

City of Port St. Lucie

City Council

Meeting Minutes

121 SW Port St. Lucie
Blvd.
Port St. Lucie, Florida
34984

Gregory J. Oravec, Mayor

Stephanie Morgan, Councilwoman, District I
Dave Pickett, Councilman, District II
Shannon Martin, Vice Mayor, District III
Jolien Caraballo, Councilwoman, District IV

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NOTICE: INDIVIDUALS ARE SUBJECT TO MEDICAL SCREENING PRIOR TO ENTERING ANY CITY BUILDING AND ENTRY MAY BE DENIED IF ANY INDICATOR OF ILLNESS OR PRIOR EXPOSURE IS IDENTIFIED.

Monday, December 14, 2020

6:30 PM

Council Chambers, City Hall

1. Meeting Called to Order

A Regular Virtual Meeting of the City Council of the City of Port St. Lucie was called to order by Mayor Oravec on December 14, 2020, at 7:04 PM, at Port St. Lucie City Hall, 121 SW Port St. Lucie Boulevard, Port St. Lucie, Florida.

2. Roll Call

Council Members Present:

Mayor Gregory J. Oravec
Vice Mayor Shannon Martin
Councilwoman Stephanie Morgan
Councilman Dave Pickett
Councilwoman Jolien Caraballo

3. Invocation & Pledge of Allegiance

The City Clerk gave the Invocation, and Mayor Oravec led the assembly in the Pledge of Allegiance.

4. Proclamations and Special Presentations

- 4.a** Port St. Lucie Police Department Earns Reaccreditation by the Commission on Accreditation for Law Enforcement Agencies (CALEA)

[2020-987](#)

Chief John Bolduc thanked the City for this recognition and the opportunity to be reaccredited by the Commission on Accreditation for Law Enforcement Agencies (CALEA). Council congratulated and thanked Chief Bolduc and his team of personnel at the Port St. Lucie Police Department.

5. Public to be Heard

Mayor Oravec read into the record the following online submissions from the public:

Chrisi Thanos, 133 NW Magnolia Lakes Blvd., Port St. Lucie, commented on the safe, fair, and secure 2020 Presidential Election.

Fidel Sanchez commented on the lack of availability of soccer fields at McChensney Park due to the over utilization of these fields by the PSL United men's team for practices and league games. In response, the City Manager explained that a team is working on this and staff will bring the recommendations back to Council. Mayor Oravec encouraged the City Manager to move forward with addressing the ball fields. He also requested that the City Manager ensure everything is operating pursuant to the existing agreement, because the demand for soccer fields is greater than the supply.

6. Additions or Deletions to Agenda and Approval of Agenda

There being no discussion, Councilwoman Caraballo moved to approve the Agenda. Vice Mayor Martin seconded the motion, which passed unanimously by voice vote.

7. Approval of Consent Agenda

Vice Mayor Martin moved to approve the Consent Agenda. Councilwoman Morgan seconded the motion, which passed unanimously by voice vote.

- 7.a** November 16, 2020 Special Council, November 16, 2020 [2020-991](#)
Special Council (Oath of Office) and November 23, 2020
Regular Council Meeting Minutes
- 7.b** Approve a Major Site Plan Amendment for America Walks [2020-982](#)
(P20-039 A-1)
- 7.c** Motion: Termination of Restrictive Covenant #357 Executed [2020-985](#)
by Martin J. Reilly and Elaine C. Reilly with respect to Lots 4
and 5, Block 1115, Port St. Lucie Section Nine, and Recorded
in Official Records Book 1458, Page 688, Public Records of St.
Lucie County.
- 7.d** Motion: Termination of Restrictive Covenant #358 Executed [2020-989](#)

by Dominick Barone and Dolores Barone with respect to **[Property Description Redacted in Accordance with Section 119.071(4)(d)2.a., F.S.]**, and Recorded in Official Records Book **[Property Description Redacted in Accordance with Section 119.071(4)(d)2.a., F.S.]**, Public Records of St. Lucie County.

8. Second Reading, Public Hearing of Ordinances

The City Attorney explained the Quasi-Judicial Hearing process. The City Clerk swore in those individuals who intended to speak on Item 8d.

- 8.a** Ordinance 20-74, Public Hearing, An Ordinance of the City of Port St. Lucie, Florida, Amending the Comprehensive Plan of the City of Port St. Lucie to Include a Small-Scale Amendment to the Future Land Use Map for the St. Lucie County Fire District Property (P20-190) to Change the Future Land Use Designation of Approximately .52-Acres from I (Institutional) to ROI (Residential, Office, Institutional) for a Parcel Legally Described as a Portion of Tract K, South Port St. Lucie Unit Five, and more Particularly Described in Exhibit A, and Generally Located on the South Side of SE Port St. Lucie Boulevard Between SE Sidonia Street and SE Montauk Street.

