

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, JULY 15, 2024.

1. CALL TO ORDER

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

2. OPENING PRAYER - Pastor Darrell Moses with Greater Grace Community Fellowship 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 minutes from the July 1, 2024 regular meeting.

Motion was made by Commissioner Michael Broderick, seconded by Commissioner Curtis Johnson, Jr. to approve the minutes of the July 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. Annual Treasure Coast Waterway Cleanup

7. LETTERS TO COMMISSION

8. ADDITIONS OR DELETIONS TO AGENDA AND APPROVAL OF AGENDA

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

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

- a. Update from Pete Tesch, President/CEO, Economic Development Council of St. Lucie County

Pete Tesch, President/CEO, Economic Development Council of St. Lucie County, presented the EDC 2024 Mid-Year Update and the formation of a jobs corridor on Kings Highway.

The Board commented on the quality of jobs, facilities, and companies, wages, housing, youth opportunities and management level jobs for St. Lucie County residents, marketing to reach the public on jobs, infrastructure, EDC technology opportunities, infill, and continued expansion.

Mr. Tesch commented on the wages and community conversations, Project Lift's new training facility and Workforce Readiness, technology-based jobs, infrastructure, and phase one of the expansion plan.

- b. Recommendation of the Parks Advisory Committee to Approve the N.14th Street Renaming Nomination Recognizing Lillian P. Owens

Marsha Commond, Special Projects Coordinator, presented the recommendation of the Parks Advisory Committee to approve the N.14th Street renaming nomination recognizing Lillian P. Owens.

Mayor Hudson inquired on the number of blocks and if this would be a dual name.

Commissioner Gaines commented on the impact made by Ms. Owens.

Commissioner Curtis Johnson commented on the street having a dual name as is precedence, preserving the City's history, and recommended replicating what was on 29th Street.

Ms. Commond commented that the Parks Advisory Committee will proceed with the direction of the Commission.

Motion was made by Commissioner Curtis Johnson, Jr., seconded by Commissioner Arnold Gaines to approve the renaming of 14th Street between Avenue "O" and Avenue "Q" with dual naming.

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

Passed

11. CONSENT AGENDA

- a. Approval of expenditure in the amount of \$62,667.20 for City Hall Mold Remediation by Sani Effect, Port Saint Lucie, FL.
- b. Approval and acceptance by the City of Fort Pierce for the Florida Department of Law Enforcement (FDLE) FY22 – Project Safe Neighborhoods – Southern District of Florida (PSS) Grant Program, award number 3H006 in the amount of \$75,000 to be used to purchase specialized equipment and overtime for officers.
- c. Approval of Kimley-Horn and Associates, Inc. Specific Authorization No.7 for the design services of Surfside Park Residential Street Drainage Improvements - Phase IV in an amount not to exceed \$239,732.00.
- d. Approval of Continuing Services Contracts for RFQ No. 2024-005, Miscellaneous Professional Architectural and Engineering Services, to:
 - Architects Design Collaborative. LLC. - Port St. Lucie, FL
 - BCER Engineering, Inc., Melbourne, FL
 - Cotleur and Hearing, Jupiter, FL
 - Don Bergman, Fort Pierce, FL
 - EXP U.S. Services, Inc., Maitland, FL
 - MBV Engineering, Vero Beach, FL
 - Royal Consulting Services, Inc.
 - SGM Engineering, Inc, Orlando, FL
 - TLC Engineering Solutions, Inc., Melbourne, FL

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

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 24-020 - An ordinance amending the Code of Ordinances of the City of Fort Pierce, Florida, Establishing Chapter 125-Zoning, Article VII - Supplementary Regulations, Division 1 - Generally, Section 125-328 - Boardinghouses and Roominghouses; to regulate the standards of operation of Boardinghouses and Roominghouses; providing for a severability clause; repealing all ordinances or parts thereof in conflict; providing an effective date. - FIRST READING.

