

CITY OF FORT PIERCE

CITY COMMISSION SPECIAL MEETING AGENDA

Special Meeting - Monday, July 28, 2025 - 5:05 p.m.

City Hall - City Commission Chambers, 100 North U.S. #1, Fort Pierce, Florida

1. **CALL TO ORDER**

2. **PLEDGE OF ALLEGIANCE**

3. **ROLL CALL**

4. **CITY COMMISSION**

- A. Discussion regarding Commissioner District 2, Seat 2 status.

5. **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.

6. **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.

Pursuant to Sec. 2-49, Fort Pierce Code of Ordinances, persons desiring to place an item on the agenda may make written request to the city manager no later than 5:00 p.m. fifteen (15) days preceding the regular city commission meeting. Such request must state the subject matter of the individual's appearance and should include any background materials pertinent to the issue. The city manager shall review the request to determine if the item might be handled administratively or whether the subject matter is an item of city business. If appropriate, the city manager shall submit the item for placement on the agenda to the city clerk no later than 5:00 p.m. ten (10) days preceding the regular city commission meeting. The mayor may impose a time limitation of five (5) minutes, or allow such additional time he or she determines necessary and appropriate for such person to make presentation. All reports, communications, ordinances, resolutions, contracts, documents or other materials to be submitted to the commission shall, no later than 12:00 noon on Wednesday prior to each meeting, be delivered to the city clerk and furnish each member thereof with a copy of the same prior to the regular meeting.

Pursuant to Section 286.0105, Florida Statutes, the City hereby advises you that if you or another person decide to appeal any decision made by the City Commission with respect to any matter considered at its meeting or hearing, that you or said person will need a record of the

proceedings, and that for such purpose, affected persons may need to insure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based. This notice does not constitute consent by the City for the introduction or admission into evidence of otherwise inadmissible or irrelevant evidence, nor does it authorize challenges or appeals not otherwise allowed by law.

In accordance with the Americans with Disabilities Act and Section 286.26, Florida Statutes, persons with disabilities needing special accommodation to participate in this meeting should contact the City Clerk's Office at (772) 467-3065 at least 48 hours prior to the meeting.

City Commission Special Meeting - 5:05 PM

4. A.

Meeting Date: 07/28/2025

Re:

SUBJECT:

Discussion regarding Commissioner District 2, Seat 2 status.

Attachments

Presentation



City Commission Seat Vacancy

- July 28, 2025
- Special Meeting of the City of Fort Pierce City Commission
- Sara Hedges, City Attorney

James Taylor Letter of Resignation

- Letter of Resignation received July 28, 2025
- Special Election required when vacancy occurs more than 6 months from the next General Election
 - Charter Section 28 – Filling of Vacancies:

At the time a vacancy occurs, if there is less than six (6) months before the next general election said vacancy in the commission shall be filled by vote of the remaining members of the commission within thirty (30) days after said vacancy shall occur. The person appointed shall hold office for the balance of the term and shall be a qualified commissioner meeting all qualifications under state law, the city charter, and the city Code.

At the time the vacancy occurs, if there is more than six (6) months before the next general election, a special election shall be set as early as legally possible and no temporary appointment shall take place. The winning candidate shall be sworn in at the first meeting after said election.

Vacancies resulting from a recall election shall be filled in the manner hereinafter prescribed.

July 28, 2025

Linda W. Cox
City Clerk
City of Fort Pierce
100 N. US Highway 1
Fort Pierce, FL 34950

Received
JUL 28 2025
City Clerk's Office
Jul 28 12:50 PM

Dear Ms. Cox,

I am writing to inform you of my decision to voluntarily resign my position as City Commissioner, District 2, Seat 1 for the City of Fort Pierce. This letter shall serve as my official resignation, effective August 2, 2025.

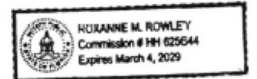
Sincerely,

James Taylor
James Taylor

STATE OF FLORIDA, COUNTY OF ST. LUCIE

Sworn (or affirmed) and subscribed before me by means of physical presence, or online notarization this 28 day of July, 2025 by James Taylor, who is personally known to me or produced identification (identification produced: Secure Notarification bond).