[2020-899](#)

(Clerk's Note: This item was heard after Agenda Item 10d.)

The City Clerk read Ordinance 20-74 aloud by title only.

Mayor Oravec opened the Public Hearing.

Patti Tobin provided a brief PowerPoint presentation on this Small-Scale Future Land Use Map Amendment, P20-190, for the St. Lucie County Fire District. She stated the request is to amend the Future Land Use designation of the 0.52 acres from Institutional (I) to Residential, Office, Institutional (ROI). She said this proposal was going to be concurrent with the rezoning request that has been withdrawn.

Ms. Tobin stated the property is located on Port St. Lucie Boulevard at the old Fire Station #5, between SE Sidonia Street and SE Montauk Street. She said it has an existing zoning district of Institutional (I) and a Future Land Use designation of Institutional (I). She stated the intent is to allow the Fire District to do something with the property, which is

surrounded by institutional and commercial uses.

Ms. Tobin stated this request is consistent with the City's Future Land Use Plan, specifically Objective 1.1.4 and Policy 1.1.4.2 (a). She indicated that the Planning and Zoning Board recommended approval of this Small-Scale Future Land Use Map Amendment from Institutional (I) to Residential, Office, Institutional (ROI).

Mayor Oravec closed the Public Hearing.

There being no further discussion, Councilwoman Caraballo moved to approve Ordinance 20-74. Vice Mayor Martin seconded the motion. The City Clerk restated the motion as follows: to approve Ordinance 20-74. The motion passed unanimously by roll call vote.

- 8.b** Ordinance 20-75, Quasi-Judicial, Public Hearing, An [2020-900](#)
Ordinance Rezoning .52-Acres of Property, Located on the
South Side of SE Port St. Lucie Boulevard Between SE Sidonia
Street and SE Montauk Street from the Institutional (I)
Zoning District to the Professional (P) Zoning District for
Property Legally Described as a Portion of Tract K, South Port
St. Lucie Unit Five, and more Particularly Described in Exhibit
A (P20-191).

Ordinance 20-75 was withdrawn as requested by the applicant.

- 8.c** Ordinance 20-76, Public Hearing, An Ordinance Amending [2020-924](#)
the Comprehensive Plan of the City of Port St. Lucie to
Include a Small-Scale Amendment to the Future Land Use
Map for the Groza Builders, Inc. Property (P20-209) to
Change the Future Land Use Designation of Approximately
.46-Acres from ROI (Residential, Office, Institutional) to RL
(Residential, Low Density) for a Parcel Legally Described as
Lots 30 and 31, Block 2325, Port St. Lucie Section 33, and
Generally Located on the North Side of SW Abode Avenue
and East of SW Port St. Lucie Boulevard.

The City Clerk read Ordinance 20-76 aloud by title only.

Mayor Oravec opened the Public Hearing.

Patti Tobin provided a brief PowerPoint presentation on this Small-Scale Future Land Use Map Amendment, P20-209, for the City

of Port St. Lucie. She said the request is to amend the Future Land Use designation of the 0.46 acres from Residential, Office, Institutional (ROI) to Residential, Low Density (RL). She indicated the concurrent rezoning request is Agenda Item 8d.

Ms. Tobin stated the intent and purpose of this request is to allow the property, which is two lots, to be developed with two single-family residences. She said the property is located on the north side of Abode, south of Abraham, and east of Port St. Lucie Boulevard. She indicated the addresses are 771 and 785 SW Abode Avenue. She stated the property has an existing zoning district of Professional (P) and a future land use designation of Residential, Office, Institutional (ROI).

Ms. Tobin stated the property is surrounded by residential, except for the commercial north of the Port St. Lucie Boulevard and Becker Road intersection. She indicated that just north of the property there is Limited Mixed Use (LMD) zoning.

Ms. Tobin stated this request is consistent with the City's Comprehensive Plan, Objective 1.1.4 and Policy 1.1.4.1(a). She said the Planning and Zoning Board recommended approval of this Small-Scale Future Land Use Map Amendment from Residential, Office, Institutional (ROI) to Residential, Low Density (RL).

Mayor Oravec closed the Public Hearing.

There being no further discussion, Vice Mayor Martin moved to approve Ordinance 20-76. Councilwoman Caraballo seconded the motion. The City Clerk restated the motion as follows: to approve Ordinance 20-76. The motion passed unanimously by roll call vote.

- 8.d** Ordinance 20-77, Quasi-Judicial, Public Hearing, An Ordinance Rezoning .46 Acres of Property, Located on the North Side of SW Abode Avenue and East of SW Port St. Lucie Boulevard, from Professional (P) Zoning District to Single-Family Residential (RS-2) Zoning District for Property Legally Described as Lots 30 and 31, Block 2325, Port St. Lucie-Section 33 (P20-210).

