

RESOLUTION NO. 18-R23

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FORT PIERCE, FLORIDA; ADOPTING THE RECOMMENDATIONS OF THE **CHARTER REVIEW COMMISSION**; AGREEING TO MEET ANNUALLY WITH THE FPUA IN A JOINT PLANNING SESSION; AGREEING TO ESTABLISH A FORMAL COMPLAINT RESOLUTION PROCESS; ADOPTING A REVISED **APPOINTMENT PROCESS TO THE FPUA BOARD**; PROVIDING FOR A SEVERABILITY CLAUSE; REPEALING ALL RESOLUTIONS IN CONFLICT HEREWITH; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City Commission adopted Resolution 17-R17 on August 7, 2017 establishing the Charter Review Commission, hereinafter called the "CRC"; and

WHEREAS, the Charter Review Commission held its organizational meeting on September 27, 2017, their initial Public Input Meeting on October 24, 2017 and their final Public Input Meeting on February 27, 2018; and

WHEREAS, on March 19, 2018, the CRC presented its final report to the Fort Pierce City Commission; and

WHEREAS, the Fort Pierce City Commission desires to formally accept the recommendations of the Charter Review Commission and memorialize the implementation of the recommendations by resolution since the recommendations do not require any charter amendments.

NOW THEREFORE, BE IT RESOLVED by the City Commission of the City of Fort Pierce, Florida as follows:

SECTION 1: The City Commission accepts the recommendations of the Charter Review Commission as presented on March 19, 2018.

SECTION 2: The City agrees to meeting annually with the FPUA in a Joint Planning Session to review and discuss Capital Improvements' budgets of each and the strategic goals and perspective growth of the City and FPUA including the potential joint participation in projects.

SECTION 3: The City Commission agrees to establish a formal dispute resolution process with FPUA that would be far simpler and more efficient and expedient than the statutory process.

SECTION 4: The City Commission adopts a revised appointment process for FPUA Board membership, beginning with the existing term that expires on September 30, 2018, to ensure that one person would be a District 1 resident, one person would be a resident of District 2 and the remaining two seats would be filled by city residents without regard to district of residence. The revised process is as follows:

- (a) One resident of District 1 shall be appointed for a four-year term to the FPUA Board by the Commissioners of District 1 by mutual agreement; in the event District 1 Commissioners do not agree on the appointee, each District 1 Commissioner will make a nomination and the Mayor shall select one of the two nominees as the FPUA Board Member. This seat shall be referred to as FPUA District 1 Seat. (Process to commence for the term which shall begin October 1, 2018.
- (b) The next year, one resident of District 2 shall be appointed for a four-year term to the FPUA Board by the Commissioners of District 2 by mutual agreement; in the event District 2 Commissioners do not agree on the appointee, each District 2 Commissioner will make a nomination and the

Mayor shall select one of the two nominees as the FPUA Board Member. This seat shall be referred to as FPUA District 2 Seat. (Process to commence for the term which shall begin October 1, 2019)

(c) For the remaining two appointments, the City Commission as a whole would appoint the FPUA Board Members utilizing a point system for votes based upon the order in which the City Commission ranks their choices based upon applications received. These seats shall be referred to as FPUA At-Large Seats. (Terms which shall begin October 1, 2020 and October 1, 2021).

(d) In the event any member representing District 1 or 2 move out of the district for which they were appointed to represent, the seat shall automatically become vacant and a new person residing within the appropriate district shall be appointed to fill the balance of the term.

SECTION 5. The provisions of this Resolution are declared to be severable and if any section, sentence, clause, or phrase of this Resolution shall, for any reason, be held to be invalid or unconstitutional, such decision shall not affect the validity of the remaining sections, sentences, clauses, and phrases of this Resolution but shall remain in effect, it being the legislative intent that this Resolution shall stand notwithstanding the invalidity of any part.

SECTION 6. All resolutions or parts of resolutions in conflict herewith are hereby repealed.

SECTION 7. This Resolution shall take effect immediately upon its adoption.

IN WITNESS HEREWITH, we hereunto set our hands and affix the Official Seal of the City of Fort Pierce, Florida, this 21st day of May, 2018.

Linda Hudson, Mayor

ATTEST:

Linda W. Cox, City Clerk

(SEAL)

Approved as to Form
And Correctness:

James M. Messer, Esq.
City Attorney