**

- a. Approval of minutes from the December 21, 2020 regular meeting.

Motion was made by Commissioner Jeremiah Johnson, seconded by Commissioner Thomas Perona to approve the minutes from the December 21, 2020 Regular Meeting.

AYE: Commissioner Rufus Alexander, Commissioner Curtis Johnson, Jr., Commissioner Jeremiah Johnson, Commissioner Thomas Perona, Mayor Linda Hudson

Passed

**6. PROCLAMATIONS**

**7. LETTERS TO COMMISSION**

**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**

City Clerk, Linda Cox, indicated that the legislative hearing on Ordinance 21-001, Agenda Item 12a, is being requested to being postponed until January 19, 2021.

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

AYE: Commissioner Rufus Alexander, Commissioner Curtis Johnson, Jr., Commissioner Jeremiah Johnson, Commissioner Thomas Perona, Mayor Linda Hudson

Passed

**10. MISCELLANEOUS REPORTS**

- a. Presentation of the Draft 2021 Legislative Priorities

Legislative Affairs Director Nicole Fogarty and Courtney Calderone, Legislative Affairs Grants Coordinator provided an update on the 2021 State Legislative Programs and Draft Legislative Priorities. Ms. Fogarty reviewed for the City Commission who the current State Delegation representatives are: Senator Gayle Harrell, Representative Erin Grall, Representative Toby Overdorf, Representative Kaylee Tuck, and Representative Dana Trabulsy.

Ms. Fogarty outlined the 2021 legislative program for the City which included the Enterprise Florida Job Growth Grant Fund, Qualified Targeted Industries Tax Refund, Local Fuel Tax Indexing, Sales Tax Fairness, and Public Safety-School Resource Officers; and remains opposed to further erosion of home rule authority and imposition of unfunded mandates. Additionally, Ms. Fogarty discussed the Florida Department of Environmental Protection Beach and Inlet Management projects which seek full funding. Legislative priorities also include supporting

Comprehensive Water Reform, Port of Force Pierce, Micro-mobility Programs, Broadband and is opposed to legislative interference with location imposition of impact fees.

City Manager Nick Mimms requested the City Commission to review the attached draft and submit comments. A final program will be presented to the legislative delegation on January 15, 2021 at Indian River State College.

- b. **MOVED TO 1/19/2021 AGENDA.** Preliminary Fourth Quarter Financial Report
- c. Presentation of an unsolicited proposal from Operation SOS to lease and management animal shelter located at 100 Savannah Road.

Code Compliance Manager Peggy Arriaz provided an overview of the unsolicited proposal from Operation SOS to lease, operate, and manage the animal shelter located at 100 Savannah Road. Ms. Arriaz briefly outlined the history of the animal shelter. RFP 2020-039 was issued by the City of Fort Pierce in July, 2020 and there were no responses. Shortly after the RFP expired, Operation SOS reached out with a proposal. The proposal submitted is in line with the previous RFP and meets all the requirements. The proposal for operations and lease would commence on February 01, 2021. Both St. Lucie County and Fort Pierce staff have reviewed the proposal and support its approval with comments.

They have outlined an unconventional approach by starting as Operation SOS who is funding this program. Their goal is to create a new non-profit organization called Sunrise Humane Society (SHS) in a four-phase approach. The immediate transition of animal care would be by February 01, 2021, with a Shelter Manager immediately in place. That person has been identified and an acceptable salaried compensation has been negotiated. The current kennel staff will be offered continued employment.

Operation SOS has been servicing the Treasure Coast and Okeechobee County since 2017. The Executive Director, Dr. Julie Kittams has been a Veterinarian for 23 years, licensed in the State of Florida for six years. They currently employ two full-time veterinary technicians. They are the largest provider of high-quality and high-volume spay/neuter services in the area. To date, over 10,000 sterilization surgeries have been administered. They have contracts with the City of Fort Pierce, St. Lucie County, Okeechobee County, and the City of Port St. Lucie and are the only provider to all three local jurisdictions for TNVR services.