[2020-926](#)

The City Clerk read Ordinance 20-77 aloud by title only.

Mayor Oravec opened the Public Hearing and asked Council for their

ex-parte communications, to which they responded there were none to disclose.

Bolivar Gomez with Planning and Zoning provided a brief PowerPoint presentation. He stated that the item before Council is a City initiated rezoning, Project No. P20-210. He said this request is to rezone 0.46 acres from Professional (P) to Single-Family Residential (RS-2). He stated the purpose is to allow for the property, which is composed of two lots, to be developed with two single-family residences. He indicated that this proposal is concurrent with P20-209, Small-Scale Future Land Use Map Amendment, which was just approved by this Council as part of Ordinance 20-76.

Mr. Gomez stated that the two lots make up the 0.46 acres of land proposed for rezoning. He said the addresses of the property are 771 and 785 SW Abode Avenue. He explained that under P03-343, the lots were rezoned from Single-Family Residential (RS-2) to the current designation of Professional (P). He indicated that on October 26, 2020, the City Council directed staff to initiate a rezoning of the two lots from Professional (P) back to Single-Family Residential (RS-2).

Mr. Gomez stated that the subject property is located north of SW Abode Avenue and east of SW Port St. Lucie Boulevard. He said the existing zoning district is Professional (P) and the proposed zoning district is Single-Family Residential (RS-2). He indicated that under Section 158.073(B) single-family dwelling units are identified as a permitted use under this zoning district. He stated the surrounding area is primarily composed of vacant lands as well as single-family residences.

Regarding Land Use and Zoning consistency, Mr. Gomez stated the proposed rezoning is related to project P20-209, the Small-Scale Comprehensive Plan Amendment, which requests a future land use classification change from Residential, Office, and Institutional (ROI) to Residential Low Density (RL). He indicated that the proposed RS-2 zoning district is compatible with the RL future land use classification as set forth in the Comprehensive Plan.

Mr. Gomez stated for the record that the Planning and Zoning Board recommended approval during their meeting of November 17, 2020.

The applicant, Tony Groza, apologized for missing the first meeting on

the application and thanked the Council for expediting the process.

Mayor Oravec closed the Public Hearing.

There being no further discussion, Councilwoman Morgan moved to approve Ordinance 20-77. Councilman Pickett seconded the motion. The City Clerk restated the motion as follows: to approve Ordinance 20-77. The motion passed unanimously by roll call vote.

- 8.e** Ordinance 20-78, An Ordinance of the City of Port St. Lucie, Florida, Adopting the Engineering Standards for Land Development - Commercial, Residential Subdivisions and Capital Improvement Projects; Providing for Conflict; Providing for Severability; Providing an Effective Date

[2020-911](#)

(Clerk's Note: The item was heard after Agenda Item 11b.)

The City Clerk read Ordinance 20-78 aloud by title only.

Mayor Oravec opened the Public Hearing.

Mayor Oravec requested that the presentations from the first reading of the Ordinances be introduced into the record for Agenda Items 8e through 8j.

Mayor Oravec inquired about the public comment that was put into the record regarding the invasive tree. Colt Schwerdt stated that staff saw the public comment and that the invasive tree is part of the Land Development Regulations. He explained that the table referenced in their Beautification Policy is an exact duplicate for consistency of what is their current City Code. He said staff was anticipating having to update the Beautification Policy once the Land Development Regulations came in. Mayor Oravec stated that staff should prepare a glitch bill sooner rather than later.

There being no further discussion, Vice Mayor Martin moved to approve Ordinance 20-78. Councilwoman Caraballo seconded the motion. The City Clerk restated the motion as follows: to approve Ordinance 20-78. The motion passed unanimously by roll call vote.

- 8.f** Ordinance 20-79, An Ordinance of the City of Port St. Lucie, Florida, Amending Chapter 32, Article IV, Engineering Department of the Code of Ordinances; Providing for Conflict; Providing for Severability; Providing for

[2020-913](#)

Codification; Providing an Effective Date.

(Clerk's Note: Mayor Oravec requested that the presentations from the first reading of the Ordinances be introduced into the record for Agenda Items 8e through 8j.)

The City Clerk read Ordinance 20-79 aloud by title only.

Mayor Oravec opened the Public Hearing. There being no comments, Mayor Oravec closed the Public Hearing.

There being no discussion, Councilwoman Caraballo moved to approve Ordinance 20-79. Councilwoman Morgan seconded the motion. The City Clerk restated the motion as follows: to approve Ordinance 20-79. The motion passed unanimously by roll call vote.

