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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, OCTOBER 6, 2025.

1. CALL TO ORDER

Mayor Hudson called the meeting to order at 5:05.

2. OPENING PRAYER - Pastor Candice Star - C. Star Ministry Inc.

3. PLEDGE OF ALLEGIANCE

4. ROLL CALL

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

Absent: Commissioner Arnold Gaines

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

Motion was made by Commissioner Michael Broderick, seconded by Commissioner Curtis Johnson, Jr. to excuse Commissioner Gaines.

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

Passed

5. APPROVAL OF MINUTES

A. Approval of minutes from the September 2, 2025 regular meeting.

Motion was made by Commissioner Curtis Johnson, Jr., seconded by Commissioner Michael Broderick approve the minutes.

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

Passed

B. Approval of minutes from the September 8, 2025 Special Budget Hearing.

Motion was made by Commissioner Michael Broderick, seconded by Commissioner Curtis Johnson, Jr. to approve the minutes.

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

Passed

C. Approval of the minutes from the September 15, 2025 regular meeting.

Motion was made by Commissioner Curtis Johnson, Jr., seconded by Commissioner Michael Broderick to approve the minutes.

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

Passed

6. **PROCLAMATIONS**

- A. Omicron Tau Chapter's 65th Year
- B. Red Ribbon Week

7. **LETTERS TO COMMISSION**

8. **ADDITIONS OR DELETIONS TO AGENDA AND APPROVAL OF AGENDA**

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

AYE: Commissioner Michael Broderick, 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 from the public.

10. **MISCELLANEOUS REPORTS**

11. **CONSENT AGENDA**

- A. Approval of Letter of Engagement with GrayRobinson, P.A. for Governmental Consulting Services in the amount of \$60,000.00.
- B. Approval of expenditure for the installation of holiday lighting at Marina Square by Lighting by Design from West Palm Beach Florida, in the amount of \$63,347.00.
- C. Approval of expenditure in the amount of \$296,976.00 for the purchase of the Glance Emergency Vehicle Preemption System.
- D. Approval for City Manager Richard D. Chess to attend the International City/County Management Association 2025 Annual Conference in Tampa, Florida, from October 26 to October 29, 2025, at a cost of \$2,129.06.
- E. Approval for City Manager Richard D. Chess to attend the Florida Redevelopment Association 2025 Annual Conference in West Palm Beach, Florida, from October 14 to October 17, 2025, at a cost of \$2,100.00.

Commissioner Johnson pulled item 11B.

Mayor Hudson pulled item 11C.

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

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

Passed

As to item 11B, Commissioner Johnson expressed his disappointment in the breakdown regarding the procurement process for the contracting and installation of the lights in Marina Square. Mr. Chess acknowledged that we can and will do better in the future.

Motion was made by Commissioner Michael Broderick, seconded by Commissioner Curtis Johnson, Jr.

AYE: Commissioner Michael Broderick, Mayor Linda Hudson

NAY: Commissioner Curtis Johnson, Jr.

Passed

As to item 11C, Mark Zrallak, City Engineer, explained that the system being purchased enhances safety and response time for emergency vehicles by controlling the traffic signals to provide green lights for approaching responding vehicles at major intersections throughout the City. We join Port St. Lucie and St. Lucie County in the installation of this product at the request of the St. Lucie County Fire District.

Motion was made by Commissioner Curtis Johnson, Jr., seconded by Commissioner Michael Broderick

AYE: Commissioner Michael Broderick, 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. Legislative Hearing - Ordinance 25-024 Creating Chapter 103, Article XII Mandatory Structural Inspections for Condominium and Cooperative Buildings. SECOND 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 AND 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. 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 25-024.

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

Passed

- B. Legislative Hearing - Ordinance 25-028 establishing Mayor and City Commission compensation and providing for cost of living increases commensurate with non-bargaining city employees each year as part of the annual budget adoption. SECOND READING

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

ORDINANCE NO. 25-028 - AN ORDINANCE BY THE CITY COMMISSION OF THE CITY OF FORT PIERCE, FLORIDA, AMENDING CHAPTER 2 – ADMINISTRATION, ARTICLE II – CITY COMMISSION, DIVISION 1 – GENERALLY, SECTION 2-19 – COMPENSATION OF THE CODE OF ORDINANCES; ESTABLISHING THE COMPENSATION DUE TO MAYOR AND COMMISSIONERS; PROVIDING FOR SEVERABILITY; REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HEREWITH; 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 25-028.

