

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, AUGUST 18, 2025.

1. CALL TO ORDER

Mayor Hudson called the August 18, 2025 Regular Meeting of the City Commission to order at 5:05 P.M.

2. OPENING PRAYER - Pastor Tim O'Carroll - Discovery Church

3. PLEDGE OF ALLEGIANCE

4. ROLL CALL

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

Staff Present: City Manager Richard Chess
City Attorney Sara Hedges
City Clerk Linda Cox

5. APPROVAL OF MINUTES

A. Approval of the minutes of the July 28, 2025 Special Meeting.

Motion was made by Commissioner Curtis Johnson, Jr., seconded by Commissioner Arnold Gaines to approve the Minutes of the July 28, 2025 Special Meeting.

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

Passed

B. Approval of the Minutes of the August 04, 2025 Regular Meeting.

Motion was made by Commissioner Arnold Gaines, seconded by Commissioner Curtis Johnson, Jr. to approve the Minutes of the August 04, 2025 Regular Meeting.

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

Passed

6. PROCLAMATIONS

7. LETTERS TO COMMISSION

A. Letter from Officer Alexander Quiles, Port St. Lucie Police Department, expressing his appreciation to the Fort Pierce Police Department for their outstanding assistance during the escort of fallen St. Lucie County Firefighter to the Medical Examiner's Office; especially Deputy Chief Gillette, Lieutenant Fassanello, Officer Zamora and Acting Lieutenant Palacio.

8. ADDITIONS OR DELETIONS TO AGENDA AND APPROVAL OF AGENDA

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

AYE: Commissioner Michael Broderick, Commissioner Arnold Gaines,
Commissioner Curtis Johnson, Jr., 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. Representative Dana Trabulsy, 2025 Legislative Update and Special Presentation

Legislative Session Overview

1,951 bills filed; 250 passed and signed by the Governor.

\$115.1B state budget passed after 105 days.

\$567M in line-item vetoes; \$12.4B in reserves; \$4.9B rainy-day fund.

Florida ranked #1 nationally in: education, educational freedom, higher education, entrepreneurship, and business formation.

Since COVID, 3.7M new jobs created (growth has recently leveled).

Budget Highlights

Supports teacher pay raises and law enforcement raises.

Record K-12 per pupil funding.

\$1.4B for Everglades restoration and water quality.

\$15B for transportation and infrastructure projects, including Fort Pierce projects.

Multiple tax holidays: back-to-school, hurricane preparedness, baby items (permanent), new hunting & fishing holiday (Sept–Dec).

Legislative Wins Relevant to Fort Pierce

My Safe Florida Home Program: Renewed, offering up to \$10,000 in matching grants for hurricane hardening (priority for seniors and low-income homeowners).

My Safe Florida Condo Program: Pilot for condo owners within 15 miles of the coast.

Extended deadlines for condo reserve and integrity testing requirements post-Surfside tragedy; low- and no-interest loan programs available for associations.

Election Integrity Bill: Strengthens citizen initiative process (10-day petition submission deadline, ID verification required).

Education Bill (HB 1255):

Parents must opt in for corporal punishment in schools.

Expanded early childhood education subsidies by shifting eligibility from federal poverty level to state median income.

Appropriations Secured for St. Lucie County (~\$33M)

\$5M for FPUA wastewater treatment plant relocation (secured twice).

\$600K for seagrass restoration.

\$500K for 13th Street restoration project.

\$241K for Fort Pierce Police investigative infrastructure.

\$1M for University of Miami AIDS research (statewide impact, personal priority).

Local Support & Collaboration

Representative Trabulsy praised Fort Pierce leadership and community resilience.

The Commission expressed appreciation for her advocacy, particularly regarding the vacant commission seat process and emphasized need for continued collaboration on fiscal challenges (e.g., ad valorem taxes) and open dialogue on budget impacts to cities.