- 8.g** Ordinance 20-80, An Ordinance of the City of Port St. Lucie, [2020-915](#)
Florida, Amending Title V, Public Works, of the Code of
Ordinances to Include Chapter 54, Rights-of-Way; Amending
Chapter 97, Streets and Sidewalks; Providing for Conflict;
Providing for Severability; Providing for Codification;
Providing an Effective Date

(Clerk's Note: Mayor Oravec requested that the presentations from the first reading of the Ordinances be introduced into the record for Agenda Items 8e through 8j.)

The City Clerk read Ordinance 20-80 aloud by title only.

Mayor Oravec opened the Public Hearing. There being no comments, Mayor Oravec closed the Public Hearing.

There being no discussion, Vice Mayor Martin moved to approve Ordinance 20-80. Councilwoman Morgan seconded the motion. The City Clerk restated the motion as follows: to approve Ordinance 20-80. The motion passed unanimously by roll call vote.

- 8.h** Ordinance 20-81, An Ordinance of the City of Port St. Lucie, [2020-920](#)
Florida, Amending Title V, Public Works, of the Code of
Ordinances to Include Chapter 55, Easements; Providing for
Conflict; Providing for Severability; Providing for
Codification; Providing an Effective Date

(Clerk's Note: Mayor Oravec requested that the presentations from the

first reading of the Ordinances be introduced into the record for Agenda Items 8e through 8j.)

The City Clerk read Ordinance 20-81 aloud by title only.

Mayor Oravec opened the Public Hearing. There being no comments, Mayor Oravec closed the Public Hearing.

There being no discussion, Councilman Pickett moved to approve Ordinance 20-81. Councilwoman Caraballo seconded the motion. The City Clerk restated the motion as follows: to approve Ordinance 20-81. The motion passed unanimously by roll call vote.

- 8.i** Ordinance 20-82, An Ordinance of the City of Port St. Lucie, Florida, Amending Title V, Public Works, of the Code of Ordinances to Include Chapter 56, Stormwater Management; Amending Chapter 97, Streets and Sidewalks; Amending Chapter 156, Subdivision Regulations; Providing for Conflict; Providing for Severability; Providing for Codification; Providing an Effective Date

[2020-921](#)

(Clerk's Note: Mayor Oravec request that the presentations from the first reading of the Ordinances be introduced into the record for Agenda Items 8e through 8j.)

The City Clerk read Ordinance 20-82 aloud by title only.

Mayor Oravec opened the Public Hearing. There being no comments, Mayor Oravec closed the Public Hearing.

There being no discussion, Councilwoman Morgan moved to approve Ordinance 20-82. Councilman Pickett seconded the motion. The City Clerk restated the motion as follows: to approve Ordinance 20-82. The motion passed unanimously by roll call vote.

- 8.j** Ordinance 20-83, An Ordinance of the City of Port St. Lucie, Florida, Amending Title V, Public Works, of the Code of Ordinances to Include Chapter 57, Fees; Amending Chapter 150, Article VII, Fees; Providing for Conflict; Providing for Severability; Providing for Codification; Providing an Effective Date

[2020-922](#)

(Clerk's Note: Mayor Oravec requested that the presentations from the first reading of the Ordinances be introduced into the record for Agenda

Items 8e through 8j.)

The City Clerk read Ordinance 20-83 aloud by title only.

Mayor Oravec opened the Public Hearing. There being no comments, Mayor Oravec closed the Public Hearing.

There being no discussion, Councilwoman Caraballo moved to approve Ordinance 20-83. Councilman Pickett seconded the motion.

Mayor Oravec thanked Colt Schwerdt for his service to the City of Port St. Lucie and its people. He wished him the best of luck and continued success.

The City Clerk restated the motion as follows: to approve Ordinance 20-83. The motion passed unanimously by roll call vote.

9. Other Public Hearings

10. First Reading of Ordinances

Item 10A will not be heard and will continue to be tabled at the request of the Chief of Police until more information can be acquired.

- 10.a** Ordinance 20-71, An Ordinance of the City of Port St. Lucie, FL Amending Ch. 92, Animals to Amend Sec. 92.01, Definitions, and to Add Sec. 92.20, Retail Sale of Dogs, Cats and Rabbits; Providing Codification; Providing for Conflict; Providing for Severability; Providing for an Effective Date.

[2020-890](#)

(Clerk's Note: This item was heard after Agenda Item 13a.)

The City Clerk read Ordinance 20-71 aloud by title only.

The City Manager stated staff is requesting to table this item until the January 11, 2021, Regular City Council Meeting. The City Attorney indicated that Legal is making some adjustments to the Ordinance. The City Manager explained the revisions will focus on the prohibition of the sale of puppies, cats, and rabbits in retail facilities and that modifications to their animal control ordinance would either not occur or occur at a later date. He said staff will bring the revisions, and a much smaller scope, back to Council on January 11, 2021.

