

**CITY OF FORT PIERCE
COMMISSION AGENDA**

Regular Meeting - Monday, July 6, 2009 - 6:30 p.m.
City Hall - City Commission Chambers
100 North U.S. #1, Fort Pierce, Florida

1. Call to Order
2. Opening Prayer - Pastor Ted Rice, St. Peter Lutheran Church
3. Pledge of Allegiance
4. Roll Call
5. Approval of the Minutes of the Regular Meeting on June 15, 2009.
6. Proclamation - July 5-11, 2009 as RETURN OF THE COBRAS WEEK. Larry Lee and Members of the 1970 & 1971 Fort Pierce Central High School Football Teams to receive.
7. **COMMENTS FROM THE PUBLIC**

Any person who wishes to comment on any subject which is not under Public Hearings on the Agenda may be heard at this time. Please limit your comments to five (5) 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.

PUBLIC HEARINGS

8. Public Hearing on Application for Conditional Use submitted by Dorcas Greenaway to convert a single-family residence into the Divine Holiness Church at 1309 Indiana Avenue; said property zoned R-3, Single Family Moderate Density Zone.

9. Public Hearing on Application for Conditional Use submitted for Bernard McBee to construct a Private Dock on property located at 1801 South Indian River Drive; said property zoned E-1, Single Family Estate Density Zone, and A-1, Aquatic Conservation Zone.

10. Public Hearing on Application for Conditional Use submitted by Philip Rosenthal, Sea Pointe Towers, to construct a Pier on property located at 801 South Ocean Drive; said property zoned R-4A, Hutchinson Island Medium Density Zone, and A-1, Aquatic Conservation Zone.

11. Public Hearing on Applications for Conditional Use & Site Plan Review submitted by Kiwi Partners LLC to construct Kiwi Condominiums, a 6-unit complex, at 1240 Seaway Drive; said property zoned C-5, Tourist Commercial Zone.

12a. Discussion on proposed Brookside Developer's Agreement.

12b. Ordinance No. L-76, Rezoning property located at 5125 Peterson Road from E-3, Residential Single Family Zone, to R-4, Medium Density Residential Zone. (Applicant: Walton River LLC) FIRST READING (Postponed from February 2nd, March 2nd, and May 4th).

13. Ordinance No. L-84, Amending Chapter 13, Police Officers Retirement Trust Fund; Amending Sections 13-161, 13-166, & 13-170; Definition of Average Salary and Credited Service; Providing benefits for members serving in intervening active duty military service; Processing disability retirements; and Forfeitures. FIRST READING

14. Ordinance No. L-85, Amending Section 13-40.1, Deferred Retirement Option Program (DROP); Expanding eligibility to include employees of the City of Fort Pierce. FIRST READING

15. Ordinance No. L-86, Removing associated Development Fees from the City Code (Chapters 3, 11.5, 15, 18, and 22) with authority being conferred by City Commission to provide thereafter by Resolution.

16. Public Hearing on the Community Development Block Grant (CDBG) 2009-10 Annual Action Plan - Proposed Statement of Objectives & Projected Use of Funds.

MISCELLANEOUS REPORTS & REQUESTS

17. Mr. Richard Allen, Gallery 34949 Inc., request 12-month extension to Site Plan & Conditional Use (Preliminary & Final Redevelopment Plan) for St. Lucie Court retail/residential development at 301 South Ocean Drive.

18. Mr. Abraham Chabab, P.E., request 12-month extension to Site Plan & Conditional Use for construction of Greater Friendship Missionary Baptist Church to be located between South 32nd Street & South 33rd Street, south of Atlantic Avenue and north of Boston Avenue.

CITY COMMISSION

19. Resolution No. 09-30, Designating the Old Fort Park on South Indian River Drive as a Historic Property and a Locally

Significant Site. (Postponed from May 4th, May 18th, and June 15th City Commission Meetings.)

20. Resolution No. 09-34, Adopting Solid Waste Administrative Guidelines and Approving Schedule of Fees for Collection & Disposal of Garbage and Trash.