It is their objective to create a new non-profit entity, the Sunrise Humane Society (SHS), which will be separate from Operation SOS, its board, finances, permits, insurance, and operations. They anticipate transferring all documents from Operation SOS to the Sunrise Humane Society by the end of year two. The SHS will be responsible for collecting all fees, such as impound fees, due to the City of Fort Pierce and St. Lucie County and remitting such payments in a timely manner. The SHS will be responsible for ensuring a City / County animal registration exists or issue a new one before any animal is adopted or returned to its owner. There will be a three-person management team: Facilities Director, Shelter Manager, and Veterinarian. The proposed business plan has been broken down into a four-phase approach.

Phase One will include filling the position with a Shelter Manager and to take over animal care, policies, and procedures; transfer utilities into Sunrise Humane Society; begin management of general site operations including impounds, adoptions, veterinary clinic, and prevention; and, maintenance of buildings and all outdoor spaces including parking lots. The facility will not be open to the public until all safety protocols are in place.

Phase Two will be to open the animal shelter to the public and develop the Sunrise Humane Society by establishing a Board of Directors. Fundraising will begin and plans will be established for community outreach, volunteers, and fosters. The research will be done for a generator solution in the event of a hurricane.

Phase Three will include instituting the volunteer program and foster programs and the start of the veterinary clinic. The veterinary clinic will need to be fully outfitted. This clinic should generate enough funds to be self-supported.

Phase Four will include opening the spay/neuter clinic to the public, SHS will be fully operational and Operation SOS will return its regular routine offsite.

Operation SOS Will work with existing budgets for both City of Fort Pierce and St. Lucie County through the end of FY 2021. Service agreements will be drafted for each jurisdiction, but all terms and conditions will be identical.

SHS has agreed to the inspections and evaluations that were presented in the RFP's. Staff recommends two separate evaluations. The semi-annual evaluation will be of the facility and be included in the lease. The bi-monthly inspections will be of animal care and services and will be included in the service agreements. Operation SOS will establish a \$20,000.00 loan to SHS to provide the services needed to establish operations.

The lease is for one year, with a four (4) one-year renewal options (5 years total). Staff recommends that the lease agreement have the same term as the service agreement and be tied directly to the service agreement and vice versa. Therefore, if the service contract is terminated, the lease will terminate at the same time. Staff recommends a minimum of 120 days to terminate without cause. For cause termination clauses will be provided for both parties.

SHS has offered a position on the Board for a representative from each jurisdiction. If the jurisdictions provide a representative for the Board of Directors, they will be bound by sunshine law regulations.

## 11. **CONSENT AGENDA**

- a. Approval and acceptance of Unsolicited Proposal from Operation SOS for the lease and management of the animal shelter located at 100 Savannah Road.
- b. Approve letter of support of St. Lucie County Resolution 20-267, in which St. Lucie County has requested the Florida's Turnpike Enterprise to change their recommended configuration for the proposed interchange at Midway Road to "Alternative B", the Tight Urban Diamond Interchange (TUDI).
- c. Rescind and re-award Bid No. 2020-025 to PRP Construction Group, LLC, for the Indian Hills Recreation Area Multi-Use Trail Improvements in an amount not to exceed \$512,933.00
- d. Approval and acceptance of the 2020 Keep Fort Pierce Beautiful Program Litter Control and Prevention Grant Agreement in the amount of \$15,000.00.

Motion was made by Commissioner Jeremiah Johnson, seconded by Commissioner Rufus Alexander to approve items 11a, 11b, 11c, 11d.

