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CITY OF FORT PIERCE
CITY COMMISSION AGENDA

Regular Meeting - Tuesday, September 3, 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** - Reverend Dr. Andrea Byer-Thomas with Community United Methodist Church
3. **PLEDGE OF ALLEGIANCE**
4. **ROLL CALL**
5. **APPROVAL OF MINUTES**
 - a. [Approval of Minutes from the August 15, 2024 Special Meeting *Click to View*](#)
 - b. [Approval of Minutes from the August 19, 2024 Regular Meeting *Click to View*](#)
6. **PROCLAMATIONS**
 - a. [Hunger Action Month *Click to View*](#)
7. **LETTERS TO COMMISSION**
 - a. [Email from Jim Goertler expressing his gratitude for the revitalization of his property, thanking Miriam Garcia for her assistance, and commending Marsha Commond and Sara Delgado for their exceptional efforts. *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. 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**

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11. BUDGET HEARING

- a. Proposed 2024-25 General Fund Budget and Millage Rate for the City of Fort Pierce. The City of Fort Pierce is proposing a millage rate of 6.9 and that rate exceeds the roll-back rate of 6.4316 by 7.28%. [Click to View](#)
 1. Consider any proposed amendments to the 2024-25 General Fund Budget [Click to View](#)
 2. Adopt proposed Millage Rate of 6.9 and recompute if necessary. [Click to View](#)
 3. Adoption of tentative 2024-25 General Fund Budget [Click to View](#)

12. CONSENT AGENDA

- a. Approval of travel for Commissioner Curtis Johnson to attend the FLC Policy Committee Meeting in Orlando, Florida from October 03, 2024, to October 04, 2024, in the amount of \$424.40. [Click to View](#)
- b. Approval of travel for Commissioner Arnold Gaines to attend the FLC Policy Committee Meeting in Orlando, Florida from October 03, 2024, to October 04, 2024, in the amount of \$424.40. [Click to View](#)
- c. Approval to contract with the top four ranked consultant firms, Gannet Fleming, Inc., Johnson, Mirmiran, & Thompson, Inc., Captec Engineering, Inc. and Culpepper & Terpening, Inc. for the Construction Engineering and Inspection Services in response to RFQ 2024-026 for a five (5) year term. [Click to View](#)
- d. Approval of the hiring Agreement to engage the services of Theodore "Ted" Small, Esquire, to conduct an independent investigation of City Manager Nicholas Mimms. [Click to View](#)
- e. Approval of the 2024 Annual Resurfacing Program in the amount of \$717,222.98 which was awarded to The Paving Lady in response to Bid No. 2023-044. [Click to View](#)
- f. Authorization of expenditure of \$900,098.70, which will be financed over five years at an annual payment of \$218,814.91 for the attached Municipal Finance Equipment Lease-Purchase Application for 22 vehicles necessary for Police Department operations. [Click to View](#)

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13. 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 24-030 - Amending the Code of Ordinances of the City of Fort Pierce Chapter 125, Article 1, Section 125-3 - Definitions Generally, to provide for additional definitions, clarify existing definitions, to remove conflicts with State Statute and internal conflicts with the Code of Ordinances, and to provide consistency with the City's Comprehensive Plan. SECOND READING. \[Click to View\]\(#\)](#)
- b.  [Legislative Hearing - Ordinance 24-031 - Amending the Code of Ordinances of the City of Fort Pierce Chapter 125 - Zoning, Article IV - Basic Zoning Districts, Section 125-187 - Allowed Uses, to amend the use table and to require Innovative Community Development as a conditional use in certain zoning districts - SECOND READING. \[Click to View\]\(#\)](#)
- c.  [Legislative Hearing - Ordinance 24-032 - Amending the Code of Ordinances of the City of Fort Pierce Chapter 125 - Zoning, Article V - Conditional Uses, Section 125-243 - Innovative Residential Developments, to revise the title to 'Innovative Community Developments', and to provide updates to the purpose, general standards for approval, potential uses, minimum lot size, residential densities, development standards, common open space and compatibility. - SECOND READING. \[Click to View\]\(#\)](#)
- d.  [Legislative Hearing - Ordinance 24-034 establishing the Koa Bay Community Development District which is generally located north of W. Midway Road, south of Okeechobee Road, and west of Interstate 95, and contains approximately 200.23+/- acres, as shown on the map below. SECOND READING \[Click to View\]\(#\)](#)
- e. [Legislative Hearing - Ordinance 24-035 providing for the levying and collecting of taxes for the City of Fort Pierce for Fiscal year beginning October 1, 2024 and Ending September 30, 2025 and adopting the final millage rate of 6.9. FIRST READING \[Click to View\]\(#\)](#)

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- f. [Legislative Hearing - Ordinance 24-036 adopting the final budget for the City of Fort Pierce for fiscal year beginning October 1, 2024 and ending September 30, 2025. FIRST READING Click to View](#)
- g. [Public Hearing and Resolution 24-R34 regarding TEFRA Hearing at the request of Synergy School of Tomorrow, Inc. to issue tax exempt private activity bonds to be used to finance renovations to and buildout of the facilities located at 5900 Tedder Road, 6130 Tedder Road, 2395 South Jenkins Road, 5200 Oleander Avenue, and 3209 Virginia Avenue in Fort Pierce, Florida, and related activities. Click to View](#)

14. CITY COMMISSION

- a. [Resolution 24-R48 Adopting the Fort Pierce Redevelopment Agency FY2024-25 Budget. Click to View](#)
- b. [Submittal of applications to serve on the Communitywide Council. Click to View](#)
- c. [Submittal of applications for an at-large position on the FPUA Board. Click to View](#)

15. 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.

16. COMMENTS FROM THE CITY MANAGER

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

17. COMMENTS FROM THE COMMISSION

18. 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.

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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.

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