

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 4:30 P.M. ON TUESDAY, JANUARY 19, 2021.

1. **CALL TO ORDER**

Mayor Hudson called the January 19, 2021 Regular Meeting of the City Commission to order at 4:30 PM.

2. **OPENING PRAYER - Pastor Anthony Aiken, Bible Baptist Church**

3. **PLEDGE OF ALLEGIANCE**

4. **ROLL CALL**

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

Absent: Commissioner Rufus Alexander

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

5. **APPROVAL OF MINUTES**

- a. Approval of minutes from the January 4, 2021 regular meeting.

Motion was made by Commissioner Thomas Perona, seconded by Commissioner Curtis Johnson, Jr. to approve the minutes from the January 04, 2021 Regular Meeting.

AYE: 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.

Pastor Gracie Miller, Item 11b.  
Diane Hunt, Item 11b.  
Nita Willingham, Item 11b.  
Kathleen Nalley, Item 11b.  
Claude Facey, Item 13b.

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

A request was made by Commissioner Curtis Johnson to add a discussion regarding the Treasure Coast Regional Planning Council's (TCRPC) Resolution 21-01 regarding opposition to Senate Bill 62 as Item 9a.

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

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

Passed

- a. **ADD ON:** Request by Commissioner Curtis Johnson, Jr. to provide letter of support of Resolution 21-01 issued by the Treasure Coast Regional Planning Council opposing elimination of Regional Planning Councils.

Commissioner Curtis Johnson attended the TCRPC meeting on January 15, 2021. At the top of the agenda was Senate Bill 62. The TCRPC has requested its members bring this item back to their local municipalities to make them aware of the proposed Senate Bill and to have them utilize whatever avenues available through legislative actions to Senate Representatives to make the municipality's opinion known.

Commissioner Jeremiah Johnson asked Legislative Affairs Director Nicole Fogarty when this bill will be heard in the House so actions or a letter from the City Commission can be prepared.

Legislative Affairs Director for St. Lucie County and City of Fort Pierce Nicole Fogarty was present to discuss the proposed Senate Bill 62 as filed by Senator Jennifer Bradley who represents the rural areas of Florida. The proposed bill will dissolve all Regional Planning Councils. This bill is scheduled for a First Hearing on the Senate

Community Affairs Agenda on Tuesday, January 26, 2021, at 3:00 PM. Any action by the City of Fort Pierce will be provided to the delegation members and to Senator Gayle Harrell who can speak with Senator Bradley. There was some discussion on amending the bill to narrow it down to the Regional Planning Council with which Senator Bradley has an issue.

Mayor Hudson asked for clarification on the bill which was drafted due to one Regional Planning Council but as written, will eliminate all Regional Planning Councils.

Ms. Fogarty further explained that the TCRPC covers four counties: Indian River County, St. Lucie County, Martin County, and Palm Beach County and the Regional Planning Council in question represents ten counties.

Commissioner Jeremiah Johnson clarified that Resolution 21-01 was voted on unanimously by the TCRPC.

Mayor Hudson commented that the TCRPC is needed and provides a valuable service to the City of Fort Pierce.

Commissioner Jeremiah Johnson inquired of City Attorney Peter Sweeney if writing a Letter of Support to the TCRPC would be appropriate because the City cannot propose its own resolution without proper public notice to which Mr. Sweeney confirmed that would be the correct action.

Motion was made by Commissioner Curtis Johnson, Jr., seconded by Commissioner Jeremiah Johnson to provide a Letter of Support to the TCRPC for its Resolution 21-01.

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

Passed

## 10. MISCELLANEOUS REPORTS

### a. Presentation by Eric Goldman, CEO Lawnwood Regional Medical Center

Mr. Eric Goldman, CEO of Lawnwood Regional Medical Center (Lawnwood) provided a presentation on services offered by Lawnwood Regional Medical Center which is owned by HCA. Mr. Goldman introduced the Administrative Team and shared the mission, vision, and values of Lawnwood. Mr. Goldman further gave a brief history of the hospital and provided hospital statistics regarding employees and patients, accolades received, and discussed Lawnwood's commitment to the community through services, education, and events including offering a Level II Trauma Center, Level III NICU, Pediatric Intensive Care Unit, Pediatric Emergency Department, Comprehensive Stroke Services, Inpatient Rehab, and Behavioral Health for adults and adolescents. Mr. Goldman is extremely proud of the economic impact for the community through taxes paid, salaries and benefits, local vendor support, the cost of charity and uncompensated care, capital investments, and minority and women-owned business support. Mr. Goldman discussed the various integrated services offered at the hospital including the unique technology used for patients and administration. Mr. Goldman provided information on the hospital's future vision and upcoming expansions which will include expanded operating rooms and the patient tower expansion.

