

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, APRIL 15, 2024.

1. CALL TO ORDER

Mayor Hudson called the April 15, 2024, Regular Meeting of the City Commission to order at 5:05 P.M.

2. OPENING PRAYER - Harry Shaw with Good News Missionary 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
Acting City Manager Devoshay Johnson
City Attorney Sara Hedges

5. APPROVAL OF MINUTES

- a. Approval of Minutes from the April 01, 2024 Regular Meeting

Motion was made by Commissioner Jeremiah Johnson, seconded by
Commissioner Curtis Johnson, Jr. to approve the minutes of the April 01, 2024
Regular Meeting.

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

Passed

6. PROCLAMATIONS

- a. National Crime Victims' Rights Week
b. National Student Leadership Week
c. Mental Health Awareness Month

7. LETTERS TO COMMISSION

- a. Letter from JoAnne Calderone and Scott Gledhill commending Dean Kubitschek for his capable management of the City Marina and his staff, Anne Bowen and Kyle Kauffman, for their competence and responsiveness.
b. Letter from Hazel Grant expressing her gratitude for Grant Administration Division Teresa Miller's kindness and assistance.
c. Letter from Eve-Lyn Forbes recognizing Solid Waste employee Ted Libby for being talented, taking pride in his work, and having a good work ethic.

8. ADDITIONS OR DELETIONS TO AGENDA AND APPROVAL OF AGENDA

City Clerk Linda Cox notified the Commission that item 12 a was withdrawn at the request of the applicant.

Motion was made by Commissioner Jeremiah Johnson, seconded by Commissioner Michael Broderick 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.

None

10. MISCELLANEOUS REPORTS

11. CONSENT AGENDA

- a. Approval of the first amendment to Continuing Contract RFQ 2019-027 for Professional Engineering Services to Captec Engineering, Inc. to include required contract provisions.
- b. Approval of the Arts and Culture Advisory Board's recommendation to approve the Rotary Club's request for the installation of a Peace Pole at Gazebo Park.
- c. Approval of award of the Indian Hills Golf Course (IHGC) Site Expansion construction project to the low bidder, PRP Construction, LLC, in an amount not to exceed \$757,149.80.
- d. Approval for the Mayor to sign the Title VI Nondiscrimination Assurance document and authorize the Engineering Department to have same posted on City's Website as required.

Motion was made by Commissioner Arnold Gaines, 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

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. ***Application withdrawn by Applicant*** *CONTINUED FROM MARCH 18, 2024*
Quasi-Judicial Hearing - Review and approval of a conditional use with no new construction application submitted by One Eleven Orange, LLC, in respect of a proposed 'Family Amusement Center' to be located within the full main level in the Second Generation Space at 111 Orange Ave. Parcel ID: 2410-509-0002-000-1.

Withdrawn at the request of the applicant.

- b. Legislative Hearing - Ordinance 24-003 Establishing the Sunrise Community Development District. SECOND READING

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

ORDINANCE NO. 24-003

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF FORT PIERCE, FLORIDA, ESTABLISHING THE SUNRISE COMMUNITY DEVELOPMENT DISTRICT PURSUANT TO CHAPTER 190, FLORIDA STATUTES; PROVIDING FOR THE NAME, POWERS, AND DUTIES; PROVIDING FOR DESCRIPTION AND BOUNDARIES; DESIGNATING FIVE PERSONS TO SERVE AS THE INITIAL MEMBERS OF THE DISTRICT'S BOARD OF SUPERVISORS; PROVIDING NOTICE OF REQUIREMENTS; PROVIDING FOR A SEVERABILITY CLAUSE; REPEALING 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 Curtis Johnson, Jr., seconded by Commissioner Arnold Gaines to approve Ordinance No. 24-003.

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

Passed

- c. Legislative Hearing - Ordinance 24-006 Amending the Code of Ordinances of the City of Fort Pierce, Chapter 125 - Zoning, Article VII - Supplementary Regulations, Division 1 - Generally, Section 125-322, Fences, Walls, and Hedges; Installation, Replacement and Maintenance, to allow fences greater than 6ft in height to be erected adjacent to Railroad or Railroad Right-of-Way. SECOND READING.