11. CONSENT AGENDA

- A. Approval of Interlocal Funding Agreement with St. Lucie County for homeless initiatives in the amount of \$125,000 for FY2025.
- B. Approval of Statewide Mutual Aid Agreement with the State of Florida, Division of Emergency Management (FDEM).
- C. Approval of Kimley-Horn & Associates Change Order No. 3 to Specific Authorization No. 4 for an amount not to exceed \$69,320.00 for the Indian River Drive Downtown Waterfront Corridor Improvements.
- D. Approval to select the following firms in response to the Professional Engineering Services RFQ2025-022 for a period of two (2) years with three (3) one-year renewal options: Captec Engineering, Inc., Consor North America, Inc., Culpepper & Terpening, Inc., Kimley-Horn and Associates, Inc. and, WGI, Inc. and authorize staff to enter into contract negotiations with the firms.
- E. Approval of salary increase for Linda Cox, City Clerk, discussed at the August 11, 2025 City Commission Budget Workshop for a new annual salary in the amount of \$145,000.00 effective October 1, 2025; said annual salary to be inclusive of the 5% cost of living increase being provided to City employees effective October 1, 2025.
- F. Approval of the change of status for Robert Ridle from Acting Chief of Police to Interim Chief of Police effective August 18, 2025.

Commissioner Johnson pulled item 11C.

Motion was made by Commissioner Curtis Johnson, Jr., seconded by Commissioner Michael Broderick to approve items 11A, 11B, 11D and 11E.

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

Passed

As to item 11C

Commissioner Johnson commented, that typically, change orders raise concerns, but this one represents a positive outcome.

Project serves as a major gateway to downtown which saw \$3.3 million in cost savings and wanted the public to understand the adjustments made.

Commended the City Engineer for innovative work and asked him to explain further.

Mark Zrallack, City Engineer explained that the original project costs came in higher than expected, and adjustments were made to keep the project within budget. Cuts involved removing some "bells and whistles," while maintaining core infrastructure. The bridge (62 years old), was prioritized and retained in the project. The approach shortened and made more standard to reduce costs, the decorative aspects were removed, but roadway upgrades, pedestrian access, and lighting remain. Back-end improvements have been moved to Phase 2 for future completion. The final design is more utilitarian but still visually appealing and functional. Parking and accessibility was discussed including that some on-street parking will remain, though certain adjustments (removal of park pole, leased lot rearrangements) were required. Project will result in significant pedestrian accessibility improvements.

Commissioner Johnson commended staff for aligning cost savings with project necessities and emphasized responsible stewardship of taxpayer money. The project will enhance the area compared to current conditions. Safety concerns with the aging bridge and exposure to saltwater are being addressed.

Motion was made by Commissioner Curtis Johnson, Jr., seconded by Commissioner Michael Broderick to approve item 11C of the Consent Agenda.

AYE: Commissioner Michael Broderick, Commissioner Arnold Gaines,
Commissioner Curtis Johnson, Jr., 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. Quasi-Judicial Hearing - Review and approval of an application for a Conditional Use, with No New Construction by Aspatia Institute d/b/a Aspatia College, located at 1404 S. 28th Street, Parcel Control Number: 2417-510-0025-000-3.

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 that the City complied with the advertisement and notice requirements.

Mayor Linda Hudson inquired with the Commission regarding ex-parte communications.

Commissioner Broderick – No

Commissioner Gaines – No

Commissioner Johnson – No

Mayor Hudson – No

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

Staff Presentation:

Kerry Driver, Senior Planner, presented the application for a Conditional Use, with No New Construction at 1404 S 28th Street.

RECOMMENDATION:

Staff's recommendation is for City Commission to Approve the conditional use application with the following two (2) conditions:

1. Sign permits should be applied for prior to the issuance of CO.
2. A notarized Landscape Maintenance Agreement is due prior to the issuance of CO.

Commission Questions of Staff:

Commissioner Broderick strongly endorsed the reuse, stating it is an outstanding example of adaptive use.

Applicant Questions of Staff:

Dr. Jose Garcia had no questions for the staff but commented that the Fort Pierce location is an expansion aimed at helping to meet local workforce needs.

Commission Questions of the applicant:

None

Mayor Hudson opened the public hearing.

Seeing no one, she closed the public hearing.

Motion was made by Commissioner Michael Broderick, seconded by Commissioner Arnold Gaines to approve the conditional use, with (2) conditions.

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

Passed

- B. Continued from the August 4, 2025 meeting. Legislative Hearing - Ordinance 25-021 - Review and approval of an application to amend the Millcreek Planned Development (PD) zoning in respect of one (1) parcel containing approximately 62.51 acres, and generally located north of Orange Ave and West of 41st Street in Fort Pierce, with a Planned Development Final Site Plan for Pod 2 to construct a total of 439 dwelling units, distributed in 309 townhomes and 130 detached single-family homes at a density of 7.1 du/ac. The application submitted by applicant REDTAIL DG Tod Mowery on behalf of owner FM Millcreek Holding LLC. more specifically at Parcel ID #2407-124-0001-000-3 - SECOND READING.