Mayor Oravec stated he hopes the Council is considering a prohibition

of the sale of dogs, cats, and rabbits, except for rescues, in retail establishments. He said there have been no issues with at-home breeders over the last couple of decades. Council agreed that they were on the same page.

There being no further discussion, Vice Mayor Martin moved to table Ordinance 20-71 to the January 11, 2021, Regular City Council Meeting. Councilwoman Morgan seconded the motion, which passed unanimously by voice vote.

- 10.b** Ordinance 20-85, Approving the Amendment of the Economic Development Ad Valorem Tax Exception Ordinance, Ordinance 20-26, for City Electric Supply. [2020-958](#)

The City Clerk read Ordinance 20-85 aloud by title only.

There being no discussion, Councilwoman Morgan moved to approve Ordinance No. 20-85. Councilwoman Caraballo seconded the motion, which passed unanimously by voice vote.

- 10.c** Ordinance 20-86, An Ordinance of the City of Port St. Lucie, Florida, Conveying Fee Simple Title for a Portion of E/W 2 Right-of-Way, as Recorded in Official Records Book 3935, Page 2995, of the Public Records of St. Lucie County, Florida; Providing for Conflict; Providing for Severability; Providing an Effective Date. [2020-976](#)

The City Clerk read Ordinance 20-86 aloud by title only.

There being no discussion, Councilwoman Caraballo moved to approve Ordinance 20-86. Councilwoman Morgan seconded the motion, which passed unanimously by voice vote.

- 10.d** Ordinance 20-87, An Ordinance Approving the Amendment of the Planned Unit Development and Conceptual Development Plan for Sawgrass Lakes Planned Unit Development Located East of Darwin Boulevard and South of Tulip Boulevard, with Paar Drive being on the Southern and Eastern Border of the Property (P20-152) [2020-980](#)

(Clerk's Note: This item was heard after Agenda Item 13b.)

The City Clerk read Ordinance 20-87 aloud by title only.

Daniel Robinson with Planning and Zoning provided a PowerPoint

presentation on this PUD Conceptual Plan Amendment Application and reviewed the Staff Report. He indicated the application was submitted by MBV Engineering as the agent of Sawgrass Lakes and that the PUD consists of approximately 315 acres. He stated the property is located east of Darwin Boulevard and south of Tulip Boulevard, with Paar Drive being on the south and east borders of the property. He indicated the future land use is low density residential, open space recreational, and limited commercial. He said the project has a Planned Unit Development (PUD) zoning designation.

Mr. Robinson stated this application will add a typical right-of-way section to the Concept Plan for Phases 3A and 3B of the Sawgrass Lakes PUD. He explained the request intends to exempt the project from the installation of the sidewalk, allow the several pieces of existing sidewalk in front of the single family lots to be removed, and allow the missing 57 street trees to be planted in the preserve area in lieu of the right-of-way. He indicated that 8 homes currently have sidewalks. He stated the current builder in this project is following the approved plans and is installing the sidewalks and street trees. He said none of the current sidewalks connect to each other.

Mr. Robinson stated that the Sawgrass Lakes PUD was approved by Ordinance 02-13 on December 9, 2002. He said the Concept Plan attached to the Ordinance shows the street tree right-of-way section, which includes street trees and sidewalks. He indicated that the Estates of Sawgrass Lakes Phase 3 Plat was approved on August 23, 2004, by the City Council. He said the construction and landscape plans show 75 lots with one street tree per lot and a sidewalk.

Mr. Robinson noted that a bond was issued to the City on February 3, 2005, to cover the cost of the projects, infrastructure, and street trees, but that the bond has expired due to the statute of limitations.

Mr. Robinson stated that Paramount Quality Homes Corporation was the developer responsible for the project in 2008, when it foreclosed on the property. He indicated that on December 22, 2009, the remaining 63 of the 75 lots were deeded to Paar Estates Developing, LLC, which was the successor developer.

Mr. Robinson stated that John Rynard is the managing member of Paar Estates Developing, LLC. Mr. Robinson explained that the Public Works Department requested Mr. Rynard to provide a bond for the

project in 2018, but he did not do so. Mr. Robinson indicated that Mr. Rynard has since abandoned the project and Paar Estates at Sawgrass Lakes Property Owners Association is now the successor developer.

Mr. Robinson stated that Paar Estates at Sawgrass Lakes Property Owners Association has submitted an application requesting to be exempt from the required infrastructure improvements for sidewalks and to place the street trees in the preserve instead of along the right-of-way on the individual lots. He said the Association is assuming the responsibility for continuing operations and maintenance of Phases 3A & B of Sawgrass Lakes.

Mr. Robinson showed Council pictures of the street trees and sidewalks to be removed.