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

ORDINANCE NO. 24-006

AN ORDINANCE AMENDING THE CODE OF ORDINANCES OF THE CITY OF FORT PIERCE, FLORIDA, CHAPTER 125 – ZONING, ARTICLE VII. – SUPPLEMENTARY REGULATIONS, DIVISION 1. GENERALLY, SECTION 125-322. FENCES, WALLS, AND HEDGES; INSTALLATION, REPLACEMENT, AND MAINTENANCE, TO ALLOW FENCES GREATER THAN SIX FEET IN HEIGHT TO BE ERECTED ADJACENT TO RAILROAD OR RAILROAD RIGHT OF WAY; PROVIDING FOR A SEVERABILITY CLAUSE; REPEALING ALL ORDINANCES OR PARTS THEREOF IN CONFLICT; 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 Michael Broderick, seconded by Commissioner Curtis Johnson, Jr. to approve Ordinance No. 24-006.

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

Passed

- d. Legislative Hearing - Ordinance 24-007 - Amending the Code of Ordinances of the City of Fort Pierce at Chapter 123 - Vegetation, Section 123-6 - Required Bond, to remove the requirement for a Landscape Bond and to require the approval of a Landscape Maintenance Agreement; and to amend section 123-7, - Enforcement, to require an annual landscape inspection. SECOND READING.

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

ORDINANCE NO. 24-007

AN ORDINANCE AMENDING THE CODE OF ORDINANCES OF THE CITY OF FORT PIERCE, FLORIDA, CHAPTER 123 – VEGETATION, SECTION 123-6. - REQUIRED BOND, TO REMOVE THE REQUIREMENT FOR A LANDSCAPE BOND AND TO REQUIRE THE APPROVAL OF A LANDSCAPE MAINTENANCE AGREEMENT; AND TO AMEND SECTION 123- 7, - ENFORCEMENT TO REQUIRE AN ANNUAL LANDSCAPE INSPECTION; PROVIDING FOR A SEVERABILITY CLAUSE; REPEALING ALL ORDINANCES OR PARTS THEREOF IN CONFLICT; 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 Curtis Johnson, Jr. to approve Ordinance No. 24-007.

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

Passed

- e. Legislative Hearing - Ordinance 24-008 Amending the Code of Ordinances of the City of Fort Pierce, Chapter 125 - Zoning, Article VII - Supplementary Regulations, Division 1 - Generally, Section 125-313 - Major and Minor Site Plan Application, to increase the threshold for Minor Site Plan. SECOND READING.

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

ORDINANCE NO. 24-008

AN ORDINANCE AMENDING THE CODE OF ORDINANCES OF THE CITY OF FORT PIERCE, FLORIDA, CHAPTER 125 – ZONING, ARTICLE VII – SUPPLEMENTARY REGULATIONS, DIVISION 1 – GENERALLY, SECTION 125-313 – MAJOR AND MINOR SITE PLAN APPLICATION TO INCREASE THE THRESHOLD FOR MINOR SITE PLANS; PROVIDING FOR A SEVERABILITY CLAUSE; REPEALING ALL ORDINANCES OR PARTS THEREOF IN CONFLICT; 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 Arnold Gaines to approve Ordinance No. 24-008.

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

Passed

- f. Legislative Hearing - Ordinance 24-009 - Final Budget Amendment of the FY 2022-23 General Fund Budget. SECOND READING

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

ORDINANCE NO. 24-009

AN ORDINANCE AMENDING THE 2022-23 BUDGET OF THE CITY OF FORT PIERCE, FLORIDA BY INSERTING THEREIN A SCHEDULE ATTACHED HERETO AND DESIGNATED AS THE 2022-23 FINAL BUDGET AMENDMENT; THE SAID SCHEDULE PROVIDES FOR THE INCREASES AND/OR DECREASES IN REVENUES AND APPROPRIATIONS IN THE GENERAL FUND; PROVIDING FOR SEVERABILITY; PROVIDING FOR REPEAL OF ORDINANCES 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 Jeremiah Johnson, seconded by Commissioner Arnold Gaines to approve Ordinance No. 24-009.