AYE: Commissioner Rufus Alexander, Commissioner Curtis Johnson, Jr., Commissioner Jeremiah Johnson, Commissioner Thomas Perona, Mayor Linda Hudson

Passed

## 12. PUBLIC HEARINGS

Any Public Comment on these Public Hearing 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. **STAFF IS REQUESTING TO POSTPONE UNTIL JANUARY 19, 2021 MEETING.** Legislative Hearing - Ordinance 21-001 - An Ordinance amending the City's Comprehensive Plan to update the Water Supply Facilities Work Plan. FIRST READING

This item has been postponed until January 19, 2021

## 13. CITY COMMISSION

- a. Selection of Mayor Pro Tem pursuant to Section 23 of the City Charter which requires the City Commissioners to select one (1) of their number as Mayor Pro Tem at the first regular meeting following January 1.

Motion was made by Commissioner Thomas Perona, seconded by Commissioner Jeremiah Johnson to appoint Commissioner Curtis Johnson to act as Mayor Pro Tem pursuant to Section 23 of the City Charter.

AYE: Commissioner Rufus Alexander, Commissioner Curtis Johnson, Jr., Commissioner Jeremiah Johnson, Commissioner Thomas Perona, Mayor Linda Hudson

Passed

- b. Update on the demolition of 2607 Avenue D - Continued from October 5, 2020 as Resolution No. 20-R12

Code Compliance Manager Peggy Arriaz provided a brief update on the status demolition for 2607 Avenue D. Ms. Arriaz spoke with the property owner, Ms. Eradiri, who retired from employment today. Ms. Eradiri is still working with a contractor to get the permit to make repairs. Ms. Arriaz explained to her the full permit process for a total rehabilitation. Ms. Eradiri will continue to work with the contractor to secure the permit so work can commence.

- c. Submittal of applications to serve on the Police Officers Retirement Fund Board of Trustees.

This item will come back to the City Commission in the form of a Resolution at the next meeting.

- d. Resolution No. 21-R01 determining that the structure located at 513 N 18th Street is unsafe, has been condemned in accordance with the International Property Maintenance Code as adopted by the City Commission and should be demolished. A hearing to determine this matter is scheduled before the City Commission on February 1, 2021.

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

### RESOLUTION NO. 21-R01

A RESOLUTION DETERMINING THAT A CERTAIN BUILDING OR STRUCTURE LOCATED AT 513 N 18th STREET IN FORT PIERCE, FLORIDA, 34950 IS UNSAFE AND A NUISANCE THAT CONSTITUTES A MENACE TO THE BUSINESS, HEALTH AND SAFETY OF THE COMMUNITY; AND THAT ALL PARTIES OF INTEREST MUST SHOW CAUSE WHY THE STRUCTURE SHOULD NOT BE DEMOLISHED IN ACCORDANCE WITH THE ORDINANCES OF THE CITY OF FORT PIERCE; AND NOTIFYING ALL PARTIES OF POTENTIAL ACTION BY THE CITY OF FORT PIERCE FOR FAILURE TO ACT; AND THAT A PUBLIC HEARING BE HELD AT THE REGULARLY SCHEDULED CITY COMMISSION MEETING ON FEBRUARY 1, 2021 AT 6:00 PM, IN THE CITY COMMISSION CHAMBERS LOCATED AT 100 NORTH US HIGHWAY 1, FORT PIERCE, FLORIDA; AND PROVIDING FOR NOTICE TO ALL PARTIES.

Motion was made by Commissioner Jeremiah Johnson, seconded by Commissioner Thomas Perona to approve Resolution 21-R01.

AYE: Commissioner Rufus Alexander, Commissioner Curtis Johnson, Jr., Commissioner Jeremiah Johnson, Commissioner Thomas Perona, Mayor Linda Hudson

Passed

- e. Resolution 21-R02 appointing Darryl Thomas-Bey to the Board of Adjustments as Commissioner C. Johnson's appointee.

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

### RESOLUTION NO. 21-R02

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FORT PIERCE, FLORIDA, CERTIFYING THE APPOINTMENT OF MEMBERS TO THE BOARD OF ADJUSTMENT, PROVIDING FOR AN EFFECTIVE DATE.

Motion was made by Commissioner Curtis Johnson, Jr., seconded by Commissioner Thomas Perona to approve Resolution 21-R02.