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

ORDINANCE NO. 25-021

AN ORDINANCE BY THE CITY COMMISSION OF THE CITY OF FORT PIERCE, FLORIDA; AMENDING THE MILLCREEK PLANNED DEVELOPMENT (PD) ZONING IN RESPECT OF ONE (1) PARCEL OF APPROXIMATELY 62.51 ACRES OF LAND, MORE OR LESS, AND GENERALLY LOCATED NORTH OF ORANGE AVE AND WEST OF 41ST STREET; APPROVING MILLCREEK PD POD 2 FINAL SITE PLAN THROUGH THE FINAL PLANNED DEVELOPMENT (PD) ZONING PROCESS; APPROVING A PLANNED DEVELOPMENT ZONING AGREEMENT; AMENDING ORDINANCE 23-011 AS TO FINAL SITE PLAN APPROVAL, SEPARATION OF PODS, UNIFIED CONTROL, AND UNITY OF TITLE; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR REPEAL OF ORDINANCES OR PARTS THEREOF IN CONFLICT; PROVIDING FOR AN EFFECTIVE DATE.

Commissioner Broderick

Revisited concerns about the street light at the Jenkins/Orange intersection. Noted high concern among residents and commercial users regarding traffic safety.

Recalled prior Commission discussions about expediting an application for a traffic signal.

Asked for clarification on the status of the application and the possibility of piggybacking on Bent Creek Phase 3 requirements.

Stressed the need for assurance that a traffic light will ultimately be installed based on buildout and traffic volumes.

Kevin Freeman, Planning Director

Explained traffic signals require a warrant from FDOT; installation cannot occur without state approval.

Warrants are triggered by traffic volume, development phases, and background traffic levels.

Once a warrant is issued, developers must contribute to signal installation.

Timing is uncertain and fully determined by FDOT, not the City.

Commissioner Gaines

Expressed frustration with waiting for FDOT, noting traffic impacts are already foreseeable.

Suggested a common-sense approach — if two major projects are approved, a

signal will clearly be necessary.

Asked if he, or the City, could directly engage FDOT to expedite action.

Concerned about resident complaints and safety risks once phases are occupied without a signal.

Mr. Freeman

Confirmed the City is dependent on FDOT warrants and review process.

FDOT is aware of existing and planned developments but has not yet found conditions warranting a signal.

Anticipates that a warrant will be triggered in the near future as traffic increases.

Mayor Hudson opened the public hearing.

Tod Mowery, Redtail

Reviewed history of traffic signal approvals with FDOT (e.g., U.S. 1/Kmart plaza case).

Stated FDOT requires meeting eight technical warrants before approving a signal; process often lengthy (e.g., 14 months in prior cases).

FDOT evaluates not only traffic counts, but also accident data, flow efficiency, and overall safety impact.

Installation could cost ~\$500K, plus additional median modifications — FDOT is not concerned with cost, only warrants.

Developer has been in pre-application discussions with FDOT and traffic engineers; traffic studies will guide outcomes.

Developer's Agreement outlines phased improvements and amenity construction timelines.

Future 19-acre parcel project may reduce some traffic volumes by improving road connections, which will also factor into FDOT's analysis.

Officer Stokes – Expressed traffic light concerns.

Mayor Hudson closed the public hearing.

City and developers acknowledge signal is likely needed in the future.

FDOT approval is the critical factor, based on technical warrants.

The Commission emphasized the need for proactive engagement with FDOT to avoid resident frustration and traffic safety issues as developments build out.

Motion was made by Commissioner Curtis Johnson, Jr., seconded by Commissioner Michael Broderick to approve Ordinance No. 25-021.

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

Passed

- C. Legislative Hearing - Ordinance 25-022 amending Chapter 2, Article IV, Division 5, Police Officers Retirement/Pension Funds to allow the Police Chief to opt out of the Police Officers Retirement Trust Fund and to increase DROP participation period to six years to mirror the general employee plan. SECOND READING

