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CITY OF FORT PIERCE

CITY COMMISSION AGENDA

Regular Meeting - Monday, April 15, 2024 - 5:05 p.m.

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

1. **CALL TO ORDER**
2. **OPENING PRAYER** - Harry Shaw with Good News Missionary Baptist Church
3. **PLEDGE OF ALLEGIANCE**
4. **ROLL CALL**
5. **APPROVAL OF MINUTES**
 - a. [Approval of Minutes from the April 01, 2024 Regular Meeting Click to View](#)
6. **PROCLAMATIONS**
 - a. [National Crime Victims' Rights Week Click to View](#)
 - b. [National Student Leadership Week Click to View](#)
 - c. [Mental Health Awareness Month Click to View](#)
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. Click to View](#)
 - b. [Letter from Hazel Grant expressing her gratitude for Grant Administration Division Teresa Miller's kindness and assistance. Click to View](#)
 - 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. Click to View](#)
8. **ADDITIONS OR DELETIONS TO AGENDA AND APPROVAL OF AGENDA**
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.

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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.

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. Click to View](#)
- 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. Click to View](#)
- 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. Click to View](#)
- 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. Click to View](#)

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. [Click to View](#)

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- b.  [Legislative Hearing - Ordinance 24-003 Establishing the Sunrise Community Development District. SECOND READING \[Click to View\]\(#\)](#)
- 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. \[Click to View\]\(#\)](#)
- 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. \[Click to View\]\(#\)](#)
- 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. \[Click to View\]\(#\)](#)
- f.  [Legislative Hearing - Ordinance 24-009 - Final Budget Amendment of the FY 2022-23 General Fund Budget. SECOND READING \[Click to View\]\(#\)](#)
- 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: \[2507-321-0001-000-5\]\(#\). \[Click to View\]\(#\)](#)
- 13. **CITY COMMISSION**
 - a. [Resolution 24-R18 approving FPUA's FY2022-2023 Final Budget Amendment \[Click to View\]\(#\)](#)
 - b. [Resolution 24-R19 accepting the Fort Pierce Utilities Authority Comprehensive Annual Financial Report for FY2023 and annual distribution. \[Click to View\]\(#\)](#)

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- 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. Click to View](#)
- 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. Click to View](#)

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.

15. COMMENTS FROM THE CITY MANAGER

- a. [Reports Click to View](#)

16. COMMENTS FROM THE COMMISSION**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.

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.

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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.

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