### b. South Beach Western Peninsula Community Vision presentation

City Manager Nick Mimms reminded the City Commission that the City of Fort Pierce has been looking at and evaluating the South Beach area for approximately one year and has had some private development come before the commission and some challenges. Mr. Mimms introduced Director of Planning Jennifer Hofmeister to present a plan and vision that could solve some challenges that come before us in the development capacity.

Planning Director Jennifer Hofmeister provided a presentation of the Community's Vision for the South Beach Western Peninsula. Ms. Hofmeister discussed the plan's approach beginning with the 2012 charrette for Hutchinson Island and looking at the overall South Beach Overlay. Ms. Hofmeister had provided the City Commission with a copy of the 2012 Citizen's Master Plan for their recall.

Envisioned by residents and businesses working together, the Western Peninsula Master Plan is a collaborative effort, unified vision, and business plan for the relocation of Fort Pierce's waterfront Wastewater Treatment Plant. It is also a guide for the future growth of the island and a strategy to further the economic prosperity in the City of Fort Pierce. Ms. Hofmeister provided a slide showing a layout of the proposed vision under the master plan charrette which included hotel sites, waterfront market, mixed-use buildings, residential properties, parking, and a public beach. The goal of the Wastewater Treatment Plant's relocation is to develop a business strategy and Master Plan for the site and surrounding areas that sets a dignified gateway for the island, preserves and enhances natural resources, compliments parks and beaches, promotes connectivity, defines and enhances the existing greens and open spaces as a system, implements a "blueway", complements and supports the City's existing retail and businesses, preserves and improves the residents' quality of life, accommodates uses that will further job creation and economic prosperity for the community as a whole, and ensures predictability. Other ideas proposed were public and private marinas, water sports, seaplane landing areas, and education and research facilities.

Ms. Hofmeister commented that there is a need for more architectural design standards which the Planning Department will be looking at along with current land development regulations that are somewhat restrictive. Ms. Hofmeister discussed other plans which need to be consistent including the Neighborhood Planning Section and Future Land Uses section of the 2019 Comprehensive Plan, the Code of Ordinances section on Designation of Overlay Districts, and most recently the Regulatory Environment Policy in the FPRA Redevelopment Plan Update 2020.

Ms. Hofmeister provided slides showing the proposed Future Land Use and Zoning designations in the plan and discussed the Planning Department's proposed work timeline to make the necessary text amendment changes to the Comprehensive Plan and possibly changes to the Future Land Use Map. This timeframe begins in January 2021 and culminates in July 2022.

Commissioner Jeremiah Johnson thanked Ms. Hofmeister for getting the plan going again. There are a lot of opportunities here and it is a well laid out plan. Commissioner Jeremiah Johnson said regarding the South Bridge, he continues to plant seeds with FDOT to make sure it gets on their plan and the TPO plan to be replaced because South Bridge is a critical element to this plan as it is the connectivity and the gateway to the island.

Commissioner Perona commented that he is excited that new life coming to this plan that started so many years

ago. People are still passionate about moving that plan forward. This plan needs to be supported from both a Staff and Commission level. We are extremely fortunate to have a private partner to work with the City who is committed to achieving this goal.

Mayor Hudson stated she was part of the original charrette. The plan was stalled because of the cost to move the wastewater plant and then having to combine the two parcels. Residents on the island are still concerned with overdevelopment and height restrictions. Mayor Hudson appreciates the timetable provided.

Commissioner Curtis Johnson is excited about the economic stimulus this will provide for the City and for the County.

c. Preliminary Fourth Quarter Financial Report

Johnna Morris, Finance Director presented the preliminary Fourth Quarter Finance Report for the fiscal year ending September 30, 2020. Ms. Morris began the presentation with the Fund Evaluation Report. The General Fund and Solid Waste performed well. The Marina Fund's revenue and expense funds were not on target which left the fund not positive at the end of the fiscal year, but the cash balance was positive, and the fund is stable. This was a result of the construction of the restaurant and fuel docks and COVID-19. We continue to have issues with the Golf Course and Sunrise Theatre funds. Ms. Morris discussed projected shortages and overages in the General Fund for FY 19/20. Salaries and benefits were up in the fourth quarter due to the overtime required from the police department and code enforcement resulting from COVID-19. Expenditures were down in the fourth quarter because of budget cuts put in place back in March 2020. The resulting revenue shortage was far less than was originally anticipated. The City of Fort Pierce fared very well as compared to neighboring municipalities. Ms. Morris outlined the financial position and resources for the General, Marina, Solid Waste, Golf Course, Sunrise Theatre, and Building-Code Funds. The only two funds underperforming are the Golf Course and Sunrise Theatre. All the Special Revenue Funds are positive.