AYE: Commissioner Rufus Alexander, Commissioner Curtis Johnson, Jr., Commissioner Jeremiah Johnson, Commissioner Thomas Perona, Mayor Linda Hudson

Passed

- f. Resolution 21-R03 appointing and reappointing representatives to the Parking Committee and adjusting terms to run concurrently with appointing members term.

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

RESOLUTION NO. 21-R03

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FORT PIERCE, FLORIDA, CERTIFYING THE APPOINTMENT OF MEMBERS TO THE PARKING COMMITTEE; CORRECTING THE TERMS OF OFFICE; PROVIDING FOR AN EFFECTIVE DATE.

Motion was made by Commissioner Jeremiah Johnson, seconded by Commissioner Rufus Alexander to approve Resolution 21-R03.

AYE: Commissioner Rufus Alexander, Commissioner Curtis Johnson, Jr., Commissioner Jeremiah Johnson, Commissioner Thomas Perona, Mayor Linda Hudson

Passed

- g. Resolution 21-R04 appointing and reappointing members to the Parks Advisory Committee and adjusting terms to run concurrently with the appointing members' term.

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

RESOLUTION NO. 21-R04

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FORT PIERCE, FLORIDA, CERTIFYING THE APPOINTMENT OF MEMBERS TO THE PARKS ADVISORY COMMITTEE; CORRECTING THE TERMS; PROVIDING FOR AN EFFECTIVE DATE.

Motion was made by Commissioner Thomas Perona, seconded by Commissioner Jeremiah Johnson to approve Resolution 21-R04.

AYE: Commissioner Rufus Alexander, Commissioner Curtis Johnson, Jr., Commissioner Jeremiah Johnson, Commissioner Thomas Perona, Mayor Linda Hudson

Passed

- h. Resolution 21-R05 appointing Harold Albury to the Planning Board as Commissioner Curtis Johnson, Jr.'s representative.

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

RESOLUTION NO. 21-R05

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FORT PIERCE, FLORIDA, CERTIFYING THE APPOINTMENT OF A MEMBER TO THE CITY PLANNING BOARD; PROVIDING FOR AN EFFECTIVE DATE.

Motion was made by Commissioner Curtis Johnson, Jr., seconded by Commissioner Jeremiah Johnson to approve Resolution 21-R05.

AYE: Commissioner Rufus Alexander, Commissioner Curtis Johnson, Jr., Commissioner Jeremiah Johnson, Commissioner Thomas Perona, Mayor Linda Hudson

Passed

- i. Resolution 21-R06 appointing members to the Arts and Culture Advisory Board and adjusting the terms to run concurrently with the appointing member.

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

RESOLUTION NO. 21-R06

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FORT PIERCE, FLORIDA, CERTIFYING THE APPOINTMENT AND REAPPOINTMENT OF MEMBERS TO THE ARTS AND CULTURE ADVISORY BOARD; PROVIDING FOR AN EFFECTIVE DATE.

Motion was made by Commissioner Jeremiah Johnson, seconded by Commissioner Rufus Alexander to approve Resolution 21-R06.

AYE: Commissioner Rufus Alexander, Commissioner Curtis Johnson, Jr., Commissioner Jeremiah Johnson, Commissioner Thomas Perona, Mayor Linda Hudson

Passed

- j. Resolution 21-R07 Appointing members to the Police Community Advisory Committee and correcting term expiration.

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

**RESOLUTION NO. 21-R07**

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FORT PIERCE, FLORIDA, CERTIFYING THE APPOINTMENT OF MEMBERS TO THE POLICE COMMUNITY ADVISORY COMMITTEE; CORRECTING THE TERM OF AN EXISTING MEMBER; PROVIDING FOR AN EFFECTIVE DATE.

Motion was made by Commissioner Rufus Alexander, seconded by Commissioner Jeremiah Johnson to approve Resolution 21-R07.