Signature: Roxanne M. Rowley (Seal)



NOTARY PUBLIC

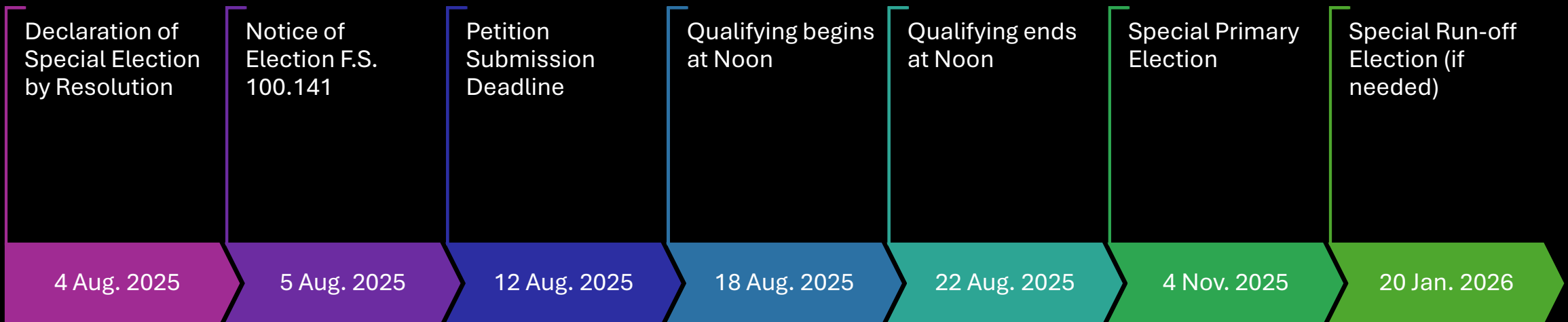
My Commission Expires: March 4, 2029

2025 Special Election

District 2, Seat 2

Linda W. Cox, City Clerk

Special Election Timeline



Run-off election pursuant to Fort Pierce City Charter, Section 52

- If we have three (3) or more persons qualify as candidates for the special election, the persons' names who are so qualified shall appear on the ballot and be voted upon the special primary election on November 4, 2025.
- In the event no single candidate receives a majority of the votes cast in the primary election for the designated seat, the two (2) persons receiving the highest number of votes cast for that designated seat shall be voted upon at the run-off city election scheduled for January 20, 2026.

Clarification Examples:

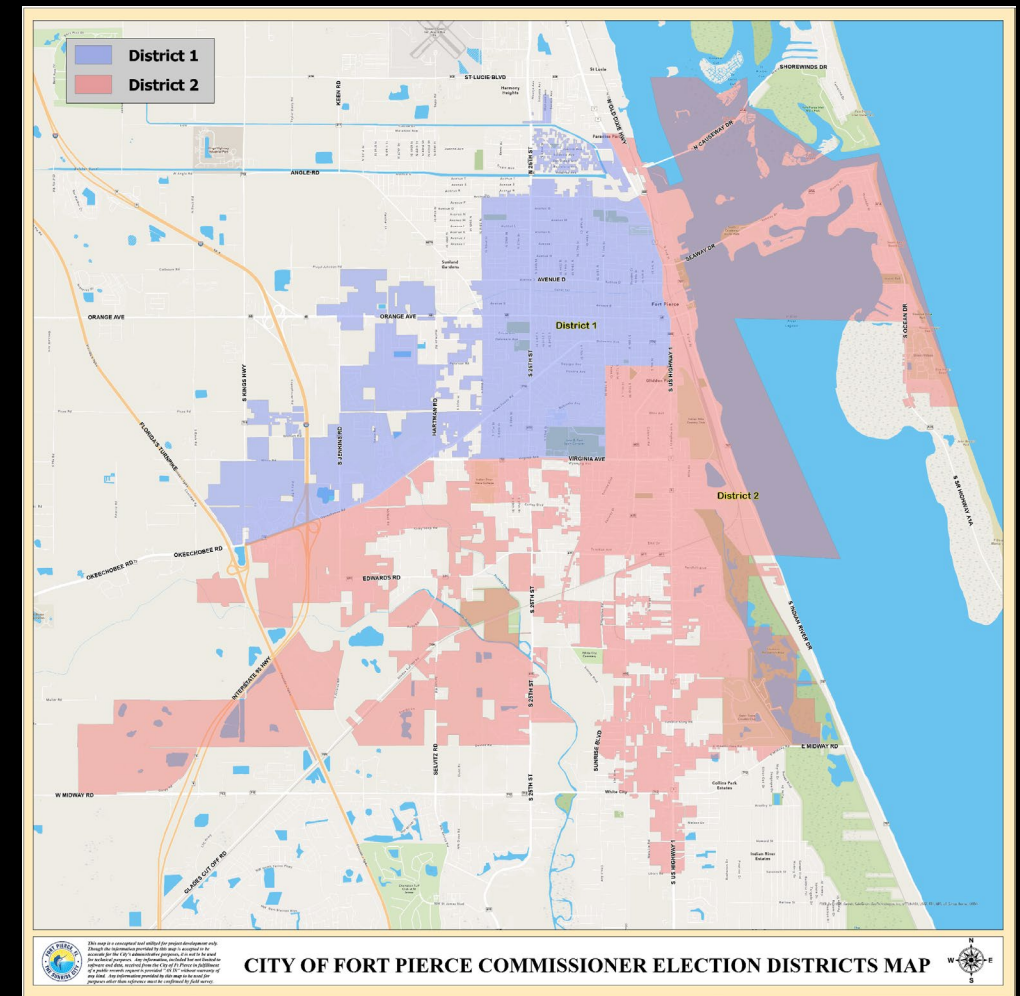
- Two hundred votes are cast; in order for a single candidate to be declared the winner, they must receive 101 votes. The majority of all votes cast or 50% plus 1.
- If two hundred votes are cast, one candidate receives 100, another receives 66, another gets 24 and the last one gets 10; the candidates receiving 100 and 66 move on to the run-off election because no single candidate received the majority of votes cast.