**11. CONSENT AGENDA**

- a. Approve grant award for Sonja Thomas, owner of A T.B.T. Insurance Company, in the amount of \$10,000.00, as an eligible recipient under the Way to Grow Lincoln Park Historic Avenue D Business District Small Business Startup/Relocation Grant Program.
- b. Approval to reduce demolition fees in the original amount of \$15,312.36, against 2808 Avenue B, Fort Pierce, FL 34950, Parcel ID Number 2408-508-0007-000-6 owned by Dianne Hunt & Nita L. Willingham, 305 N 17th Street, Fort Pierce, FL, to \$14,104.50 payable in 60 days. However, applicant is requesting a waiver of all charges \$15,312.36, which requires a direct vote by Commission.
- c. Approve request from former Commissioner Sessions for reimbursement of expenses associated with the defense of a complaint filed against him with the Florida Commission on Ethics, which was dismissed.

Commissioner Perona pulled item 11c for discussion.

Motion was made by Commissioner Curtis Johnson, Jr., seconded by Commissioner Jeremiah Johnson to approve items 11a and 11b.

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

Passed

Regarding Item 11c, Commissioner Perona inquired if this request was made by Commissioner Sessions, which Mr. Mimms confirmed. Commissioner Perona is concerned that this is similar to a situation that happened back on December 21, 2015. There were two Commissioners and the City Attorney that had ethic complaints filed against them and they incurred a total of \$15,000.00 worth of legal expense which was paid out by them individually and ultimately reimbursed. The City Attorney had stated that the Florida Attorney General determined that the municipality cannot deny the expense claim. Commissioner Sessions at the time was vehemently against the City paying out anything for the frivolous allegations. On three occasions it came up at City Commission meetings. Commissioner Sessions is on record stating that it is improper for any Commissioner to ask for a reimbursement. Commissioner Perona agrees that the \$1,530.00 legal fees should be reimbursed but will not support any other fees or expenses.

Commissioner Jeremiah Johnson inquired if there is an actual invoice and not just a statement of billable hours. For any expense reimbursed, taxpayers deserve to see an actual invoice for services rendered and a copy of a canceled check or credit card receipt as proof it was actually paid.

Mayor Hudson agrees that proof of payment of the invoice is required prior to reimbursement. Also, there were charges for gas and mileage. Usually, it is one or the other, not both.

City Attorney Peter Sweeney defers to Mr. Neill's letter in which he specifically references the additional expenses, the Attorney General's opinion, and case law supporting reimbursement of legal fees for the successful defense of an official. Historically in this matter, the other two commissioners were reimbursed for legal fees only and no other expenses.

Motion was made by Commissioner Thomas Perona, seconded by Commissioner Jeremiah Johnson to modify Item 11c and approve the maximum reimbursement amount of \$1,530.00, but only upon Commissioner Sessions providing proof of the expense by submitting an Invoice from the Attorney and submitting proof of the payment made with a copy of the canceled check or credit card receipt.

AYE: 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. Quasi-Judicial Hearing - Review and approval of an application for Conditional Use with No New Construction submitted by property owner, Wynne Building Corporation, and applicant, Danay Navarro, for Conditional Use to operate a Before and After School Childcare Program. The property is located at and is zoned General Commercial (C-3).  
Parcel ID 3403-502-0031-010-6.

City Clerk Linda Cox introduced a request for review and approval of an application for Conditional Use with No New Construction submitted by property owner, Wynne Building Corporation, and applicant, Danay Navarro, for a Conditional Use to operate a Before and After School Childcare Program. The property is located at the Del Rio Plaza, 4812 South US Highway 1, and is zoned General Commercial (C-3).

Mayor Linda Hudson asked all present to listen carefully to what City Attorney Peter Sweeney would read regarding Quasi-Judicial Hearings as they apply to all subsequent Quasi-Judicial Hearings tonight.