21. Resolution No. 09-35, Authorizing the issuance of not exceeding \$8,000,000 Capital Improvement Revenue Refunding Bonds, Series 2009.

22. Discussion on proposed Annexation Referendum for Sheraton Plaza.

23. Commissioner Coke discussion on Coconut Drive curbing issue.

24. Submittal of Application(s) for Appointment to the City Planning Board.

25. **CONSENT AGENDA**

a. Approve submittal by Police Department of an Application to the U.S. Department of Justice for the Edward Byrne Memorial Justice Grant (JAG) Program for funding totaling \$58,218 to be used to purchase patrol video cameras.

b. Approve Change Order No. 2 to Contract with Burkhardt Construction in the amount of \$13,639.25, to complete contract close-out for the Orange Avenue, Atlantic Avenue, Melody Lane, & Indian River Drive Streetscape Project.

c. Approve Local Agency Program (LAP) Agreement with Florida

Department of Transportation for funding in the amount of \$575,000 for the construction of a Sidewalk and Bike Lane on Oleander Avenue and Sunrise Boulevard (from Virginia Avenue north to Ohio Avenue).

d. Approve Agreement for Professional Engineer Services with Culpepper & Terpening, Inc. in an amount not to exceed \$66,800 to provide project bid services and construction engineering inspection (CEI) services for the Oleander Avenue / Sunrise Boulevard Sidewalk & Bike Path Improvements. Ref. RFQ No. 5833 - FDOT Reimbursement

e. Approve Change Order No. 4 to Contract with Lucas Marine Construction LLC in the amount of \$192,465.76 for NRCS Emergency Watershed Protection Project (Virginia Avenue Outfall Canal & Virginia Avenue Canal Stabilization). Ref. Bid No. 5908, PO 091245

f. Rescind award of Contract to Vila & Son (by Motion on January 20, 2009); Award Contract for Landscaping & Irrigation for State Road 1A, Phase IIB (Bayshore Drive to South Bridge, less Roundabout), to Nature's Keeper in the amount of \$121,393.54. FDOT Reimbursement per JPA

g. Accept proposal by Nature's Keeper for landscape for the Virginia Avenue Outfall Canal in the amount of \$50,735. Ref. Bid No. 5897 - 75% reimbursement by NRCS

h. Award bid for Community Development Block Grant (CDBG) Disaster Housing Rehabilitation Project for 2810 Avenue I to S&V American Contractors Inc. in the amount of \$37,150. Bid No. 5926

i. Authorize execution of Consortium Agreement between the City and St. Lucie County for Department of Housing & Urban Development Neighborhood Stabilization Program Funding (2009 NSP2 Program).

j. Reduce Code Enforcement Lien in the amount of \$35,000 against 1211 Avenue G, owned by Ronald E. Wright, Sr., to \$900 contingent upon payment within 60 days.

k. Reduce Code Enforcement Lien in the amount of \$52,500 against 203 North 18th Street, owned by Citifinancial Equity

Services, Inc. (formerly owned by Yorajh & Bibi Haimraj) to \$4,000 contingent upon payment within 60 days.

26. **COMMENTS FROM THE STAFF**

27. **COMMENTS FROM THE COMMISSION**

There will be a Budget Workshop on Friday, July 10, 2009, beginning at 2:00 p.m. in the Fort Pierce Community Center, 600 North Indian River Drive, Fort Pierce, Florida.

28. **ADJOURNMENT**

ANY PERSON SEEKING TO APPEAL ANY DECISION BY THE CITY COMMISSION WITH RESPECT TO ANY MATTER CONSIDERED AT THIS MEETING IS ADVISED THAT A RECORD OF PROCEEDINGS IS REQUIRED IN ANY SUCH APPEAL AND THAT SUCH PERSON MAY NEED TO INSURE THAT A VERBATIM RECORD OF THE PROCEEDINGS IS MADE INCLUDING THE TESTIMONY AND EVIDENCE UPON WHICH THE APPEAL IS TO BE BASED.