AYE: Commissioner Rufus Alexander, Commissioner Curtis Johnson, Jr., Commissioner Jeremiah Johnson, Commissioner Thomas Perona, Mayor Linda Hudson

Passed

- k. Resolution 21-R08 appointing members to the Infrastructure Surtax Citizen Oversight Committee and correcting terms of office to run concurrent with appointing officials.

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

**RESOLUTION NO. 21-R08**

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FORT PIERCE, FLORIDA, CERTIFYING THE APPOINTMENT AND REAPPOINTMENT OF MEMBERS TO THE INFRASTRUCTURE SURTAX CITIZEN OVERSIGHT COMMITTEE; CORRECTING TERMS; PROVIDING FOR AN EFFECTIVE DATE.

Motion was made by Commissioner Jeremiah Johnson, seconded by Commissioner Rufus Alexander to approve Resolution 21-R08.

AYE: Commissioner Rufus Alexander, Commissioner Curtis Johnson, Jr., Commissioner Jeremiah Johnson, Commissioner Thomas Perona, Mayor Linda Hudson

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.

None.

**15. COMMENTS FROM THE CITY MANAGER**

City Manager Nick Mimms provided to the City Commission a Strategic Planning Update, the City Manager's Report, and the Purchase Order Report which are attached to the agenda material. Mr. Mimms gave an update on meetings that will be upcoming. On January 7, 2021 there will be a joint meeting with the City of Fort Pierce, FPUA, and St. Lucie County to discuss the future of the wastewater treatment facility. The first Strategic Planning Meeting will be held on January 12, 2021, and will be held as a virtual meeting in the Commission Chambers. At the February 08, 2021 Conference Agenda Meeting, the local Health Administrator will provide an update on the efforts of the St. Lucie County Health Department in response to the COVID-19 pandemic and the constantly evolving vaccination distribution plan.

City Attorney Peter Sweeney had no updates.  
City Clerk Linda Cox had no updates.

- a. Reports

**16. COMMENTS FROM THE COMMISSION**

Commissioner Jeremiah Johnson wishes everyone a Happy New Year. Commissioner Johnson has met with the Health Department and the Fire District trying to find a location to hold a vaccination clinic. As a City, we should be prepared. Mr. Mimms commented that Deputy Chief Ridle is the Emergency Management Director and has been attending meetings with the Health Department and with the EOC at St. Lucie County and the City of Fort Pierce stands ready to assist however possible. Commissioner Johnson asks the community to be patient with the process. Commissioner Johnson is looking forward to the joint meeting regarding the Wastewater Treatment facility.

Commissioner Curtis Johnson wishes everyone a Happy New Year. Commissioner Johnson encourages everyone to maintain the hope and optimism that we entered 2021 with. Commissioner Johnson is also looking forward to the upcoming joint meeting.

Commissioner Alexander wishes everyone a Happy New Year. We must not forget our community, and we must keep them informed as the information becomes available.

Commissioner Perona wishes everyone a Happy New Year. We may not have a lot to do with the Health Department, we are the conduit to the community. Commissioner Perona shares the same frustrations that the community has. We will get answers to our community as soon as we can. The 38 Running of the Kiwanis Bridge Buster 5k is coming upon January 09, 2021. It's a short 3.1-mile run so if you made your New Year's resolution to exercise this is great fun!

Mr. Mimms added that the Lawnwood Regional Medical Center's CEO will be at the City Commission Meeting on January 19, 2021.

City Attorney Peter Sweeney added that the Governor's Statewide State of Emergency, which was set to expire on January 03, 2021, but on December 29, 2020, Governor DeSantis extended the Order for another 60 days and is set to expire on February 27, 2021. Mr. Mimms added that City Hall remains closed to the public.

Mayor Hudson wishes everyone a Happy New Year. Mayor Hudson visited a local business that had their best year ever, and they were so grateful to the City of Fort Pierce and Main Street for emphasizing shop local. It really made a difference. Mayor Hudson is very happy that the City is thriving even through this pandemic.

**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 **7:50 PM.**

ATTEST:

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CITY CLERK

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MAYOR COMMISSIONER