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

Passed

- g. *POSTPONED FROM MARCH 18, 2024* Quasi-Judicial Hearing - Review and approval of an application for a Major Site Plan Amendment (Development Review) by property owner, Ocean Village POA, and representative, Leslie Olson, Principal of District Planning Group, to construct a 5-court Pickleball Amenity for the Ocean Village Residential Development and associated site improvements at or near 2400 South Ocean Drive in Fort Pierce, Florida, more specifically located at Parcel Control Number: [2507-321-0001-000-5](#).

Mayor Linda Hudson asked all present to listen carefully to what City Attorney Sara Hedges would read regarding Quasi-Judicial Hearings. Sara Hedges, City Attorney, reviewed the quasi-judicial hearing rules and procedures.

Mayor Linda Hudson called the proceeding to order.

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

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

Commissioner Michael Broderick – Yes (Planning Board, conversations with residents, intervenor and consultant.)

Commissioner Arnold Gaines – Yes (Emails)

Commissioner Curtis Johnson Jr. – Yes (Emails)

Commissioner Jeremiah Johnson – Yes (Applicant, residents, and emails.)

Mayor Hudson – Yes (Resident conversations and emails.)

City Clerk Linda Cox swore in those wanting to speak during the Quasi-Judicial hearing.

Staff Presentation:

Vennis Gilmore, Assistant Planning Director, presented the application for a major

site plan amendment.

Review and approval of an application for a Major Site Plan Amendment to construct a 5-court Pickleball Amenity for the Ocean Village Residential Development and associated site improvements at or near 2400 South Ocean Drive.

SUMMARY:

The proposed development will include a 5-court Pickleball Amenity for the Ocean Village Residential Development and associated site improvements. The courts will consist of asphalt surfacing with 12-foot, 10-foot, and 6-foot-tall fencing, and surrounding buffer landscaping. The applicant submits that as the courts are to be utilized by residents only that additional parking is not required. However, if the courts are to be utilized by non-residents, then the consideration of an appropriate parking ratio should be applied.

On September 7, 2021, the City Commission of the City of Fort Pierce approved a Site Plan (Development Review and Design Review) to construct a 6,426 square foot clubhouse with racquet courts. Following sound studies by the Property Owner's Association (POA), the decision was made to design five (5) Pickleball Courts in a different area in order to make every effort to minimize potential noise impacts to the closest residents. This Major Site Plan application is the result of that reconsidered design and siting based on a sound study by an acoustic specialist, PSM LLC Pickleball Sound Mitigation, which is included in this Major Site Plan submittal as background and support for the Major Site Plan at the request of Staff. The applicant states that this Pickleball amenity has been designed to meet and exceed the City of Fort Pierce Code of Ordinances Sound Level Limitations (Section 26-40) for Residential Uses. While Section 26-40 sets a residential threshold of 60dB between the hours of 7:00 am and 11:00 pm, it was the POA's direction to the acoustic specialist to design the courts to not exceed 50dB at the units nearest the proposed courts. The proposed site plan, landscaping and court buffering materials meet that higher standard, as discussed in the submitted sound study by PSM LLC.

Ocean Village is a 40.02-acre gated planned community with approximately 3,500 feet of beach frontage consisting of condominiums and single-family homes. Ocean Village offers 24-hour security, a Par-3 9-hole executive golf course, tennis courts, heated swimming pools, a jacuzzi, sauna, fitness center, card room, and a library with WI-FI. The proposed clubhouse replaced the existing approximately 3,455-square foot clubhouse and proposed to provide a new court covering. The proposed site improvements included the removal of the existing building and asphalt, as well as the construction of the new 6,426 square foot clubhouse with modifications to parking, lighting, and water and sewer to serve the new building.

The proposed pickleball courts total approximately 9,990 square feet. Per City Code Section 125-313. – Major and Minor Site Plan Application (b); a nonresidential or mixed-use development over 4,000 square feet in area is considered a Major Site Plan. Therefore, this site plan amendment application qualifies as a Major Site Plan Amendment.