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

ORDINANCE NO. 24-020

AN ORDINANCE AMENDING THE CODE OF ORDINANCES OF THE CITY OF FORT PIERCE, FLORIDA, ESTABLISHING CHAPTER 125 – ZONING, ARTICLE VII – SUPPLEMENTARY REGULATIONS, DIVISION 1 – GENERALLY, SECTION 125–328 – BOARDINGHOUSES AND ROOMINGHOUSES TO REGULATE THE STANDARDS OF OPERATION OF BOARDINGHOUSES AND ROOMINGHOUSES; PROVIDING FOR A SEVERABILITY CLAUSE; REPEALING ALL ORDINANCES OR PARTS THEREOF IN CONFLICT; PROVIDING FOR AN EFFECTIVE DATE.FIRST READING

Vennis Gilmore, Assistant Planning Director, presented the establishment of Chapter 125-Zoning, Article VII - Supplementary Regulations, Division 1 -

Generally, Section 125-328.

RECOMMENDATION:

Staff recommends that the City Commission APPROVE the text amendment to the Code of Ordinances.

The Board inquired on existing boarding house code enforcement, complaints, clarification on code verbiage, exterior maintenance, registration for boarding and rooming houses, landlord's motivation.

Mr. Gilmore commented on the protection in place for conditions to be habitable and the conditional use process and or change of use requirements.

Mr. Mimms commented about complaints about rental units for minimum living standards.

City Attorney Sara Hedges commented if the concern is for future amendments or applicable fire codes, the ordinance could be amended.

Ms. Cox commented that there is no registration for these properties as they do not fall under short-term rental.

Mayor Hudson opened the public hearing.

Kris Einstein commented on rooming houses and asked that bed and breakfast establishments be considered.

Mayor Hudson closed the public hearing.

Commissioner Jeremiah Johnson commented on Fire District code of ordinance, and defining egress in the Florida Building Code.

Motion was made by Commissioner Jeremiah Johnson, seconded by Commissioner Curtis Johnson, Jr. to approve Ordinance No. 24-020.

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

Passed

- b. Legislative Hearing - Ordinance 24-021 - An Ordinance by the City Commission of the City of Fort Pierce, Florida; Amending the Future Land Use Map of the Comprehensive Plan to change the designation of one (1) parcel generally located at or near 515 South 2nd Street, from City of Fort Pierce (OP) Offices-Professional and Business Services to City of Fort Pierce (CBD) Central Business District; providing for a severability clause; providing for repeal of ordinances or parts thereof in conflict herewith; and providing for an effective date. Subject Parcel: 2410-810-0002-000-6. - SECOND READING

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

ORDINANCE NO. 24-021

AN ORDINANCE BY THE CITY COMMISSION OF THE CITY OF FORT PIERCE, FLORIDA; AMENDING THE FUTURE LAND USE MAP OF THE COMPREHENSIVE PLAN TO CHANGE THE DESIGNATION OF ONE (1) PARCEL GENERALLY LOCATED AT OR NEAR 515 SOUTH 2ND STREET, FROM CITY OF FORT PIERCE (OP) OFFICES-PROFESSIONAL AND BUSINESS SERVICES TO CITY OF FORT PIERCE (CBD) CENTRAL BUSINESS DISTRICT; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR REPEAL OF 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 Michael Broderick to approve Ordinance No. 24-021.