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

ORDINANCE NO. 25-022

AN ORDINANCE OF THE CITY OF FORT PIERCE, FLORIDA AMENDING THE CODE OF ORDINANCES OF THE CITY OF FORT PIERCE, FLORIDA CHAPTER 2, ADMINISTRATION, ARTICLE IV, OFFICERS AND EMPLOYEES, DIVISION 5, POLICE OFFICERS' RETIREMENT/PENSION FUNDS, SUBDIVISION II – POLICE OFFICERS' RETIREMENT TRUST FUND; BY AMENDING SECTION 2-381, DEFINITIONS AT THE DEFINITION OF POLICE OFFICER TO ALLOW THE POLICE CHIEF TO OPT OUT OF THE POLICE OFFICERS' RETIREMENT TRUST FUND PLAN; BY AMENDING SECTION 2-388, EMPLOYEE WITHDRAWAL FROM PLAN TO CORRECT AN INTERNAL INCONSISTENCY; AMENDING SECTION 2-397, DEFERRED RETIREMENT

OPTION PLAN (DROP) TO INCREASE DROP PARTICIPATION PERIOD TO SIX YEARS TO MIRROR THE GENERAL EMPLOYEE PLAN; PROVIDING FOR SEVERABILITY; REPEALING ALL ORDINANCES OR PARTS THEREOF IN CONFLICT; PROVIDING FOR AN EFFECTIVE DATE. SECOND READING

Motion was made by Commissioner Michael Broderick, seconded by Commissioner Curtis Johnson, Jr. to approve Ordinance No. 25-022.

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

Passed

- D. Legislative Hearing - Ordinance 25-023 - Review and approval fo Voluntary Annexation by owner Troil South, LLC, to extend the territorial limits of the City of Fort Pierce, Florida, to include one (1) parcel at 1903 S. 37th Street. The proposed City Future Land Use designation is General Commercial (GC) and Zoning classification of General Commercial (C-3). Parcel ID: 2417-331-0001-000-0. FIRST READING

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

ORDINANCE NO. 25-023

AN ORDINANCE EXTENDING THE TERRITORIAL LIMITS OF THE CITY OF FORT PIERCE, FLORIDA, TO INCLUDE ONE (1) PARCEL AT 1903 S. 37th STREET 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, 2026; DIRECTING THE ST. LUCIE COUNTY TAX COLLECTOR TO COLLECT TAXES ON THE HEREIN DESCRIBED PROPERTY; ESTABLISHING THE FORT PIERCE ZONING DESIGNATION; ESTABLISHING THE FORT PIERCE LAND USE DESIGNATION; 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. FIRST READING

Kerry Driver, Senior Planner, presented the review and approval for voluntary annexation at 1903 S. 37th Street.

RECOMMENDATION:

Staff has confirmed that the property is located within unincorporated St. Lucie County and is contiguous to the Fort Pierce City municipal boundary and within the FPUA service area.

Staff's recommendation is for the Planning Board to move the proposed annexation application for Approval to City Commission.

Questions of Staff:

None

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. 25-023.

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

Passed

E. Legislative Hearing - Ordinance 25-024 Creating Chapter 103, Article XII
Mandatory Structural Inspections for Condominium and Cooperative Buildings.
FIRST READING

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

ORDINANCE NO. 25-024

AN ORDINANCE AMENDING THE CODE OF ORDINANCES OF THE CITY OF FORT PIERCE, FLORIDA; CREATING CHAPTER 103 – BUILDINGS AND BUILDING REGULATIONS, ARTICLE XII – MANDATORY STRUCTURAL INSPECTIONS FOR CONDOMINIUM AND COOPERATIVE BUILDINGS, SECTIONS 103-425 – 103-449; PROVIDING FOR A TITLE IN SECTION 103-425; PROVIDING FOR APPLICABILITY IN SECTION 103-426; PROVIDING FOR DEFINITIONS IN SECTION 103-427; PROVIDING FOR A TIMEFRAME TO SCHEDULE OR COMMENCE REPAIRS FOLLOWING RECEIPT OF A PHASE TWO INSPECTION REPORT IN SECTION 103-428; PROVIDING FOR ENFORCEMENT IN SECTION 103-429; PROVIDING FOR RESERVATION OF SECTIONS 103-430 – 103-449; REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HEREWITH; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING FOR AN EFFECTIVE DATE.FIRST READING

Paul Thomas, Building Director, presented the creation of Chapter 103, Article XII Mandatory Structural Inspections for Condominium and Cooperative Buildings.

Ordinance on Milestone (Legacy) Inspections – Discussion Summary

Background

Ordinance change prompted by Surfside building collapse.

Applies to condominiums three stories or higher, 30+ years old.

Phase One inspections (visual, structural) already completed in Fort Pierce by third-party engineers.

