

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 5:05 P.M. ON MONDAY, DECEMBER 04, 2023.

1. CALL TO ORDER

Mayor Hudson called the December 4, 2023, Regular Meeting of the City Commission to order at 5:05 P.M.

2. OPENING PRAYER - Pastor Rick Palma with Treasure Coast Baptist Church

3. PLEDGE OF ALLEGIANCE

4. ROLL CALL

Present: Commissioner Michael Broderick; Commissioner Arnold Gaines; Commissioner Curtis Johnson, Jr.; Commissioner Jeremiah Johnson; Mayor Linda Hudson

Staff Present: City Clerk Linda Cox
City Manager Nicholas Mimms
City Attorney Sara Hedges

5. APPROVAL OF MINUTES

- a. Approval of the Minutes from the November 06, 2023 Regular Meeting

Motion was made by Commissioner Michael Broderick, seconded by Commissioner Arnold Gaines to approve the minutes of the November 06, 2023 Regular Meeting.

AYE: Commissioner Michael Broderick, Commissioner Arnold Gaines, Commissioner Curtis Johnson, Jr., Commissioner Jeremiah Johnson, Mayor Linda Hudson
Passed

- b. Approval of Minutes from November 24, 2023 Regular Meeting

Motion was made by Commissioner Michael Broderick, seconded by Commissioner Curtis Johnson, Jr. to approve the minutes of the November 24, 2023 Regular Meeting.

AYE: Commissioner Michael Broderick, Commissioner Arnold Gaines, Commissioner Curtis Johnson, Jr., Commissioner Jeremiah Johnson, Mayor Linda Hudson
Passed

6. PROCLAMATIONS

- a. The 100th Anniversary of Friendship Missionary Baptist Church

8. LETTERS TO COMMISSION

- a. Thank you card from Barry Keim, Ft. Pierce Sunrise Kiwanis President, expressing their grateful appreciation for the City of Fort Pierce's sponsorship and support of the 55th Annual Farm City Barbecue.

9. ADDITIONS OR DELETIONS TO AGENDA AND APPROVAL OF AGENDA

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

AYE: Commissioner Michael Broderick, Commissioner Arnold Gaines, Commissioner Curtis Johnson, Jr., Commissioner Jeremiah Johnson, Mayor Linda Hudson
Passed

10. 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

11. MISCELLANEOUS REPORTS

- a. Recommendations from Arts and Culture Advisory Board seeking approval by Mayor and City Commission.

Doretha Hair Truesdell requested consent for the use of Art in Public Places funds for a mural on Indian River Drive and The Annual Highwaymen Festival.

Marsha Commond, Redevelopment Specialist, was available for questions.

The Commission inquired on how funds are acquired for projects and the projected cost of the request.

Mr. Mimms explained how funds are acquired and the projected cost of the Highwaymen Festival. The projected cost of the mural will come before the Commission at a later date.

Motion was made by Commissioner Arnold Gaines, seconded by Commissioner Curtis Johnson, Jr. to accept the recommendations of the Arts and Culture Board.

AYE: Commissioner Michael Broderick, Commissioner Arnold Gaines, Commissioner Curtis Johnson, Jr., Commissioner Jeremiah Johnson, Mayor Linda Hudson
Passed

12. CONSENT AGENDA

- a. Approval of Service Agreement Contract for RFP No. 2023-038, Annual Contract Professional Inspection Services in an annual amount not to exceed \$200,000.00.
- b. Approval of Service Agreement Contract for RFP No. 2023-039, Annual Contract Professional Plan Review Services, in the annual amount not to exceed \$100,000.00.
- c. Approval of travel for Commissioner Curtis Johnson to attend the FLC Legislative Action Days in Tallahassee, Florida from January 28, 2024, to January 31, 2024, in the amount of \$1565.58.

- d. Approval of travel for Mayor Hudson to attend the Legislative Action Days in Tallahassee, Florida from January 28, 2024, to January 31, 2024, in the amount of \$1565.58.

Motion was made by Commissioner Jeremiah Johnson, seconded by Commissioner Curtis Johnson, Jr. to approve the consent agenda.