Staff have received several objections from residents which express concern over the type of noise and disturbance generated by activities generated by pickleball. The City has initiated a comprehensive review of the existing noise ordinance through a consultant, who has been advised of the complaints and issues raised.

RECOMMENDATION:

The proposed Major Site Plan Amendment (Development) application adheres to the requirements of the City Land Development Code and guidelines of the City's Comprehensive Plan. Therefore, Staff recommends APPROVAL of the requested application with the following conditions:

- 1) All activities at the pickleball courts shall comply with the City's Noise regulations at all times.
- 2) Should the use of the courts hereby approved be extended to non-residents then prior to such use an appropriate parking study shall be submitted to the Planning Department for assessment of an appropriate parking ratio. Should the parking analysis prove the requirement, then additional parking shall be permitted

and built prior to non-residents being granted access.

3)The noise attenuation panels and associated support fencing shall be maintained and remain in place at all times that the courts are in use.

Questions of Staff:

Commissioner Broderick requested that his status as resident owner be entered into the record and that the Commission on Ethics determined there was no conflict.

The Commission inquired on parking usage for non-residents, internal use, will the court be open to non-residents, improvements to parking, site accessibility and connectivity, stormwater, lighting, landscaping, sound mitigation, and Ordinances on pickleball.

Kevin Freeman, Planning Director, and Mr. Gilmore addressed the questions posed by the Commission.

Applicant Questions of Staff:

Leslie Olson, Principal of District Planning, had no questions of staff.

Intervenor Questions of Staff:

Allen Reinwasser, inquired if Staff were aware the previous Board was prepared to build on the clay area, cease and desist order, sound level, and acoustic panel compliance.

Mr. Freeman and Mr. Gilmore answered the questions posed by the intervenor.

Applicant Presentation:

Leslie Olson thanked staff for their hard work, requested approval of the proposed application, and introduced additional presenters.

Tom Bockenstette, Ocean Village POA
Bob Unetich, owner, Pickleball Mitigation
Kevin Albrecht, PE, Stormwater Engineer
Lisa Cataline, Coldwell Banker Paradise

Bob Unetich explained Pickleball Mitigations' role in the proposed project, and provided recommendations and objectives.

Tom Bockenstette explained the Board's responsibilities, survey outcomes, resident concerns, and the 2023 vote to build the court on the proposed location.

Kevin Albrecht explained the company's responsibility to conduct a flood study. The results determined three potential improvements.

- 1) Outfall to A1A
- 2) Construct a stormwater retention area
- 3) Injection well, the most costly improvement.

Ms. Olson briefly addressed parking concerns based on analysis demand, POA has restricted outside use of the clubhouse and will conduct a parking study once the pool is completed.

Lisa Reves, Becker and Poliakoff, Intervenor Attorney, objected to the admissibility of the letter from Mr. Willis that was in the record.

Staff Questions of the Applicant:

None

Intervenor Questions of the Applicant:

Mr. Reinwasser inquired on the protocol for panels during hurricane conditions, sound level measurements, and the credentials of Pickleball Mitigations.

- 1) Outfall to A1A
- 2) Construct a stormwater retention area
- 3) Injection well, the most costly improvement.

Ms. Olson briefly addressed parking concerns based on analysis demand, POA has restricted outside use of the clubhouse and will conduct a parking study once the pool is completed.

Lisa Reves, Becker and Poliakoff, Intervenor Attorney, objected to the admissibility of the letter from Mr. Willis that was in the record.

Staff Questions of the Applicant:

None

Intervenor Questions of the Applicant:

Mr. Reinwasser inquired on the protocol for panels during hurricane conditions, sound level measurements, and the credentials of Pickleball Mitigations.

Ms. Olsen, and Mr. Unetich, answered the questions posed by the intervenor.

City Attorney Sara Hedges explained the procedure for the proceeding is a question and response, not an argument.

Ms. Olsen, and Mr. Unetich, answered the questions posed by the intervenor.