If deficiencies found, Phase Two requires corrective work within 365 days.

Cost Responsibility

Condo associations bear cost of inspections and repairs; not an unfunded mandate on the city.

Commission Concerns

Commissioner Broderick expressed concern about scope, cost burden, and past examples where inspections became overly burdensome (including electrical, HVAC, and interior condo unit inspections).

Stressed impact on retirees and residents on fixed incomes.

Requested clarity on whether inspections in Fort Pierce will remain structurally focused or expand to cover minutiae.

Clarifications by Paul Thomas (Building Director)

Program is state-mandated, not a local initiative.

Fort Pierce Building Department does not conduct inspections; only ensures compliance with engineer reports.

Scope is primarily structural safety (e.g., salt intrusion, rebar, balconies), not forensic checks of interiors.

About 50 buildings in Fort Pierce qualify; Phase One completed, repairs underway are generally minor.

No major structural failures identified locally.

Legislative Intent

Change simply formalizes a 365-day repair timeframe; previously no specific deadline.

State law requires cities to align ordinances with statute.

Some flexibility exists if continuous inspections show progress beyond 365 days.

Next Steps

Mr. Thomas will provide a detailed report to the Commission on timelines, scope, and requirements before second reading.

Commissioners acknowledged concerns but emphasized life safety priority.

Motion was made by Commissioner Curtis Johnson, Jr., seconded by Commissioner Arnold Gaines to approve Ordinance No 25-024.

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

Passed

13. CITY COMMISSION

- A. Resolution 25-R61 appointing members to serve on the Fort Pierce Youth Council.

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

RESOLUTION NO. 25-R61

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FORT PIERCE, FLORIDA, CERTIFYING THE APPOINTMENT OF MEMBERS TO THE YOUTH ADVISORY COUNCIL; PROVIDING FOR AN EFFECTIVE DATE.

Motion was made by Commissioner Arnold Gaines, seconded by Commissioner Curtis Johnson, Jr. to approve Resolution No. 25-R61.

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

Passed

- B. Resolution 25-R62 Adopting Updated Solid Waste Administrative Guidelines Approving the Schedule of Fees for the Collection and Disposal of Garbage and Trash

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

RESOLUTION NO. 25-R62

A RESOLUTION BY THE CITY COMMISSION OF THE CITY OF FORT PIERCE, FLORIDA; ADOPTING UPDATED SOLID WASTE ADMINISTRATIVE GUIDELINES AND APPROVING THE SCHEDULE OF FEES FOR COLLECTION AND DISPOSAL OF GARBAGE AND TRASH TO REMOVE SECTIONS RELATED TO YARD TRASH AND RESIDENTIAL RECYCLING, INCREASE FEES, CHARGE YARD AND BULK WASTE COLLECTION COST BY WEIGHT, AND CHARGE TIRE PICKUP BASED ON APPOINTMENT AND TYPE IN ACCORDANCE WITH SECTION 30- 33 OF THE CODE OF ORDINANCES OF THE CITY OF FORT PIERCE, FLORIDA; PROVIDING FOR A SEVERABILITY CLAUSE; REPEALING ALL RESOLUTIONS IN CONFLICT HEREWITH; AND PROVIDING FOR AN EFFECTIVE DATE.

Jason Atkinson, Public Works Director, presented the updated solid waste administrative guidelines and schedule of fees for the collection and disposal of garbage and trash.

1. Bulk Waste & Illegal Dumping

Issue Raised: Concerns that landscapers and residents may dump illegally to avoid fees.

Equity Concerns:

Absentee or elderly landowners could be unfairly billed for waste they did not create.

Fear of liens or utility shutoffs if charges go unpaid.

Districts 1 and 2 are disproportionately affected.

Staff Response:

City code requires billing property owners; unpaid balances pursued legally, not

always through liens.

New structure includes a buffer (2–4 cubic yards free).

Lowered rates (\$10 per cubic yard) designed to lessen burden.

Staff attempt to identify violators and separate bulk from yard debris to avoid double charges.

Community education and involvement will be critical to reducing illegal dumping.

2. Resident Costs & Compliance

Challenge: Residents are used to free or low-cost bulk pickup; resistance to change is likely.

Commission Discussion:

Rates must be enforced fairly while maintaining public trust.

Need to clearly communicate new rules, especially differentiating between legal bulk pickup requests and illegal dumping incidents.