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

Passed

- C. Legislative Hearing - Ordinance 25-029 Deleting Chapter 103, Article VII Coastal Construction Code. FIRST READING

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

ORDINANCE NO. 25-029 - AN ORDINANCE AMENDING THE CODE OF ORDINANCES OF THE CITY OF FORT PIERCE, FLORIDA; AMENDING CHAPTER 103 – BUILDING AND BUILDING REGULATIONS, ARTICLE VII – COASTAL CONSTRUCTION CODE BY DELETING AND RESERVING SECTIONS 103-263 – 103-268 ; REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HEREWITH; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING FOR AN EFFECTIVE DATE. FIRST READING

Paul Thomas, Director of Building, explained that this ordinance is simply a housekeeping measure; these regulations are now being regulated under state statute, the Building Code, which supersedes any local ordinance. The regulations still exist, just under Florida Statute.

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 25-029.

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

Passed

- D. Legislative Hearing - Ordinance 25-030 Amending Chapter 103, Article II Building Code, and Amending Chapter 109, Article I Floodplain Management. FIRST READING

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

ORDINANCE NO. 25-030 - AN ORDINANCE AMENDING THE CODE OF ORDINANCES OF THE CITY OF FORT PIERCE, FLORIDA; AMENDING CHAPTER 103 – BUILDING AND BUILDING REGULATIONS, ARTICLE II – BUILDING CODE, DIVISION 1 – GENERALLY, SECTION 103-24 BY DELETING FLORIDA BUILDING CODE TECHNICAL AMENDMENTS FOR ADDITIONS; AMENDING CHAPTER 109 – FLOODPLAIN MANAGEMENT, ARTICLE I – IN GENERAL, SECTION 109-2 BY MODIFYING CERTAIN DEFINITIONS; AMENDING ARTICLE III – FLOOD-RESISTANT DEVELOPMENT, SECTION 109-49 BY PROVIDING FOR A TECHNICAL AMENDMENT TO THE FLORIDA BUILDING CODE FOR ADDITIONS; REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HEREWITH; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING FOR AN EFFECTIVE DATE. FIRST READING

Paul Thomas, Director of Building, shared that the ordinance is from the Florida Department of Emergency Management and clarifies some of the ordinances and decisions that are made locally as it pertains to the 50% rule for substantial damage, particularly how you calculate property valuation.

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 25-030.

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

Passed

- E. Quasi-Judicial Hearing - Ordinance 25-031 - Review of an application to approve a planned development in respect of the Final Site Plan for Pod 1 and the Planned Development Zoning Agreement for the Symphony Lakes Planned Development (PD) generally located at or near the northeast corner of Selvitz Road and Devine Road and west of Christensen Road, containing approximately 88.5 acres of land, more or less, plus additional right-of-way; providing for a severability clause; providing for repeal of ordinances or parts thereof in conflict; and providing for an effective date. - FIRST READING.

Linda Cox, City Clerk, introduced the quasi-judicial hearing for the application for a planned development in respect of the Final Site Plan for Pod 1 and the Planned Development Zoning Agreement for the Symphony Lakes Planned Development (PD) generally located at or near the northeast corner of Selvitz Road and Devine Road and west of Christensen Road.

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.

Ex parte communications:

Commissioner Broderick – Yes, he met with the development team.

Commissioner Johnson – Yes, he met with the development team.

Mayor Hudson – No.