Mr. Robinson stated the proposed amendment to the Concept Plan is consistent with the direction and policies of the Comprehensive Plan. He said that sidewalks are not required on private rights-of-way per the Comprehensive Plan. He explained that the transportation element of the Comprehensive Plan states that there is a sidewalk plan for the City to build sidewalks along Paar Drive, as it is an urban collector road. He stated that the entrance of this project is along Paar Drive, which does have a sidewalk along the north side of the entrance road that can tie into the sidewalks along Paar Drive when the City completes the program.

Mr. Robinson noted that Section 156.093 of the City of Port St. Lucie Subdivision Regulations does not require a sidewalk along the right-of-way for this project; Section 158.222 (F) of the City of Port St. Lucie Zoning Code does not require Phases 3A and 3B to have a sidewalk as the project's right-of-way serves less than 400 units nor is it adjacent to a non-residential use; and Section 156.121 of the Subdivision Regulations require street trees to be placed on both sides of a developments right-of-way and that the trees are to be placed within the right-of-way.

Mr. Robinson stated that the Site Plan Review Committee recommended approval of the proposed amendment at their regular meeting of September 9, 2020.

Mayor Oravec inquired if the existing sidewalks could be removed, to

which Mr. Robinson stated that the sidewalks are proposed to be removed.

Mayor Oravec asked if the new builder, Holiday Builders, provided the second lift of asphalt. In response, the City Manager stated that Holiday Builders committed to providing that lift. Colt Schwerdt, Public Works Deputy Director, indicated that the second lift of asphalt has not been installed. He recalled that Holiday Builders was committing to getting the final infrastructure installed in lieu of installing the sidewalk everywhere else. He said that when the development gets to 75%, the second coat will be required. Mayor Oravec requested that current staff confirm the statements made by Mr. Schwerdt have been effectuated in writing, to give the residents a peace of mind.

Mayor Oravec called on those who signed up to speak:

Barry Rush stated that he lives in the Paar Estates and they have been dealing with this situation for a long time. He said he met Mayor Oravec at a meeting two years ago where they discussed the sidewalks and how the builder abandoned the community. He stated that Holiday Builders has built 19 homes and 13 sidewalks. He said that 11 empty lots belong to developer John Rynard. Mr. Rush stated they should get rid of the sidewalks and put the trees on the outside, and move forward as a community.

Bruce Budlong, 256 SW Vista Drive, stated that he was hearing some good words. He indicated that he has the meeting notice from September 20, 2018. He thanked Mayor Oravec for attending that meeting.

Donnie Greenberg stated that he lives in the Paar Estates at 275 SW Vista Lake Drive. He said he heard that Holiday Builders was not liable to take out the sidewalks and will not remove them. He explained that it only makes sense to remove the sidewalks to the edges of the driveways. He said, as it stands now, no one is responsible for removing them, except for the homeowner or the HOA, according to Signature Property Management and the President of the HOA.

Liz Malardo, President of the Paar Estates HOA, explained that she has been a resident in this community for one year and unfortunately inherited a mess left by developer Mr. Rynard. She said Holiday Builders came in because Mr. Rynard was no longer allowed to build in

Port St. Lucie. She stated the HOA was instructed by Holiday Builders that they needed install the sidewalks. She said they have been asked not to put in the sidewalks and they do not want to do it because of the expense.

Ms. Malardo stated that early on in the process Holiday Builders was willing to remove the sidewalks. She said they have asked for permission from the City to not put in the sidewalks, but more sidewalks have been installed in the past few days.

Ms. Malardo indicated that Holiday Builders has one more house to build and then they will no longer be in the community. She said she guesses that leaves the HOA responsible. She stated her question is who would be responsible for removing the sidewalks. She said she spoke with Mr. Greenberg earlier and told him that was her understanding, but that they had to talk to the Council and the City.

Ms. Malardo stated it was her impression that the paving was going to have a second coat. She said she could assure them that it has not been done, as the metal grates in the road are starting to be affected. She stated the HOA has taken this on as well. She explained that they are trying to figure out how to pay for everything, with their budget and the minimum homes they have. She said the community has to pay out a lot, and she is not sure what retribution is available.

Ms. Malardo stated, for the record, they are not a community that wants to remove sidewalks, but unfortunately Mr. Rynard did not follow the rules, so it leaves them no choice than to ask for these requests this evening. She said that any guidance from the City would be greatly appreciated.

Mayor Oravec requested that the City Manager reach out to Holiday Builders regarding the sidewalks and the second asphalt paving. Councilwoman Caraballo asked that this information be provided to Council by the second reading.

There being no further discussion, Councilwoman Caraballo moved to approve Ordinance 20-87. Councilwoman Morgan seconded the motion, which passed unanimously by voice vote.