Before commencing this Quasi-Judicial Hearing, Peter Sweeney, City Attorney, reminded the City Commission that they serve in both a legislative and quasi-judicial role. When acting as a legislative body, the commission engages in law-making activity by passing laws and establishing policies. When acting as a quasi-judicial body, the commission applies those laws and policies and is held to stricter procedural requirements.

Quasi-judicial proceedings are less formal than proceedings before a circuit court but are more formal than the normal commission meeting. Quasi-judicial proceedings must follow basic standards of notice and due process, and decisions must be made based on competent substantial evidence.

Therefore, Commissioners have a duty to conduct the quasi-judicial proceedings more like judges than legislators. That is why the commission has established the uniform procedures for quasi-judicial hearings that will be followed this evening.

Mayor Linda Hudson called the proceeding to order.

City Clerk Linda Cox confirmed the City complied with advertisement and notice requirements.

Mayor Linda Hudson inquired with the Commission regarding ex-parte communications and asked City Clerk to call the roll:

Commissioner C. Johnson – none.  
Commissioner J. Johnson - none.  
Commissioner Perona - none.  
Mayor Hudson – none.

Mayor Linda Hudson opened the public hearing.

City Clerk Linda Cox was asked to swear in those wanting to speak during this Quasi-Judicial hearing. Individuals in the audience intending to speak on this item were asked to stand, raise their right hand, and administered an oath, to tell the truth, the whole truth, and nothing but the truth. Those that were sworn in were asked to clearly state their name for the record and confirm they were sworn in at such time as they were asked to come forward to testify.

### Staff presentation:

Planner Vennis Gilmore provided an overview of the proposed request for review and approval of an application for Conditional Use with No New Construction to operate a Childcare Facility at Del Rio Plaza, located at 4812 S. US Highway 1. The proposed Conditional Use will offer before and after-school childcare for children ages five to twelve years old. Mr. Gilmore presented maps showing the location, future land use, and zoning of the parcel to further identify the property and provided a floor plan for the proposed childcare facility.

The Planning Board recommended approval. Staff recommends approval.

### Commission questions for Staff:

Commissioner Jeremiah Johnson inquired what business is adjacent to the proposed location. Mr. Gilmore provided a list of businesses located in the shopping plaza. Commissioner Jeremiah Johnson wanted to clarify that there is no bar or restaurant in this plaza which there is not.

Applicant questions for Staff: None.

### Applicant presentation:

Ms. Kennedy Deyoung, Applicant Representative, sworn, was present by telephone conference call. Ms. Deyoung stated that after obtaining approval of the Conditional Use the applicant can proceed with getting approval from the Department of Children and Families.

Commission questions for Applicant: None.

Public comment: None

Mayor Hudson closed the public hearing.

Comments by the City Commission: None.

Motion was made by Commissioner Thomas Perona, seconded by Commissioner Curtis Johnson, Jr. to approve Item 12a.

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

Passed

- b. Quasi-Judicial Hearing - Application for a Conditional Use with No New Construction submitted by property owner, Jonathan D. Jura and Chemai Jura, to operate a Dwelling Rental, offering lodging of less than six (6) months with a minimum stay of less than 30 days located at 1122 South Ocean Drive. The property is zoned Hutchinson Island Medium Density Residential (R-4A). Parcel ID: 2401-810-0004-000-2.

City Clerk Linda Cox introduced the Application for a Conditional Use with No New Construction submitted by the property owner, Jonathan D. Jura and Chemai Jura, to operate a Dwelling Rental, offering lodging of less than six (6) months with a minimum stay of less than 30 days located at 1122 South Ocean Drive. The property is zoned Hutchinson Island Medium Density Residential (R-4A).

Mayor Hudson called the public hearing to order and reminded the Commission and Public that this proceeding is a Quasi-Judicial Hearing, and that City Attorney Peter Sweeney has read the legal requirements into the record.

City Clerk Linda Cox confirmed the City complied with advertisement and notice requirements.

Mayor Linda Hudson inquired with the Commission regarding ex-parte communications and asked City Clerk to call the roll:

Commissioner C. Johnson – none.  
Commissioner J. Johnson - none.  
Commissioner Perona - none.  
Mayor Hudson – none.

Mayor Linda Hudson opened the public hearing.

City Clerk Linda Cox was asked to swear in those wanting to speak during this Quasi-Judicial hearing. Individuals in the audience intending to speak on this item were asked to stand, raise their right hand, and administered an oath, to tell the truth, the whole truth and nothing but the truth. Those that were sworn in were asked to clearly state their name for the record and confirm they were sworn in at such time as they were asked to come forward to testify.