Public Education Emphasis:

Commissioners and staff agreed a broad campaign is needed:

Outreach via social media, mailers, FPUA billing inserts, churches, and neighborhood meetings.

Training residents on proper disposal (e.g., phased tree trimming, calling for pickups).

“Resetting community expectations” is essential to avoid backlash and ensure compliance.

3. Financial Strategy & Enterprise Fund

Commissioner Broderick stressed:

Solid Waste Division operates as an enterprise fund — must cover costs without ongoing reserve use.

Current proposal projects ~\$2M additional annual revenue.

Funds allocated to six trucks, eight new staff, and operational upgrades.

Commission Concern:

Rates must be set properly (“right-sized”) the first time.

Commissioners requested more analysis before committing fully.

4. Fleet Management & Capital Planning

Current Approach:

Lease six trucks to address urgent needs, then transition to purchases.

Director Atkinson confirmed:

Confident revenue projections will sustain operations.

Preventive maintenance and hiring skilled mechanics will extend truck lifespans.

Commission Requests:

Full fleet replacement plan (5–20 years).

Preventive maintenance plan covering routine service and major repairs.

Detailed lease vs. purchase cost analysis.

Inclusion of facility upgrades and equipment needs in capital priorities.

Consensus:

Present plan is workable but requires refinement.

Long-term sustainability hinges on disciplined financial and asset management.

5. Implementation & Rollout

Timeline:

Resolution requires only one reading.

If approved, new fees take effect October 1, 2025 (start of FY 2026).

A 30-day education campaign will precede rollout.

Schedule Changes:

Proposed alternating collection schedule (yard debris one week, bulk the next).

Not included in this resolution; to be addressed separately via ordinance/code updates.

Hurricane/Disaster Pickup:

Bulk pickup continues during emergencies.

Yard debris managed by contracted disaster debris vendors.
Charges are generally waived during disaster recovery.

6. Equity & Community Engagement

Illegal dumping disproportionately impacts certain districts.
Enforcement tools discussed: cameras, code enforcement, community reporting.
Staff reiterated commitment to fairness: avoid burdening fixed-income or absentee landowners with excessive bills.
Commissioners acknowledged illegal dumping is both a financial and cultural issue that requires city action and resident participation.

Conclusion

The Commission expressed broad support for the rate adjustment resolution, recognizing it as necessary for financial sustainability, improved operations, and community cleanliness. However, strong emphasis was placed on:
Fairness — ensuring residents are not unfairly penalized for illegal dumping.
Planning — developing detailed fleet and maintenance strategies.
Public Communication — launching a robust education campaign to reset expectations.

Motion was made by Commissioner Michael Broderick, seconded by Commissioner Curtis Johnson, Jr. to approve Resolution No.25-R62.

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

NAY: Commissioner Arnold Gaines

Passed

C. Resolution 25-R63 appointing an at-large member to the Fort Pierce Planning Board.

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

RESOLUTION NO. 25-R63

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FORT PIERCE, FLORIDA, CERTIFYING THE APPOINTMENT OF A MEMBER TO THE CITY PLANNING BOARD; PROVIDING FOR AN EFFECTIVE DATE.

By voice vote the Mayor and Commission unanimously reappointed Nichelle Clemmons.

Motion was made by Commissioner Michael Broderick, seconded by Commissioner Curtis Johnson, Jr. to approve Resolution 25-R63 reappointing Nichelle Clemmons to the Planning Board.

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

Passed

D. Resolution 25-R64 Nebraska Avenue Sidewalk FDOT LAP Agreement for approval and signature by City for award of \$666,354.00 in federal Transportation Alternative Program (TAP) funding for construction of the project.

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

RESOLUTION NO. 25-R64

A RESOLUTION AUTHORIZING THE CITY COMMISSION OF THE CITY OF FORT PIERCE, FLORIDA TO ENTER INTO A LOCAL AGENCY PROGRAM AGREEMENT WITH THE FLORIDA DEPARTMENT OF TRANSPORTATION FOR CONSTRUCTION OF NEBRASKA AVENUE FROM N/S LAWNWOOD

CIRCLE TO N 13TH STREET A TRANSPORTATION ALTERNATIVES PROGRAM GRANT AND AUTHORIZING THE MAYOR, CITY CLERK, AND CITY ATTORNEY TO EXECUTE SAID AGREEMENT ON THE PART OF THE CITY; AND PROVIDING FOR AN EFFECTIVE DATE.