- 10.e** Ordinance 20-88, An Ordinance Authorizing and Directing the City Manager to Renew the District Office Lease Between the City Of Port St. Lucie and Congressman Brian Mast

[2020-994](#)

The City Clerk read Ordinance 20-88 aloud by title only.

Councilwoman Caraballo asked the City Manager to confirm that the carpet has been replaced, to which the City Manager stated he would find out, as they were committed to doing it.

There being no further discussion, Councilwoman Morgan moved to approve Ordinance 20-88. Councilwoman Caraballo seconded the motion, which passed unanimously by voice vote.

11. Resolutions

- 11.a** Resolution 20-R133, A Resolution Approving and Accepting a Preliminary Subdivision Plat with Construction Plans for Tradition Parkway-Western Grove (P20-143) [2020-964](#)

The City Clerk read Resolution 20-R133 aloud by title only.

There being no discussion, Vice Mayor Martin moved to approve Resolution 20-R133. Councilwoman Morgan seconded the motion. The City Clerk restated the motion as follows: to approve Resolution 20-R133. The motion passed unanimously by roll call vote.

- 11.b** Resolution 20-R134, A Resolution Approving the Preliminary Plat and Construction Plans for Emry (P20-196). [2020-963](#)

The City Clerk read Resolution 20-R134 aloud by title only.

There being no discussion, Councilwoman Caraballo moved to approve Resolution 20-R134. Councilwoman Morgan seconded the motion. The City Clerk restated the motion as follows: to approve Resolution 20-R134. The motion passed unanimously by roll call vote.

12. Unfinished Business

13. New Business

- 13.a** Approve the Tradition Regional Park Conceptual Master Plan [2020-931](#)

(Clerk's Note: This item was heard after Agenda Item 8d.)

Brad Keen, Assistant Director of Parks and Recreation, introduced Steve Garrett of Lucido & Associates who is the acting agent for Mattamy Palm Beach, LLC. Mr. Keen stated that in March 2020, the City Council authorized Mattamy Palm Beach, LLC, to begin the conceptual master planning process for Tradition Regional Park.

Mr. Keen indicated that the property is located at the west end of the Tradition development, which has been owned by the City for many years. He said it is approximately 110 acres in size and included in their CIP schedule for development several years into the future. He stated this opportunity allows Mattamy and Mr. Garrett to master plan the site through the public engagement process and the stakeholders, as well as by reviewing their ten-year Parks Master Plan, surveys, and a multitude of other input elements, to come up with a conceptual plan.

Mr. Garrett noted that Tradition Regional Park will be the first regional park in the City of Port St. Lucie and is one of two parks being envisioned. He thanked the City departments and staff who have been involved in the project, including the stakeholder groups and residents.

Mr. Garrett reviewed the location of Tradition Regional Park. He explained that current planning for Western Grove by Mattamy Palm Beach is ongoing and having an active regional park that meets the existing and future needs of the residents is important.

Mr. Garrett stated the team went through a series of stakeholder meetings, resident emails and online surveys, and public workshops. He said they are before Council to present the Conceptual Plan, and with their direction, guidance, and hopeful approval, the team will begin the site detail plan process for Phase 1 in January 2021, begin construction in 2021, and complete it in 2022.

Mr. Garrett reviewed this list of stakeholders involved and indicated that their general questions regarded funding, phasing, and maintenance of the park. He said they wanted the regional need to be reflected in the sports fields and courts, and for the park to be consistent with the City's resident surveys and recently completed 10-Year Parks Master Plan, to have multiple activities and opportunities, and to have a baseball/softball/little league complex.

Mr. Garrett stated that the residents' questions included who will police the park and their desire for disc golf, pickle ball, an amphitheater, etc. He said the survey responses indicated the top needs or uses would be Nature Walks, Trails, Pavilions; Food Truck and Event Space; Water Park; Kayak Trail Through Wetlands; Amphitheater; and Skate Park. He explained that the surveys were done prior to the planning of Adventure Park, so many of the same needs were found. He said the following uses and needs were further suggested by the residents:

beach volleyball, dedicated fishing areas, amusement parks, skate park, beautiful walks like Botanical Gardens, theme park, obstacle course, ninja course, dog park, etc. He stated the residents indicated they would travel to the park by car, bike, golf cart, walk, and other. He noted that there will be a stop in this park for the Tradition in Motion (TIM) mobility solution. He indicated that over half of the survey responders were between the ages of 25 to 44.

Mr. Garrett showed Council a rendering of the conceptual master plan for Tradition Regional Park. He reviewed the uses and location of the multipurpose fields, bark park, food truck event space, skate park, pump park, observation nature walks, water park, baseball and softball complex, kayak trail, adventure playground, etc.