AYE: Commissioner Michael Broderick, Commissioner Arnold Gaines, Commissioner Curtis Johnson, Jr., Commissioner Jeremiah Johnson, Mayor Linda Hudson
Passed

13. PUBLIC HEARINGS

Quasi-Judicial Hearings follow a strict set of rules and procedures which can be found on the City's website using this link:

<https://www.cityoffortpierce.com/DocumentCenter/View/6740/Quasi-Judicial-Procedures>.

All Quasi-Judicial decisions by the City Commission must be based on competency substantial evidence. Competent substantial evidence is evidence which will establish a substantial basis from which the fact at issue can reasonably be inferred. It includes fact or opinion evidence offered by an expert on a matter that requires specialized knowledge and that is relevant to the issues to be decided. It is evidence a reasonable mind could accept as having probative weight and adequate to support a legal conclusion. Hypothetical, speculative, fear or emotion based generalized statements that do not address the relevant issues and that cannot be reasonably said to support the action advocated, are not competent substantial evidence.

- a. Legislative Hearing - Ordinance 23-053: Review and approval of a Voluntary Annexation by owner Jose Ubilla-Duque of Ubilla-Duque Holdings, LLC, represented by Alejandro Toro of Engineering Design & Construction, Inc. The applicant request to extend the territorial limits of the City of Fort Pierce, Florida, to include one (1) parcel at or near 3307 S. US. Hwy 1 in Fort Pierce, FL 34982. The proposed Future Land Use designation for the subject property is General Commercial (GC)/High Density Residential (RH), with a proposed Zoning designation of General Commercial (C-3)/Residential High (R-5). Parcel ID: 2427-601-0050-000-7 SECOND READING

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

ORDINANCE NO. 23-053

AN ORDINANCE EXTENDING THE TERRITORIAL LIMITS OF THE CITY OF FORT PIERCE, FLORIDA, TO INCLUDE ONE (1) PARCEL OF +/- 3.72 ACRES LOCATED AT OR NEAR APPROXIMATELY 3307 S US HWY 1 AND SHOWN ON EXHIBIT A; DIRECTING THE ST. LUCIE COUNTY PROPERTY APPRAISER TO ASSESS SAID PROPERTY AND PLACE IT ON THE CITY TAX ROLLS AS OF JANUARY 1, 2024; DIRECTING THE ST. LUCIE COUNTY TAX COLLECTOR TO COLLECT TAXES ON THE HEREIN DESCRIBED PROPERTY; MAINTAINING THE SAINT LUCIE COUNTY ZONING DESIGNATION OF COMMERCIAL GENERAL/RESIDENTIAL MULTI-FAMILY; MAINTAINING THE SAINT LUCIE COUNTY LAND USE DESIGNATION OF COMMERCIAL/RESIDENTIAL HIGH; DIRECTING FILING OF THE ORDINANCE WITH THE CLERK OF THE CIRCUIT COURT AND CHIEF ADMINISTRATIVE OFFICER OF ST. LUCIE COUNTY; DIRECTING REVISION OF THE CHARTER BOUNDARY ARTICLE TO BE FILED WITH THE DEPARTMENT OF STATE AND SUBMITTED TO THE OFFICE OF ECONOMIC AND DEMOGRAPHIC RESEARCH; PROVIDING FOR A SEVERABILITY CLAUSE; REPEALING ALL ORDINANCES OR PARTS THEREOF IN CONFLICT HERewith; 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 Arnold Gaines, seconded by Commissioner Jeremiah Johnson to approve Ordinance No. 23-053.

AYE: Commissioner Michael Broderick, Commissioner Arnold Gaines, Commissioner Curtis Johnson, Jr., Commissioner Jeremiah Johnson, Mayor Linda Hudson

Passed

- b. Legislative Hearing - Ordinance 23-061: Review and approval of a Voluntary Annexation by owner, George Ortiz, to extend the territorial limits of the City of Fort Pierce, Florida, to include one (1) parcel at or near 1703 Totten Road in Fort Pierce, FL 34947. The proposed Future Land Use designation for the subject property is GC, General Commercial, with a proposed Zoning designation of C-3, General Commercial. Parcel ID: 2417-323-0001-000-5 SECOND READING