Staff Presentation

Planning Director Jennifer Hofmeister provided an overview of the proposed Application for Conditional Use with No New Construction as submitted by the property owner to operate a dwelling rental offering lodging with a minimum stay of less than 30 days at 1122 South Ocean Drive. Ms. Hofmeister provided location, future land use, and zoning maps to further identify the property and provided a synopsis for the recommendation.

The Planning Board recommended approval. Staff recommends approval subject to five (5) conditions:

- 1) The property manager for the dwelling rental shall be available at all times to resolve complaints or violations of city code. Said manager shall reside in St. Lucie County and shall be registered with the City of Fort Pierce.
- 2) Guide booklets (available from Code Enforcement) shall be provided to renters regarding local rules and public service resources, to minimize conflicts.
- 3) The applicant shall file for and obtain St. Lucie County and City of Fort Pierce Business Tax Licenses within thirty (30) days of issuance of a license from the Florida Department of Business & Professional Regulation.
- 4) There shall be a limitation of no more than two (2) vehicles per unit. On-street parking is prohibited.
- 5) The City of Fort Pierce Business Tax License number shall be included in all advertising.

Commission questions for Staff: None.

Applicant questions for Staff: None

Applicant presentation:

Attorney Jason Mackoff, Applicant Representative, sworn, stated that the applicant agrees with the conditions of approval. Attorney Mackoff commended staff and appreciated their assistance with obtaining this Conditional Use.

Commission questions for Applicant: None.

Public comment:

Michelle Longarzo, sworn, was present by telephone conference call to support this application.  
Michael McLeod, sworn, expressed concern that short term rentals have an adverse effect on Fort Pierce.

Mayor Hudson, seeing no one else, closed the public hearing.

Comments by the City Commission:

Commissioner Perona commented that Condition 4 states two vehicles per unit with no on-street parking; however, in front of this dwelling, there is designated on-street public parking. Ms. Hofmeister stated that the conditions cannot regulate designated public parking areas, that the intent of the wording is to prevent illegal on-street parking. City Attorney Peter Sweeney commented that on-street parking is illegal in Fort Pierce unless it is in a designated parking space. Removing that portion of Condition 4 would be clearer. Mr. Mimms commented that on-street parking is designed for the public's benefit. Anyone can park in an on-street parking space. This wording does not need to be included at all. Attorney Sweeney adds that if a vehicle is parked illegally on the street there are means for enforcement by the police department or code enforcement.

Commissioner Perona would like Condition 4 to be amended to remove the "on-street parking is prohibited" wording.

Mayor Hudson re-opened the public hearing.

Public comment:

Attorney Mackoff commented that at the Planning Board meeting, the board was concerned that the tenants would be using those public on-street parking spaces.  
Cathy McLeod, sworn, commented about another dwelling rental location with parking issues.  
Michelle Longarzo commented that short term rentals do not have an adverse effect on Fort Pierce.

Mayor Hudson, seeing no one else, closed the public hearing.

Motion was made by Commissioner Thomas Perona, seconded by Commissioner Jeremiah Johnson to approve Item 12b with the amended staff conditions.

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

Passed

- c. Quasi-Judicial Hearing - Application for Conditional Use with No New Construction submitted by property owner, Neil Poirier, to operate a Dwelling Rental, offering lodging for less than six (6) months with a minimum rental period identified as two (2) day located at 1341 Binney Drive Unit A & B. The property is zoned Hutchinson Island Medium Density Residential (R-4A). Parcel ID: 2401-601-0032-000-5.

City Clerk Linda Cox introduced the Application for Conditional Use with No New Construction submitted by the property owner, Neil Poirier, to operate a Dwelling Rental, offering lodging for less than six (6) months with a minimum rental period identified as two (2) day located at 1341 Binney Drive Unit A & B. The property is zoned Hutchinson Island Medium Density Residential (R-4A).

Mayor Hudson called the public hearing to order and reminded the Commission and Public that this proceeding is a Quasi-Judicial Hearing, and that City Attorney Peter Sweeney has read the legal requirements into the record.

City Clerk Linda Cox confirmed the City complied with advertisement and notice requirements.

Mayor Linda Hudson inquired with the Commission regarding ex-parte communications and asked City Clerk to call the roll:

Commissioner C. Johnson – none.

Commissioner J. Johnson - none.

Commissioner Perona - none.

Mayor Hudson – none.

Mayor Linda Hudson opened the public hearing.