Commission Questions of Staff:

The Commission inquired on the method of testing, flooding issue improvements, injection well, size of detention pond storage, non-habitable with 10-year one-day storms, the purpose of the ponds, sound measurements, parking, and previous pickleball courts.

Ms. Olsen addressed the current flooding issue, landscape recommendations, parking, and previous pickleball courts.

Mr. Unetich addressed sound questions and provided his credentials.

Tom Bockenstette addressed the parking concerns, including the valet parking introduction and resident complaints.

David Strothmann, Ocean Village Board of Directors, provided details of the six previous pickleball courts and parking.

Intervenor Presentation:

Allen Reinwasser and Trudi Schifter provided a presentation on the rejection of the proposed project.

Commissioner Questions of the Intervenor:

The Commission inquired on sales near site, parking, guest unit limitations, and stormwater.

Mr. Reinwasser commented on information provided to him on sales and renting parking, and the use of overflow spaces

Ms. Schifter commented she was not qualified to answer stormwater questions but provided recommendations the owners had been provided and that the proposed detention pond is not an improvement.

Staff Questions of Intervenor:

None

Applicant Questions of Intervenor:

Ms. Reves inquired if Mr. Reinwasser was an engineer, has he read the referenced ordinances on sound, objected to evidence presented on behalf of Mr. Willis, who was not present. and referenced compliance of the comprehensive plan.

Mr. Reinwasser confirmed that he is an engineer whose resume was entered into the March 18th application, he has read the referenced ordinances and commented on Mr. Willis's absence, and the comprehensive plan.

Ms. Reves inquired of Ms. Schifter if she was aware residents had complained

their names were added to the list without their consent, and the comprehensive plan results.

Ms. Schifter commented she was aware five residents had requested their names be removed from the list and commented on the comprehensive plan.

Mayor Hudson opened the public hearing.

Rob Mastrianni – Noise concern
Carlos Soto – Supports project
Aurora Soto – Support project
Carol Smetanka – Noise concern
Armando Maldonado – Concerns with the view, noise and flooding.
Luann Overmyer – Parking concern
Laura Curry – Supports project
Betty Marshall – Supports project
Richard Bells – Supports public pickleball courts
George Comins – Parking concerns
Pedro Paytuvi – Supports project
John Blackett – Supports project
Rick Fiddler – Parking concerns
Lisa Cataline – Addressed comments by Mr. Reinwasser

Mayor Hudson closed the public hearing.

Final Comments of the Applicant:

Ms. Reves commented on the need for decisions to be made using competent substantial evidence.

Ms. Olsen thanked the Commission and commented on the POA responsibility to the community and staff's recommendation of approval of the application.

Final Comments of the Intervenor:

Allen Reinwasser reiterated dissatisfaction with the evidence provided.

Staff Comments:

Mr. Freeman commented that this application was reviewed as a major site plan which is why Staff recommended approval.

Ms. Olsen thanked all participants.

Commission Deliberation:

The Commission discussed the conditions of approval, parking, competent substantial evidence, and the possible recommendation of a parking study within the next six months, that recommendations were completed timely, flooding, and noise.

Commissioner Gaines inquired of Ms. Hedges the ability to add conditions to the application.

Ms. Hedges confirmed the ability to add conditions to the applications.

Ms. Hedges confirmed that the Commissioners who stepped away heard all testimony.

The Commissioners confirmed their ability to hear the testimony.

Motion was made by Commissioner Curtis Johnson, Jr., seconded by Commissioner Jeremiah Johnson to approve the application for major site amendment with (3) staff conditions.

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

NAY: Commissioner Michael Broderick, Mayor Linda Hudson

Passed

The Commission took a brief recess.

13. CITY COMMISSION

- a. Resolution 24-R18 approving FPUA's FY2022-2023 Final Budget Amendment

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

RESOLUTION NO. 24-R18

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FORT PIERCE, FLORIDA; APPROVING THE FINAL BUDGET AMENDMENT FOR THE FORT PIERCE UTILITIES AUTHORITY FOR THE FISCAL YEAR BEGINNING OCTOBER 1, 2022 AND ENDING SEPTEMBER 30, 2023; AND PROVIDING FOR AN EFFECTIVE DATE.