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

ORDINANCE NO. 23-061

AN ORDINANCE EXTENDING THE TERRITORIAL LIMITS OF THE CITY OF FORT PIERCE, FLORIDA, TO INCLUDE ONE (1) PARCEL AT OR NEAR APPROXIMATELY 1703 TOTTEN ROAD, FORT PIERCE, FL 34947 AND SHOWN ON EXHIBIT A; DIRECTING THE ST. LUCIE COUNTY PROPERTY APPRAISER TO ASSESS SAID PROPERTY AND PLACE IT ON THE CITY TAX ROLLS AS OF JANUARY 1, 2024; DIRECTING THE ST. LUCIE COUNTY TAX COLLECTOR TO COLLECT TAXES ON THE HEREIN DESCRIBED PROPERTY; ESTABLISHING THE ZONING DESIGNATION AS GENERAL COMMERCIAL; ESTABLISHING THE LAND USE DESIGNATION GENERAL COMMERCIAL; DIRECTING FILING OF THE ORDINANCE WITH THE CLERK OF THE CIRCUIT COURT AND CHIEF ADMINISTRATIVE OFFICER OF ST. LUCIE COUNTY; DIRECTING REVISION OF THE CHARTER BOUNDARY ARTICLE TO BE FILED WITH THE DEPARTMENT OF STATE AND SUBMITTED TO THE OFFICE OF ECONOMIC AND DEMOGRAPHIC RESEARCH; PROVIDING FOR A SEVERABILITY CLAUSE; REPEALING ALL ORDINANCES OR PARTS THEREOF IN CONFLICT HEREWITH; AND PROVIDING FOR AN EFFECTIVE DATE.

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

Motion was made by Commissioner Curtis Johnson, Jr., seconded by Commissioner Arnold Gaines to approve Ordinance No. 23-061.

AYE: Commissioner Michael Broderick, Commissioner Arnold Gaines, Commissioner Curtis Johnson, Jr., Commissioner Jeremiah Johnson, Mayor Linda Hudson

Passed

- c. Legislative Hearing - Ordinance 23-062 Re-Establishing the City's Debt Limit in the Code of Ordinances. FIRST READING

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

ORDINANCE NO. 23-062

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF FORT PIERCE, FLORIDA AMENDING THE CODE OF ORDINANCES OF THE CITY OF FORT PIERCE, FLORIDA; AMENDING CHAPTER 2, ARTICLE V, FINANCE, CREATING SECTION 2-426 TO CORRECT A SCRIVENER'S ERROR AND REESTABLISH THE CITY DEBT LIMIT; REPEALING ALL ORDINANCES OR PARTS THEREOF IN CONFLICT; PROVIDING FOR A SEVERABILITY CLAUSE; AND PROVIDING FOR AN EFFECTIVE DATE.FIRST READING

Johnna Morris, Director of Finance, was available for questions.

The Commission inquired if there was a debt limit cap, the current debt amount, and the process of increasing the debt limit.

Ms. Morris explained that there is no set debt limit cap, the process that determines this limit, and the process to increase the debt limit.

The Commission will be provided with the current debt document.

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

Motion was made by Commissioner Jeremiah Johnson, seconded by Commissioner Michael Broderick to approve Ordinance 23-062.

AYE: Commissioner Michael Broderick, Commissioner Arnold Gaines, Commissioner Curtis Johnson, Jr., Commissioner Jeremiah Johnson, Mayor Linda Hudson
Passed

14. CITY COMMISSION

15. 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.

No public comments.

16. COMMENTS FROM THE CITY MANAGER

a. Reports

City Manager Nick Mimms- Commented on the City Manager's Report which included the Treasure Coast Food Bank and the Veterans Day Ceremony.

Mayor Hudson commented on the need for additional advertising of local events.

City Clerk Linda Cox – No comment

City Attorney Sara Hedges – No comment

17. COMMENTS FROM THE COMMISSION

Commissioner Broderick commented on his one-year anniversary and the parade.

Commissioner Curtis Johnson commented on the FLC Legislative meeting and acknowledged Alpha Phi Alpha Fraternities Founders Day.

Commissioner Gaines commented that he missed the parade and acknowledged Alpha Phi Alpha Fraternities Founders Day.

Commissioner Jeremiah Johnson thanked the City staff for their work and reported on the contribution of the downtown business.

Mayor Hudson thanked Mainstreet and the Kiwanis Club for the parade and commented on the FLC legislative conference.

18. 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 5:35 P.M

ATTEST:

CITY CLERK

MAYOR COMMISSIONER