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

Passed

- c. Legislative Hearing - Ordinance 24-022: Review and approval of a Voluntary Annexation by owner 69 Delray LLC, to extend the territorial limits of the City of Fort Pierce, Florida, to include one (1) parcel at or near the intersection of W. Midway Road and Oleander Avenue. The proposed Future Land Use designation for the subject property is RH, High Density Residential, with a proposed Zoning designation of R-5, High Density Residential. Parcel ID: 3403-233-0002-000-6.
FIRST READING

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

ORDINANCE NO. 24-022

AN ORDINANCE EXTENDING THE TERRITORIAL LIMITS OF THE CITY OF FORT PIERCE, FLORIDA, TO INCLUDE ONE (1) PARCEL AT OR NEAR THE CORNER OF WEST MIDWAY ROAD AND OLEANDER AVE 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, 2025; DIRECTING THE ST. LUCIE COUNTY TAX COLLECTOR TO COLLECT TAXES ON THE HEREIN DESCRIBED PROPERTY; ESTABLISHING THE FORT PIERCE ZONING DESIGNATION OF HIGH DENSITY RESIDENTIAL (R-5); ESTABLISHING THE FORT PIERCE LAND USE DESIGNATION OF HIGH DENSITY RESIDENTIAL (RH); 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.

Kerry Driver, Planner, presented the voluntary annexation by owner 69 Delray LLC, to extend the territorial limits of the City of Fort Pierce, Florida, to include one (1) parcel at or near the intersection of W. Midway Road and Oleander Avenue.

RECOMMENDATION:

As proposed, the annexation meets the standards of the City's Comprehensive Plan, specifically Policy Section 1.11 regarding annexations. Therefore, the Planning Staff recommends approval of the proposed voluntary annexation, along with the associated Future Land Use designation of RH and the Zoning designation of R-5.

Questions of Staff:

The Board inquired of access to the property, and the clear space leading to Midway,

Ms. Driver commented on the properties' access and referred questions to the property owner.

Mayor Hudson opened the public hearing.

Angie Vitter, MVP Engineering, commented that the clear area is a ditch/canal.

Commissioner Jeremiah Johnson inquired on the abutting properties R-1

designation and if there is a plan for future buffering.

Ms. Vitter commented that the future proposed use is for single family development and the third property is C-2 designation.

Mayor Hudson closed the public hearing.

The Commission commented on the components of changing from St. Lucie County to City and inquired on conversation for a lower designation, the need to meet with the residents, and lowering the use designation.

Ms. Driver commented on the unity of title and the owners' future plans.

Mr. Gilmore provided the Planning Departments prespective on the lower of the designation.

Motion was made by Commissioner Michael Broderick, seconded by Commissioner Curtis Johnson, Jr. to approve Ordinance No. 24-022.

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

Passed

13. CITY COMMISSION

- a. Resolution 24-R39 establishing Polling Places for the August 20, 2024 Primary Election.

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

RESOLUTION NO. 24-R39

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FORT PIERCE, FLORIDA, PROVIDING FOR PUBLICATION OF THE DESIGNATED PRECINCT POLLING PLACES IN THE CITY OF FORT PIERCE FOR THE PRIMARY ELECTION TO BE HELD ON AUGUST 20, 2024; PROVIDING FOR AN EFFECTIVE DATE.

Motion was made by Commissioner Curtis Johnson, Jr., seconded by Commissioner Arnold Gaines to approve Resolution No. 24-R39.

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.

Mazella Smith

Jonathan Moses

Brian McNaught

Troy Carter

Nakitta White

Fabian Zamora

Jorge Goz

Noah Clarke

15. COMMENTS FROM THE CITY MANAGER

a. Reports

City Manager Nick Mimms commented on the need for a safe and functional community, the new water vessel, waterway code enforcement officers, and the Unity in the Community Event.

City Clerk Linda Cox - No comments.

City Attorney Sara Hedges - No comments

16. COMMENTS FROM THE COMMISSION

Commissioner Gaines commented on the police department and the work of the Board.

Commissioner Jeremiah Johnson commented on the City budget, thanked the leaders and officers of the Police Department.

Commissioner Broderick commented on the function of the Commission.

Commissioner Curtis Johnson commented on the Commission doing their homework and the Unity in the Community event.

Mayor Hudson thanked the police department and maintaining the staff.

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 Hudson adjourned the meeting at 8:07 p.m.

ATTEST:

CITY CLERK

MAYOR COMMISSIONER