City Clerk Linda Cox was asked to swear in those wanting to speak during this Quasi-Judicial hearing. Individuals in the audience intending to speak on this item were asked to stand, raise their right hand, and administered an oath, to tell the truth, the whole truth, and nothing but the truth. Those that were sworn in were asked to clearly state their name for the record and confirm they were sworn in at such time as they were asked to come forward to testify.

Staff Presentation

Planning Director Jennifer Hofmeister provided an overview of the proposed Application for Conditional Use with No New Construction as submitted by the property owner to operate a dwelling rental offering lodging with a minimum stay of two (2) days at 1341 Binney Drive, Units A & B. Ms. Hofmeister provided location, future land use, and zoning maps to further identify the property and provided a synopsis for the recommendation.

The Planning Board recommended approval. Staff recommends approval subject to five (5) conditions:

- 1) The property manager for the dwelling rental shall be available at all times to resolve complaints or violations of city code. Said manager shall reside in St. Lucie County and shall be registered with the City of Fort Pierce.
- 2) Guide booklets (available from Code Enforcement) shall be provided to renters regarding local rules and public service resources, to minimize conflicts.
- 3) The applicant shall file for and obtain St. Lucie County and City of Fort Pierce Business Tax Licenses within thirty (30) days of issuance of a license from the Florida Department of Business & Professional Regulation.
- 4) There shall be a limitation of no more than two (2) vehicles per unit. On-street parking is prohibited.
- 5) The City of Fort Pierce Business Tax License number shall be included in all advertising.

Commission questions for Staff: None

Applicant questions for Staff:

Michelle Longarzo, Applicant Representative, sworn was present by telephone conference call. Ms. Longarzo inquired of Planning Director Jennifer Hofmeister if there is any competent substantial evidence of why this application should be denied. Ms. Hofmeister stated that to her knowledge there is not.

Applicant presentation:

Ms. Longarzo explained that this area is good for short-term rentals and that the property is well maintained. The owner does reside on the property and will comply with staff conditions. Ms. Longarzo supports the approval of short-term and vacation rentals and stated that the owner is within his rights to use the property as a rental and, it is a very well-maintained property.

Commission questions for Applicant: None.

Public comment: None.

Mayor Hudson, seeing no one else, closed the public hearing.

Comments by the City Commission:

Commissioner Jeremiah Johnson discussed amending the wording in Condition 4 regarding on-street parking. City Attorney Peter Sweeney agreed that the City of Fort Pierce already has regulations and enforcement in place regarding on-street parking. Commissioner Perona stated that people coming from outside the area may not be aware of Fort Pierce's parking regulations and staff should recommend this issue be made part of the Guide Booklets given to renters.

Motion was made by Commissioner Thomas Perona, seconded by Commissioner Curtis Johnson, Jr. to approve Item 12c with the amended staff conditions.

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

Passed

- d. Legislative Hearing - Ordinance 21-001 - An Ordinance amending the City's Comprehensive Plan to update the Water Supply Facilities Work Plan. FIRST READING POSTPONED FROM JANUARY 4, 2021 MEETING.

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

**ORDINANCE NO. 21-001**

AN ORDINANCE BY THE CITY COMMISSION OF THE CITY OF FORT PIERCE, FLORIDA, AMENDING THE CITY OF FORT PIERCE COMPREHENSIVE PLAN BY AMENDING THE INFRASTRUCTURE ELEMENT IN ORDER TO MEET UPDATED STATUTORY REQUIREMENTS RELATED TO THE COORDINATION OF LAND USE AND WATER SUPPLY PLANNING; TO ADOPT THE WATER SUPPLY FACILITIES WORK PLAN BY REFERENCE; AND TO MAINTAIN INTERNAL CONSISTENCY OF AND WITHIN THE COMPREHENSIVE PLAN; PROVIDING FOR A SEVERABILITY CLAUSE; REPEALING ALL ORDINANCES OR PARTS THEREOF IN CONFLICT; PROVIDING FOR AN EFFECTIVE DATE. FIRST READING

Assistant Planning Director Rebeca Guerra provided an overview of the proposed Ordinance 21-001 which is a comprehensive plan amendment for the water supply plan. Ms. Guerra provided the background for the change. This plan identifies alternative and traditional water supply projects and conservation and reuse activities needed to meet the projected future demands. The Work Plan itself was last amended on May 4, 2012, by the Fort Pierce Utilities Authority (FPUA).

The proposed change requested is to The Comprehensive Plan Amendment Section 3.12.7 Policy, striking "2012" and replacing it with "2020".

