

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 P.M. ON MONDAY, APRIL 4, 2022.

1. CALL TO ORDER

Mayor Hudson called the April 04, 2022 Regular Meeting of the City Commission to order at 6:00 P.M.

2. OPENING PRAYER - Pastor Jero Von Brown with Liberty, Truth and Deliverance Tabernacle of God, Inc

3. PLEDGE OF ALLEGIANCE

4. ROLL CALL

Present: Commissioner Arnold Gaines; 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 Tanya Earley

5. APPROVAL OF MINUTES

- a. Approval of Minutes from March 21, 2022 Regular Meeting

Motion was made by Commissioner Thomas Perona, seconded by Commissioner Arnold Gaines to approve the minutes of the March 21, 2022 Regular Meeting.

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

6. PROCLAMATIONS

- a. State Representative Dana Trabulsy - Presentation of Firehawks Tribute
b. Minority Health Month

7. LETTERS TO COMMISSION

- a. Email from JoAnne Calderone expressing her appreciation for the wonderful staff at the Fort Pierce City Marina: Anne Bowen, Marina Concierge, Carl Dougal, Marina Operations Supervisor, and the Dock Hands and for the well-managed, clean, environmentally conscious, appealing Marina.
b. Email from Charlene Adair thanking the following employees with the Public Works Department: Jose Sanchez, Chief Irrigation Specialist, Abimelech "Troy" Hall, Chief Tree Trimmer, Michael Amilca, Ground Maintenance Specialist, and Christopher Dimaio, Equipment Operator III, for their outstanding preparation, organization, and assistance in making the GAC project at South Beach Park so successful.
c. Email from Arndrea Dampier and Douglas Davis commending Kim Keahey, Senior Permit Specialist, Building Department, for outstanding customer service.

8. ADDITIONS OR DELETIONS TO AGENDA AND APPROVAL OF AGENDA

City Clerk Linda Cox requested the following changes to items 13a, 13b, and 13c to reorder.

13 a FPUA Budget Amendment

13 b Presentation and Acceptance of City Audit

13 c City Audit Report

Motion was made by Commissioner Arnold Gaines, seconded by Commissioner Jeremiah Johnson to set the agenda as amended.

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

Passed

9. **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.

No comments

10. **MISCELLANEOUS REPORTS**

11. **CONSENT AGENDA**

- a. Approve staff recommendation in response to request to reduce lot clearing fees in the amount of \$9,002.31 against 1004 Avenue G, Fort Pierce, FL, Parcel ID# 2404-821-0001-000/4, owned by Leroy Belonce, by waiving the interest, penalties and a portion of the administrative costs in the amount of \$5,656.58, leaving a **balance due of \$3,345.73 payable in 60 days.**
- b. Approval of Dickerson Florida, Inc. C.O. No. 1 in the amount of \$41,027.68 providing compensation for additional work on the S. 5th Street Roadway Improvement project.
- c. Approval of the FY 2021 Final Budget Amendment for Grant Funds.
- d. Approval of proposal from Beemats, New Smyrna Beach, FL, in the amount of \$171,072 for the annual harvesting, maintenance and re-nourishment of vegetated mats at the Indian Hills Recreation Area.

Commissioner Curtis Johnson pulled item 11a

Motion was made by Commissioner Jeremiah Johnson, seconded by Commissioner Arnold Gaines to approve items 11b, 11c, and 11d.

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

Passed

As to item 11a

Commissioner Curtis Johnson inquired on the administrative cost and the possibility of waving them.

Mayor Linda Hudson inquired of Peggy Arraiz, Director of Community Response if the fees are considered soft cost and requested clarification on the interpretation of soft and hard costs. Mrs. Arraiz explained that the fees are soft costs.

Commissioner Jeremiah Johnson requested a description of this lien, the lien process, and staff function with the processing of the documents. Mrs. Arraiz explained that the fees assessed were all lot clearing liens which automatically receive a \$100.00 administrative fee at the time of filing and that staff recommended that the fees stay in place as they were incurred by the new owner requesting the reduction.

Commissioner Perona commented that the administrative fee described as a soft cost could be a hard cost as it requires the work of City staff to complete.

Commissioner Gaines commented that additional consideration may need to be made on what is a hard vs soft cost and has consideration been made of the owner's situation. Mrs. Arraiz explained that she contacted the owner's sister for additional information on his status but received no response.

City Manager Nick Mimms commented that the Director of Community Response, Mrs. Arraiz, will be presenting recommendations for an improved lien reduction program at the April 11th Conference Agenda meeting and suggests tabling this for the April 18th City Commission Meeting.

Commissioner Curtis Johnson requested postponement of item 11a to April 18, 2022 City Commission Meeting.

Motion was made by Commissioner Curtis Johnson, Jr., seconded by Commissioner Arnold Gaines to postpone item 11A to the April 18, 2022 City Commission Meeting.

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

12. PUBLIC HEARINGS

- a. Legislative Hearing - Ordinance 22-011 - Final Budget Amendment of the General Fund 2020-21 Budget. SECOND READING

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

ORDINANCE NO. 22-011
AN ORDINANCE AMENDING THE 2020-21 BUDGET OF THE CITY OF FORT PIERCE, FLORIDA BY INSERTING THEREIN A SCHEDULE ATTACHED HERETO AND DESIGNATED AS THE 2020-21 FINAL BUDGET AMENDMENT. THE SAID SCHEDULE PROVIDES FOR THE INCREASES AND/OR DECREASES IN REVENUES AND APPROPRIATIONS IN THE GENERAL FUND; AND PROVIDING FOR AN EFFECTIVE DATE. (SECOND READING)

Mayor Hudson opened the public hearing.
Seeing no one, she closed the public hearing.