Commissioner Jeremiah Johnson recused himself as he had a voting conflict and filed form 8B as required.

Javier Cisneros, Director of Utilities, and Barbara Mika, Chief Financial Officer, presented the final budget amendment for the FPUA.

Motion was made by Commissioner Curtis Johnson, Jr., seconded by Commissioner Arnold Gaines to approve Resolution No. 24-R18.

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

Other: Commissioner Jeremiah Johnson (ABSTAIN)

Passed

- b. Resolution 24-R19 accepting the Fort Pierce Utilities Authority Comprehensive Annual Financial Report for FY2023 and annual distribution.

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

RESOLUTION NO. 24-R19

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FORT PIERCE, FLORIDA; ACCEPTING THE FY2023 ANNUAL COMPREHENSIVE FINANCIAL REPORT FOR THE FISCAL YEAR BEGINNING OCTOBER 1, 2022 AND ENDING SEPTEMBER 30, 2023; AND PROVIDING FOR AN EFFECTIVE DATE.

Commissioner Jeremiah Johnson recused himself as he had a voting conflict and filed form 8B as required.

Motion was made by Commissioner Michael Broderick, seconded by Commissioner Curtis Johnson, Jr. to approve Resolution No. 24-R19.

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

Other: Commissioner Jeremiah Johnson (ABSTAIN)

Passed

- c. Resolution 24-R22 accepting City Audit on all funds for the fiscal year ended September 30, 2023, as prepared by DiBartolomeo, McBee, Hartley & Barnes, P.A.

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

RESOLUTION NO. 24-R22

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FORT PIERCE, FLORIDA; ACCEPTING THE FY2023 ANNUAL COMPREHENSIVE FINANCIAL REPORT FOR THE FISCAL YEAR BEGINNING OCTOBER 1, 2022 AND ENDING SEPTEMBER 30, 2023; AND PROVIDING FOR AN EFFECTIVE DATE

Mark Barnes, City Auditor, presented the annual comprehensive financial report.

Commissioner Jeremiah Johnson inquired on funding trends in the Building Department.

Mayor Hudson inquired on the current debt.

Mr. Barnes explained that long-term liabilities have increased because of accounting standards.

Motion was made by Commissioner Jeremiah Johnson, seconded by Commissioner Arnold Gaines to approve Resolution No. 24-R22.

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

Passed

- d. Resolution 24-R24 authorizing the execution of a State Funded Grant Agreement with the Florida Department of Transportation for the improvements along Avenue D from North 29th Street to US 1.

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

RESOLUTION NO. 24-R24

A RESOLUTION OF THE CITY OF FORT PIERCE, FLORIDA, AUTHORIZING THE EXECUTION OF AN AGREEMENT WITH THE FLORIDA DEPARTMENT OF TRANSPORTATION FOR A FY 2023/2024 GENERAL APPROPRIATION ACT (GAA) AWARD FOR IMPROVEMENTS ALONG AVENUE D FROM N. 29TH STREET TO US 1.

Jack Andrews, P.E., explained the agreement and construction for the improvements on Avenue D.

Commissioner Gaines inquired if lighting is included in this project.

Mr. Andrews commented that lighting is not included in this project but can be evaluated.

Motion was made by Commissioner Arnold Gaines, seconded by Commissioner Michael Broderick to approve Resolution No. 24-R24.

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.

Tom Laderick

15. COMMENTS FROM THE CITY MANAGER

a. Reports

Acting City Manager Devoshay Johnson – No comments

City Clerk Linda Cox – No comments

City Attorney Sara Hedges – No comments

16. COMMENTS FROM THE COMMISSION

Commissioner Gaines commented on dirt bike riding on City roads.

Commissioner Curtis Johnson – No comments.

Commissioner Broderick – No comments

Commissioner Jeremiah Johnson – No comments

Mayor Hudson commented that the County is considering quiet zones and the Treasure Coast Regional Planning Council will be coming to provide educational information for the City in May or June.

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 10:11 P.M.

ATTEST:

CITY CLERK

MAYOR COMMISSIONER