The TRC has recommended approval. The City of Fort Pierce Engineering Department recommended that Section V, Reclaimed Water, be amended to remove a reference to the construction of a plasma-arc gasification facility by St. Lucie County as the City Commission voted to terminate negotiations for this facility in April 2012. The Planning Board has recommended approval.

Staff recommends approval to transmit the proposed Comprehensive Plan Amendment to the State Department of Economic Opportunity with Engineering's recommended amendment.

Mayor Hudson opened the Public Hearing.

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

Comments by the City Commission: None.

Motion was made by Commissioner Jeremiah Johnson, seconded by Commissioner Curtis Johnson, Jr. to approve Ordinance 21-001 with staff recommendations.

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

Passed

**13. CITY COMMISSION**

- a. Resolution 21-R10 Declaring Certain Property as Surplus

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

**RESOLUTION NO. 21-R10**

A RESOLUTION DECLARING CERTAIN PROPERTIES OWNED BY THE CITY OF FORT PIERCE TO BE SURPLUS TO CITY OF FORT PIERCE NEEDS, DESCRIBED AS 604 SOUTH 6<sup>TH</sup> STREET; 133 NORTH 10<sup>TH</sup> STREET, 606 NORTH 14<sup>TH</sup> STREET; 701 NORTH 14<sup>TH</sup> STREET; LOT 3 OF LINCOLN HEIGHTS BLOCK 2 ON NORTH 14<sup>TH</sup> STREET; LOTS 1 AND 2 OF EMANCIPATION PARK BLOCK 5 ON NORTH 25<sup>TH</sup> STREET; 515 DOUGLAS COURT; 1204 AVENUE E; AND 1620 AVENUE E, AND AUTHORIZING CITY STAFF TO DISPOSE OF SAID PROPERTY IN ACCORDANCE WITH THE PROVISIONS OF ARTICLE I, SECTION 13 OF CITY OF FORT PIERCE CHARTER; AND PROVIDING FOR AN EFFECTIVE DATE.

Economic Development Director Shyanne Harnage provided an overview of the proposed Resolution 21-R10 for surplus properties that have no future municipal purpose as determined by a survey circulated through each department. Declaring property as surplus is the first step in the disposition process. Ms. Harnage provided maps and photos indicating the location and description of each property to be declared surplus. Most of the properties presented have received interest from either a neighbor, developer, or by general inquiry.

Staff recommends approval of Resolution 21-R10.

Motion was made by Commissioner Jeremiah Johnson, seconded by Commissioner Curtis Johnson, Jr. to approve Resolution 21-R10.

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

Passed

- b. Resolution 21-R11 authorizing the sale of the parking lot adjacent to 505 N. 7th Street to Dreamchasers Preschool, LLC.

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

**RESOLUTION NO. 21-R11**

**A RESOLUTION OF THE CITY OF FORT PIERCE, FLORIDA AUTHORIZING THE SALE OF REAL PROPERTY NOT NEEDED FOR A PUBLIC PURPOSE, KNOWN AS AVENUE E, OWNED BY THE CITY OF FORT PIERCE; AND PROVIDING FOR AN EFFECTIVE DATE.**

Special Projects Coordinator Audria Moore-Wells provided an overview of the proposed Resolution 21-R11 for the sale of certain surplus property located on Avenue E. Ms. Moore-Wells provided a location map and photos for reference and further discussed the synopsis for a recommendation of approval. The property is a paved parking lot immediately adjacent to 505 N 7th Street and was thought to have been included in RFP 2018-049. The parcel was never appraised, nor declared surplus and to follow the proper requirements for disposing of City-owned property this matter was presented to the City Planning Board. The board approved the sale of the property to the sole bidder, Dreamchaser Preschool, LLC.

Staff recommends approval.

Motion was made by Commissioner Curtis Johnson, Jr., seconded by Commissioner Jeremiah Johnson to approve Resolution 21-R11.

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

Passed

- c. Resolution 21-R12 appointing a member to the Police Officers Retirement Fund Board of Trustees.

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

**RESOLUTION NO. 21-R12**

**A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FORT PIERCE, FLORIDA, CERTIFYING THE APPOINTMENT OR REAPPOINTMENT OF A MEMBER TO THE POLICE OFFICERS RETIREMENT FUND BOARD OF TRUSTEES; PROVIDING FOR AN EFFECTIVE DATE.**

City Clerk Linda Cox distributed voting ballots to the City Commission.

