

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 18, 2023.

1. CALL TO ORDER

Mayor Hudson called the December 18, 2023, Regular Meeting of the City Commission to order at 5:05 P.M.

2. OPENING PRAYER - Reverend Tim Norton with Indian River Presbyterian 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
Substitute City Attorney Carolyn Valentin

5. APPROVAL OF MINUTES

- a. Approval of the Minutes from the December 04, 2023 Regular Meeting

Motion was made by Commissioner Jeremiah Johnson, seconded by Commissioner Arnold Gaines to approve the minutes of the December 14, 2023 Regular Meeting.

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

Passed

6. PROCLAMATIONS

7. LETTERS TO COMMISSION

- a. Letter from Pamela E. Carithers, Executive Director, Lincoln Park Main Street, thanking the following employees of the Public Works Parks & Grounds Division for their diligent work efforts toward the continued support of Christmas on Moore's Creek activities: Paul Bertram, Division Manager; JR Mead, Foreman; Kelvin Toombs, John Violo, and Marcellus Wright.
- b. Email from Latecia Robinson commending Katherine Calderon, Community Response Executive Assistant, for providing exceptional customer service.
- c. Email from John Fortino expressing his gratitude for the expert and professional assistance received from the Assistant Building Director Shaun Coss.
- d. Jim Eaves wrote a post on Fort Pierce Connection thanking the City of Fort Pierce for giving residents the option of paying a parking violation fine or donating canned food worth the same amount to the Treasure Coast Food Bank.

8. ADDITIONS OR DELETIONS TO AGENDA AND APPROVAL OF AGENDA

City Manager Nick Mimms requested the addition of a letter of support for Brightline Kings Landing as item 13c.

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

AYE: Commissioner Michael Broderick, Commissioner Arnold Gaines,
Commissioner Curtis Johnson, Jr., Commissioner Jeremiah Johnson,
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. Approval of First Amendment to Continuing Contract for RFQ No 2019-027 for Professional Engineering Services for Engineering Design & Construction, Inc.
- b. Approve Specific Authorization No 12 to Engineering Design & Construction, Inc for the Avenue D Roadway Improvements under RFQ 2019-027 in the amount of \$15,000.
- c. Approval of the Assignment of the FDEP Grant Agreement for the FPUA Wastewater Treatment Plant Resiliency Project from the City to the FPUA.
- d. Approval of Specific Authorization No. 5 to Kimley Horn, Vero Beach, FL, for professional engineering services relating to the structural assessment of the floors of the parking garage, in an amount not to exceed \$83,725.94.

Commissioner Broderick pulled item 11d

Commissioner Jeremiah Johnson pulled item 11c

Motion was made by Commissioner Michael Broderick, seconded by Commissioner Curtis Johnson, Jr. to approve items 11a and 11b of the Consent Agenda.

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

Passed

As to item 11c

Commissioner Jeremiah Johnson cleared his conflict, allowing him to vote since the item was not related to construction.

Motion was made by Commissioner Jeremiah Johnson, seconded by Commissioner Curtis Johnson, Jr. to approve item 11c.

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

Passed

As to item 11d

Commissioner Broderick inquired if there was additional structural deterioration of the parking garage.

Mr. Mimms commented that the same issue was not fully resolved and confirmed that the parking garage is structurally safe.

Mike Reals, Director of Public Works, commented that this is a project continuation.

Commissioner Curtis Johnson inquired on liability protection and quality control.

Mr. Reals commented he would need to confirm insurance information with Risk Management.

Motion was made by Commissioner Michael Broderick, seconded by Commissioner Jeremiah Johnson to approve item 11d.

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

Passed

12. 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 23-062 Re-Establishing the City's Debt Limit in the Code of Ordinances. SECOND 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. SECOND READING

Motion was made by Commissioner Arnold Gaines, seconded by Commissioner Curtis Johnson, Jr. to approve Ordinance No. 23-062.

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

Passed

13. CITY COMMISSION

- a. Resolution 23-R60 appointing Lisa Kessler to Arts & Culture Advisory Board as Commissioner Broderick's appointee.

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

RESOLUTION NO. 23-R60
A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FORT PIERCE,
FLORIDA, CERTIFYING THE APPOINTMENT AND/OR REAPPOINTMENT OF
MEMBERS TO THE ARTS AND CULTURE ADVISORY BOARD; PROVIDING
FOR AN EFFECTIVE DATE.

Motion was made by Commissioner Michael Broderick, seconded by Commissioner Arnold Gaines to approve Resolution No. 23-R60.

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

Passed

- b. Resolution 23-R61 reappointing Caleta Scott as a commissioner on the Fort Pierce Housing Authority Board.

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

RESOLUTION NO. 23-R61
A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FORT PIERCE,
FLORIDA, CERTIFYING THE MAYOR'S REAPPOINTMENT
OF CALETA SCOTT AS A COMMISSIONER OF THE HOUSING AUTHORITY
OF THE CITY OF FORT PIERCE; PROVIDING FOR AN EFFECTIVE DATE.

Motion was made by Commissioner Jeremiah Johnson, seconded by Commissioner Curtis Johnson, Jr. to approve Resolution No. 23-R61.

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

Passed

- c. Approval of letter of support to Audubon Development for a potential Brightline station at the Kings Landing Project

Mr. Mimms explained the desire of the proposed letter of support.

Motion was made by Commissioner Jeremiah Johnson, seconded by Commissioner Curtis Johnson, Jr. to approve the execution of a letter of support.

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

Ekrem Uzman

Jacques Chester

15. COMMENTS FROM THE CITY MANAGER

a. Reports

City Manager Nick Mimms – No comments

City Clerk Linda Cox – Happy Holiday

Substitute City Attorney – Happy Holiday

16. COMMENTS FROM THE COMMISSION

Commissioner Gaines commented on City accomplishments, wished happy holidays, encouraged citizens to check on one another, the second annual Rufus Alexander toy drive, and the Celebration Bowl.

Commissioner Curtis Johnson wished happy holidays and commented on the Brightline application and signage, the Rufus Alexander toy drive, organizations offering community assistance, and the Highwaymen Museum paver sale to meet their goal of \$10,000.

Commissioner Broderick wished happy holidays and commented on the Rufus Alexander toy drive and Brightline.

Commissioner Jeremiah Johnson wished happy holidays and commented on the TDC, economic impact, and wished happy holidays.

Mayor Hudson thanked the two people for their public comments, commented on Brightline, Fort Pierce Police Department toy giveaway, Heatcote Garden of Lights, and wished the City happy holidays.

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 5:50 P.M.

ATTEST:

CITY CLERK

MAYOR COMMISSIONER