FDOT Grant Award

City staff recommended approval of an FDOT-awarded grant (Project RLS-25-217).

City Attorney noted the agreement includes indemnification language requiring the City to indemnify, hold harmless, and defend FDOT in any lawsuit.

Legal Concerns

This clause could increase financial liability for the City and potentially waive sovereign immunity protections.

Insurance carrier warned coverage may be denied if such terms conflict with policy.

Ms. Hedges recommended against signing agreements with this language.

Commission Discussion

Commissioners expressed concern about long-term implications, including effects on future FDOT funding.

Acknowledged the risk vs. reward: walking away from \$666,000 in funding vs. assuming potential liability.

Suggested issue be raised with the TPO Board to determine how other jurisdictions are handling the clause.

Project Details

Project involves construction of sidewalks near the hospital to provide safer routes for school children.

Deadline for execution: September 5th; failure to approve would forfeit funding.

Engineering Department confirmed City will issue the contract, hire CEI (Construction, Engineering & Inspection services), and ensure compliance with federal processes.

Risk Mitigation

Indemnification clause also extends to contractors and subcontractors, requiring them to hold harmless both the City and FDOT.

Commissioners noted risk remains if a contractor goes out of business or fails to perform.

Key Considerations

Approval ensures immediate project funding but carries legal and insurance risks.

Decision framed as balancing taxpayer liability vs. public safety benefits and continued FDOT partnership.

Motion was made by Commissioner Michael Broderick, seconded by Commissioner Curtis Johnson, Jr. to approve Resolution No. 25-R64.

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

NAY: Commissioner Arnold Gaines

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.

William Abramowitz

Alicia Dixon

Robert Troutman

Fabian Zamora

Noah Clark

15. COMMENTS FROM THE CITY MANAGER

City Manager – Richard Chess

Police Chief Recruitment – Update

Deliverables Received

Draft job announcement (pending corrections).

Draft public and Police Department survey questions.

Updated project timeline.

Next Steps

Schedule meeting between Commission and recruiter (Ms. Norlock).

Finalize and roll out recruitment materials by end of week.

Public and internal survey questions to be posted online; responses will go directly to recruiter for screening.

Salary Range

Proposed range: \$128,250 – \$212,000 (midpoint approx. \$170,000).

Former Chief's salary was approx. \$190,000.

Range may be revisited during one-on-one discussions with Commissioners.

Status

Recruitment package is ~99% complete; only minor adjustments needed before launch.

City Clerk – Linda Cox- No comments

City Attorney – Sara Hedges- No comments

16. COMMENTS FROM THE COMMISSION

Commissioner Broderick

Requested that the long-delayed MOU with FPUA regarding streetlights and poles be formally placed on an agenda for resolution.

Understands the concerns about City giving up ownership of assets, leading to potential loss of cost control and negotiating power and suggested the City should have a maintenance and replacement plan before transferring ownership.

City Manager Chess

Noted he has no prior background on the matter, but met briefly with FPUA leadership.

Voiced concerns about the City moving from ownership to rental model without sufficient analysis.

Mayor Hudson

Confirmed she has had discussions with FPUA's attorney and sees an opportunity for renewed dialogue.

Recommended a reset approach, starting discussions over to reach a clear, shared understanding.

Commissioner Johnson

Requested an update this week on the streetlight issue, SHIP program, and other initiatives (e.g., Lincoln Park, Main Street incubator, refuse challenges).

Stressed the need for better data, analysis, and transparency in decision-making, particularly on contracts and budgets.
Emphasized importance of community engagement and communication on refuse costs.
Reflected on lessons from recent Florida League of Cities conference, encouraging innovative approaches to growth challenges.

Commissioner Gaines

Shared concerns about noise issues from vehicles blasting music in neighborhoods; urged stronger enforcement.
Stressed caution with raising bulk pickup fees, warning of impacts on low-income renters and potential homelessness risks.
Called for a public campaign to address illegal dumping and bulk refuse disposal.
Thanked officers present, acknowledged budget limitations, and encouraged continued dialogue with police.
Concluded with light remarks about the conference and networking opportunities.

Mayor Hudson

Thanked officers for attending and sharing input.
Noted the importance of ongoing dialogue about the police department, the City's largest department and key public service provider.
Requested follow-up conversation with City Manager and Acting Chief for further discussion.

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 8:54 P.M.

ATTEST:

CITY CLERK

MAYOR COMMISSIONER