Commissioner C. Johnson -	Frank Amandro
Commissioner J. Johnson -	James Clasby
Commissioner Perona -	Robert Azari
Mayor Hudson -	Frank Amandro

By a vote of the City Commission, Mr. Frank Amandro has been appointed to the Police Officers Retirement Fund Board of Trustees.

Motion was made by Commissioner Jeremiah Johnson, seconded by Commissioner Thomas Perona to approve Resolution 21-R12 and appoint Mr. Frank Amandro to the Police Officers Retirement Fund Board of Trustees.

AYE: 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.

Claude Faucey  
Cathy McLeod  
Michael McLeod

**15. COMMENTS FROM THE CITY MANAGER**

City Manager Nick Mimms commented that the City of Fort Pierce had a busy and exciting weekend celebrating the Martin Luther King Jr. holiday weekend.

EVENTS

Mr. Mimms and Commissioner Curtis Johnson visited the Kings and Queens Unisex Salon ribbon cutting on Monday.

Mr. Mimms attended the Memorial Art unveiling with Mayor Hudson and Commissioner Curtis Johnson at the Martin Luther King Jr. Dreamland Park. In attendance were members of the Lincoln Park Council of Ministers and Parents of Murdered Children. It was an amazing display of art and emotional ceremony. The City of Fort Pierce is committed to maintaining the art and enhancing the art in the future.

LEGISLATIVE

Today, Mr. Mimms along with Nicole Fogarty, Legislative Affairs Director, presented the City of Fort Pierce's Legislative Priorities to the St. Lucie County legislative delegation. The priorities include the Home Rule Authority, resources for homelessness, Fort Pierce beach-shore protection, and broadband service enhancement.

COVID-19 VACCINATIONS

Mr. Mimms had a meeting with St. Lucie County regarding vaccination coordination. Today and tomorrow, 1,200 vaccinations per day will be given at the Mid-Florida Event Center. Second doses will be given on February 9, and February 10, 2021, at the same location. There is a planned walk-up vaccination distribution to be held at the Fenn Center on January 25, January 26, and January 27, 2021, 9:00 AM to 3:00 PM based contingent on the availability of the vaccine. The City of Fort Pierce will support the vaccine distribution in the form of administrative

and law enforcement assistance. We are working to identify places of worship that accommodate approximately 500 vaccinations based upon availability. The churches will help bridge the divide among those who do not have access to the internet.

**FINANCE**

Mr. Mimms stated that Director of Finance Johnna Morris has identified a refinancing option of the stormwater bond saving an additional \$300,000.00 and not extend the maturity date.

**CITY ATTORNEY**

City Attorney Peter Sweeney commented that the legislative session is getting fired up. A bill regarding vacation rentals was drafted and will be introduced which will take away all Home Rule power and place it solely with DBPR. Mayor Hudson added that the Florida League of Cities is encouraging citizens to reach out to their delegates and express how this will affect their neighborhoods.

**CITY CLERK**

City Clerk Linda Cox commented that at the last FPRA meeting there was discussion regarding dates of future meetings. Because of conflicts, Mr. Mimms has proposed that the FPRA meet at 6:00 PM on the second Tuesday each month. Commissioner Jeremiah Johnson likes the second Tuesday but would prefer 4:00 PM. Commissioner Curtis Johnson commented that the FPRA Board encompasses the citizens directly and needs the community's input and advocates for 5:00 PM.

The consensus is to meet on the second Tuesday of the month at 4:30 PM beginning on March 09, 2021. The February 2021 FPRA meeting has been canceled.

**16. COMMENTS FROM THE COMMISSION**

Commissioner Perona had no updates.

Commissioner Curtis Johnson commented that is great to be back on the dais. Please continue to encourage people to adhere to all the health guidelines and to wear a mask. Businesses that are opening during these times are to be commended.

Commissioner Jeremiah Johnson thanks and appreciation go out to all City Staff for working hard and for keeping the Commission and community updated with the status of the vaccinations. Thanks go to the Health Department for their commitment to the community.

Mayor Hudson echoes Commissioner Jeremiah Johnson's sentiments. Mayor Hudson finds it difficult to explain to citizens that the City Commission is not in the chain of command for vaccine distribution. The State of Florida, County, and Health Department control the vaccinations. Mayor Hudson stated that the city stands ready to help as soon as they say they need help. The city is committed to getting information made available to citizens as soon as it is received.

**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 **7:42 PM**.

ATTEST:

\_\_\_\_\_  
CITY CLERK

\_\_\_\_\_  
MAYOR COMMISSIONER