Motion was made by Commissioner Jeremiah Johnson, seconded by Commissioner Thomas Perona by to approve Ordinance No. 22-011.

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

13. CITY COMMISSION

- a. Consideration of FPUA's FY2020-2021 Final Budget Amendment

City Clerk Linda Cox introduced the Consideration of FPUA's FY2020-2021 Final Budget Amendment

Javier Cisneros, Director of Utilities FPUA and Michelle Harris, Finance Manager, FPUA, presented the FY2020-2021 Final Budget Amendment.

Commissioner Perona inquired of the current financial rating, days in cash, bond covenant, how close is FPUA in cost to its competitor, and what are the price predictions for next year. Mr. Cisneros stated that the current rating is an A or A plus, and the price of gas changes frequently but predicted to stabilize this summer. Mrs. Harris explained that there are 95 days in cash and that they are close in cost to the competitor.

Commissioner Curtis Johnson requested additional information on the presentation, explanation on the numbers and terminology, and how much of the growth is from new consumers. Mrs. Harris explained first that a bond rating is similar to a credit score for an individual which includes debt ratio or lendability. Mr. Cisneros explained that growth is tracked by change in customer accounts monthly and year to date.

Commissioner Jeremiah Johnson commented that consideration should be given to the Capital Improvement Plan.

Motion was made by Commissioner Curtis Johnson, Jr., seconded by Commissioner Thomas Perona to approve FPUA's FY2020-2021 Final Budget Amendment.

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

- b. Acceptance of the Fort Pierce Utilities Authority Comprehensive Annual Financial Report for FY2021

City Clerk Linda Cox introduced the Fort Pierce Utilities Authority Comprehensive Annual Financial Report for FY2021

Motion was made by Commissioner Thomas Perona, seconded by Commissioner Jeremiah Johnson Fort Pierce Utilities Authority Comprehensive Annual Financial Report for FY2021 and waive the 30-day waiting period.

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

- c. Presentation and acceptance of City Audit on all funds for fiscal year ended September 30, 2021, as prepared by DiBartolomeo, McBee, Hartley & Barnes, P.A

City Manager Nick Mimms introduced Mark Barnes, auditor, DiBartolomeo, McBee, Hartley & Barnes, P.A., to present the City audit report.

Mark Barnes, auditor, DiBartolomeo, McBee, Hartley & Barnes, P.A. presented the Annual Comprehensive Financial Report with the City having a better than expected year.

Commissioner Curtis Johnson commented that the population has increased by two thousand.

Mayor Hudson commented that the 2.5 percent cut taken by the City is reflected in the current standing.

Commissioner Jeremiah Johnson commented that the per resident budget has increased.

Motion was made by Commissioner Jeremiah Johnson, the City Audit on all funds for fiscal year ended September 30, 2021.

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

Passed

- d. Resolution No. 22-R18 - Amending the Rules of Procedure for Condemnation and Demolition of Structures.

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

RESOLUTION NO. 22-R18

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FORT PIERCE, FLORIDA AMENDING THE RULES OF PROCEDURE FOR CONDEMNATION AND DEMOLITION OF STRUCTURES; PROVIDING FOR A SEVERABILITY CLAUSE; REPEALING ALL RESOLUTIONS IN CONFLICT HEREWITH; AND PROVIDING FOR AN EFFECTIVE DATE.

Peggy Arraiz, Director of Community Response, provided a brief update on the changes to bring codes current and clarify the historic preservation process

Motion was made by Commissioner Jeremiah Johnson, seconded by Commissioner Arnold Gaines to approve Resolution No 22-R18.

AYE: Commissioner Arnold Gaines, 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.

Marjorie Harrell
Jose Lorida

15. COMMENTS FROM THE CITY MANAGER

- a. Reports

City Manager Nick Mimms highlighted the purchase order report, city manager's report, state of the city address, redistricting, porpoise avenue beach access, stripping at Jaycee park, and the upcoming conference agenda items.

Commissioner Jeremiah Johnson inquired if cost share opportunities are available for the 25th project as funds may be available from the TPO.

City Clerk Linda Cox - No comments

City Attorney Tanya Earley- No comments

16. COMMENTS FROM THE COMMISSION

Commissioner Gaines attended the grand opening of the 7-11 on Orange Avenue presenting C. A. Moore Elementary School with a check for \$711, Northside Little League held its opening day, and thanked Mr. Mimms, FPUA and everyone involved in addressing the lighting concerns at the Means Court building.

Commissioner Perona expressed his excitement with the first draft of the Jaycee Park playground.

Commissioner Curtis Johnson expressed his excitement for the TPO meeting and comments on the 25th St improvements, Orange Avenue revitalization, and acknowledged Mr. Mimms for his continued work with the improvements within the City.

Commissioner Jeremiah Johnson commented on the improvements to Orange Avenue corridor, highlighted the invitation for the station dedication by the Fire District, Harbor Branch event and DOT discussion concerning crosswalks.

Mayor Hudson requested staff follow up with Paddl, announced the grand opening for The Means Court Center on April 9th, and attended a conference that brought together the Seminole Nation of Oklahoma with the Seminole Tribe of Florida after 180 years.

Mr. Mimms clarified that the City does not allow commercial activity on its beaches, reconsideration from the Commission would be required before Staff consideration.

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 7:41 p.m.

ATTEST:

CITY CLERK

MAYOR COMMISSIONER