Special Election Notes to Consider

- November, 2024 Election - 14,284 registered voters, 70% voter turnout
- Charter Sec. 52, City Commissioners for District 2, Seat 2 shall be elected solely by residents of District 2.
- Charter Sec. 56, the city commission shall not be required to adopt the polling places of St. Lucie County, but shall have the authority to establish polling places and designate the location thereof for holding special or referendum city elections not held during. Do we wish to shrink the number of polling places?
- Do we want to have early voting for both primary and run-off?
- Early voting would be October 25 through November 1.
- Vote-by-Mail request deadline is October 23.
- Estimated special election cost is \$60,000.00

Commissioner Districts and Voting Precincts

Precinct 8, Midway Road Church of Christ
Precinct 10, Havert L. Fenn Center
Precinct 12, Fort Pierce Masonic Lodge
Precinct 13, Havert L. Fenn Center
Precinct 16, Westside Church (formerly Chapel
by the Sea)
Precinct 25, Days Inn
Precinct 28, Renaissance Business Park Entrance
Precinct 40, All Generations Church
Precinct 60, St. Lucie School



City Commission's Abilities

- The City Commission itself cannot remove an elected sitting Commissioner or require their resignation
- Seat is automatically vacated upon four consecutive unexcused regular meeting absences
- Section 2-48 – Absences, City of Fort Pierce Code of Ordinances:

Absence from four consecutive regular meetings of the commission shall operate to vacate the seat of a member, unless such absence is excused by the commission by motion setting forth the fact of such excuse duly entered upon the minutes. In the absence of an executive order of the governor permitting quorum to be achieved through remote attendance, members of the city commission shall not attend city commission meetings remotely.

Governor's Abilities

- Section 112.51, Florida Statutes – Municipal Officers; Suspension; Removal from Office
- The Governor may suspend from office for the commission of a state felony, but only upon being formally charged by indictment or information
 - Arrest only (for these offenses) does not trigger Governor's ability to suspend immediately
 - 21 days
- The Governor may suspend for malfeasance, misfeasance, neglect of duty, habitual drunkenness, incompetence, or permanent inability to perform official duties.
- The temporary vacancy is then filled for the period of the suspension
- Upon conviction, Governor removes the suspended person from office
- If acquitted, found not guilty, or otherwise cleared, the Governor must revoke the suspension and restore the person to office
 - Entitled to back pay

Voter's abilities

- Section 100.361, Florida Statutes – Municipal Recall
- Initiated by a Petition of registered electors residing in District 2
- Petition cannot be filed until elected official has served one-fourth of their term
 - January 2026