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

Staff presentation:

Kev Freeman, Planning Director, reminded the Mayor and Commission of the long journey this proposed plan has taken. The applicant has taken into consideration the concerns expressed by the Commission and the neighbors during the prior hearing and this plan incorporates remedies to those concerns. The proposed Pod 1 Final Site Plan contains approximately 88 acres and proposes 286 single-family residential units which is approximately 3.25 dwelling units per acre. The Master Site Plan requires a minimum of 20% Open Space in Pod 1. The entire residential portion of the site that originally accessed Christensen Road has now been removed and the only access to Christensen Road is emergency only. A sheltered school bus stop with a turnaround within the site has been incorporated. Landscape buffers have been designed with a variety of shrubs, hedges and trees which goes beyond the normal landscape buffer requirements. Staff recommends approval with the following eight conditions:

1. All required Roadway improvements (including sidewalks) shall be completed and approved prior to issuance of first certificate of completion for a dwelling in Pod 1.
2. The development of Pod 1 shall satisfy all applicable conditions of the 'Conceptual' Symphony Lakes PD.
3. A Plat shall be required prior to the application for building permits in respect of vertical construction.
4. A Unity of Title with the St. Lucie County Clerk of Courts and a Parcel Combination with the St. Lucie County Property Appraiser shall be completed prior to the issuance of any Building Permit.
5. A General Address Request Form for the newly created Parcel ID and for any and each proposed building and residential unit shall be submitted to the Planning Department.
6. All required ROW dedication in respect of Selvitz RD shall be completed and approved prior to issuance of first certificate of completion for a dwelling in Pod 1.
7. A Landscape Maintenance Agreement shall be required prior to Final Certificate of Occupancy being issued for Pod 1.
8. The developer is responsible for obtaining all required state or federal agency permits. The approval of the development by the City does not create liability on the part of the City for issuance of this development approval if the applicant fails to obtain requisite approvals from other agencies.

Commission questions of Staff:

Commissioner Broderick asked if the applicant satisfied all aspects of staff's requests of this plan to which Mr. Freeman indicated yes.

The applicant had no questions of staff.

Applicant presentation:

Leah Heinzemann, Coteleur-Hearing, introduced the development team and provided an overview of the project including the site layout, extensive buffers, school bus stop location and design, access points to the site and off-site road improvements.

Commission questions of applicant:

The applicant clarified that the northern access road will be utilized for the light industrial and office uses and the southern access road will serve the residential properties.

Public comment: There was no public comment.

Mayor Hudson closed the public hearing and indicated now was the time for deliberations.

The Mayor and Commission complimented staff for their work on this project and taking the concerns expressed by them and the neighbors and working with the developer to incorporate that information into a plan that could be approved.

Motion was made by Commissioner Michael Broderick, seconded by Commissioner Curtis Johnson, Jr. to approve item 12E with the 8 staff conditions.

AYE: Commissioner Michael Broderick, Commissioner Curtis Johnson, Jr.

NAY: Mayor Linda Hudson

Passed

- F. Quasi-Judicial Hearing - Review and approval of an application for a Conditional Use with New Construction by J Conroy LLC, located at 1606 Surfside Drive, Parcel Control Number: 2412-501-0131-000-6

City Clerk, Linda Cox, announced the Quasi-Judicial Hearing for the Conditional Use at 1606 Surfside Drive.

The City Clerk confirmed that the City complied with the advertisement and notice requirements.

Ex parte communications:

Commissioner Broderick – emails and phone calls

Commissioner Johnson – emails and phones calls

Mayor Hudson – emails and phone calls from neighbors, watched the Planning Board, met with planning director, and drove by the site.

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

Staff presentation:

Kerry Driver, Planner, shared that the applicant is proposes to construct a three-story single-family residence, to a height of 35 feet which requires Conditional Use with New Construction approval. Pursuant to Sec. 125-(1)c.2., Maximum height may be extended up to 35' in the R-1, R-2 and R-3 zoning districts subject to conditional use approval. The property is zoned R-1. Pursuant to Sec. 125-191, Single-family Low-Density zone (R-1), (b)(4)Building heights. No building shall exceed a height of 28 feet above grade, except that conditional uses with buildings that have a maximum height of 35 feet above grade may be approved. Staff is recommendation approval with four (4) conditions:

1. Driveway construction shall comply with the City of Fort Pierce Code of Ordinances Standard Driveway Detail and be comprised of concrete brick pavers or concrete per Section 32-9 2.
2. Prior to issuance of final certificate of occupancy, the City issued Landscape Maintenance Agreement shall be notarized and submitted for filing. The maintenance agreement shall include all landscaping installed within the City's right of way.
3. The proposed landscape plan has improvements including trees within the City's right-of-way. Acknowledgment that any capital improvements deemed necessary by the city the homeowner's landscape will be removed without replacement of materials other than sod.
4. During the turtle nesting and hatching season, from March 1 through October 31, all exterior artificial light fixtures shall be mounted as low as feasibly possible and shielded so that the source of light is not directly visible from the beach and does not directly or indirectly illuminate areas seaward of the primary dune and otherwise be in compliance with Sec. 16-82 of the Code of

Ordinances regulating lighting on the beach and Sea Turtle protection

Commission questions of Staff:

Paul Thomas, Director of Building, addressed questions regarding the requirement for certified draining plans and maintaining stormwater on site so as to not adversely impact neighboring properties. There was extensive explanations as to flood zones and how requirements are set by both Department of Environmental Protection and FEMA as to how and from where you measure elevations. Mr. Thomas explained that in the case of this property, the base elevation was 16.4 and is where the height calculation would start. Nothing under the 16.4 feet can be habitable space, but garages and storage space is permitted.

There were additional questions about wastewater and sewer to the property but it was determined that was outside of the scope of what was before them for consideration.

Applicant Questions of Staff:

Joe McCarty, Applicant Representative, asked clarification of staff if the measurements began at the FEMA flood plain at 16.4 feet rather than grade which is 6 feet.

Mr. Thomas clarified that measurement of 16.4 feet was a DEP elevation, but you may not build any lower than that. Mr. Freeman indicated that in reviewing the architectural drawings this afternoon, they were confusing as to where the measurements were taken from.

Mr. McCarty indicated that if the measurements begin at 16.4 feet, they do not need a conditional use because they are not building beyond the 28 feet.

On behalf of the applicant, Mr. McCarty withdrew the application for conditional use and the hearing ended.

13. CITY COMMISSION

- A. Resolution 25-R51 Approving an Amendment to the Assigned and Assumed Agreement for the Development of King's Landing (Villas Plat) and Release of the City's Reverter to the Villas Plat Property, only.

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

RESOLUTION NO. 25-R51 - A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FORT PIERCE, FLORIDA, A FLORIDA MUNICIPAL CORPORATION, APPROVING AN AMENDMENT TO THE ASSIGNED AND ASSUMED DEVELOPMENT AGREEMENT FOR THE VILLAS PLAT PROPERTY OF KING'S LANDING AND RELEASE OF THE CITY'S REVERTER ON THE VILLAS PLAT PROPERTY ONLY; PROVIDING FOR A SEVERABILITY CLAUSE; AND PROVIDING FOR AN EFFECTIVE DATE.

Motion was made by Commissioner Michael Broderick, seconded by Commissioner Curtis Johnson, Jr. to approve Resolution 25-R51.

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

Passed

- B. Resolution 25-R70 adopting precinct polling places for the Special Election

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

RESOLUTION NO. 25-R70 - 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 SPECIAL ELECTION TO BE HELD ON NOVEMBER 4, 2025; PROVIDING FOR AN EFFECTIVE DATE.

City Clerk, Linda Cox, confirmed that the polling places were the same as with any other election.

Motion was made by Commissioner Michael Broderick, seconded by Commissioner Curtis Johnson, Jr. to approve Resolution 25-R70.

AYE: Commissioner Michael Broderick, Commissioner Curtis Johnson, Jr., 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.

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15. COMMENTS FROM THE CITY MANAGER

A. Reports

City Manager Chess shared that they have tentatively scheduled interviews for the Chief of Police for October 23 and 24.

16. COMMENTS FROM THE COMMISSION

Commissioner Johnson wanted to alert his fellow commissioners to SB180. He had a great conversation with Representative Trabulsy and this is something we need to keep on our radar.

Commissioner Broderick welcomed Sara Hedges back.

Mayor Hudson shared that her FLC Policy Commission, Property Taxes and Finance is very crowded and they are watching closely the desire of the Governor to abolish property taxes. She encouraged everyone to watch the legislative committee discussion on the issue that was held on September 23 and 24 which can be viewed on the Florida Channel; its very informative.

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 7:24 p.m.

ATTEST:

CITY CLERK

MAYOR COMMISSIONER