Vice Mayor Martin questioned the use for the Active Teen Zone. In response, Mr. Garrett explained that many of the uses are for future development. He stated that Mattamy envisions using their park impact fee value of about \$2.1 million, which will not go very far, so there are placeholders relative to the surveys and input. He said the Active Teen Zone has not been planned out, because they did not see it occurring in Phase 1 at this time.

Mr. Garrett reviewed the areas and uses that Phase 1 would include, without producing detailed construction plans and going through a pricing exercise. He stated that preliminary numbers from the contractor who did the Houston Astros Spring Training Facility in West Palm were at about \$6.7 million, which the team feels is high for the primary parking facility and the ball fields only. He said the team believes that 70% of the lake system, the western trail area, two baseball fields and two softball fields, and accompanied parking can be put in. He stated that this does not include the scoreboards or concession elements within each of the nodes. He said they would like to implement all the ball fields in the first phase as well as the three trail systems.

Councilman Pickett asked if the ball fields included lighting. He stated that the scoreboards could be provided by a sponsor, such as Coke or Pepsi. In response, Mr. Garrett stated that the original cost did not include lighting. He said the team's goal is to get Council's approval and then go through an aggressive bidding process, but they do not feel they can accomplish all the lighting with the Park Impact Fee credit.

Mayor Oravec stated that he would like Council to have a discussion on finding ways to expedite certain phases and elements of this park.

Erick Gill, Secretary for the Treasure Coast Disc Golf Club, spoke in favor of an 18 basket Disc Golf course. Vice Mayor Martin shared her experience with Disc Golf and stated that she supported it. Mayor Oravec stated that he supported Disc Golf as well.

Vice Mayor Martin stated that she was open to sand volleyball. She said that they need to light the ball fields, complete the first phase the right way, and know the amount of staffing involved. She did not feel the BMV Bump Track was needed since the Adventure Park will have one.

Mayor Oravec stated that he would like Phase 1 to include all the ball fields, multipurpose fields and lights. He asked the City Manager to reach out to Mr. Palumbo at Tradition and the team to see if there are any creative financing or funding opportunities.

Councilwoman Caraballo stated she was in favor of disc golf, expanding the event lawn, hiking trails with workout stations, and the ball and multipurpose fields.

Councilman Pickett suggested centrally locating the concession stands and stated that he supported disc golf.

Councilwoman Morgan stated she was in favor of having another pump track and a large concession stand.

Mayor Oravec spoke against having another pump track. He said they need to figure out the Active Teen Zone or label it TBD. He suggested using these areas for perhaps racquetball and beach volleyball. Council consensus was that a pickle ball court was not needed.

Councilwoman Caraballo stated that she received a request for a one-wall handball court. Mr. Keen explained that there was a wall or structure at Sandhill Crane that could be utilized for handball. Councilwoman Caraballo indicated the cost would be approximately \$50,000 and Parks & Recreation was deciding if that was a priority. Mayor Oravec stated he was in favor of putting the handball court in the CIP for Sandhill Crane.

Council discussed their thoughts on providing a water park and agreed that a consultant and public input would be needed to analyze the want as well as the cost of construction and maintenance. Mayor Oravec stated that Council's intentions for community and recreation centers in the City, with perhaps one per district, is another question that should be answered as part of this process.

Regarding the concession stands, Mayor Oravec noted that one stand may be needed per each cluster of fields for the different user groups.

The City Manager stated that staff will work with Steve Garrett, Lucido & Associates, on Council's input and common elements along with the associated cost estimates.

13.b Budget Advisory Committee Impact Fee Interlocal
Agreements Presentation and Recommendations

[2020-988](#)

(Clerk's Note: This item was heard after the approval of the Consent Agenda.)

Teresa Lamar-Sarno, Special Assistant to the City Manager, stated that she has been working with team members from the City Manager's Office, Finance, the Budget Advisory Committee and Legal Department on this effort. She introduced Nicki van Vonno, with van Vonno Consulting, and Charles D'Agata, Chairman of the City's Budget Advisory Committee.

Ms. Lamar-Sarno and Ms. van Vonno provided a Powerpoint presentation on Impact Fees and Interlocal Agreements. Ms. van Vonno reviewed the four Interlocal Agreements between the City of Port St. Lucie and St. Lucie County: Libraries, Parks, Public Buildings, and Roads. She also reviewed the allocation of impact fees from FY 2015-16 through FY 2019-20 for the parks listed in the Interlocal Agreement as well as other park facilities. She showed Council a map indicating other impact fees expenditures by St. Lucie County by project type.

Ms. van Vanno noted that the Interlocal Agreements are standard. She said they were developed by the St. Lucie County Attorney's Office and provided to the City of Port St. Lucie.

Ms. van Vanno stated their largest Interlocal Agreement is for Roads. She said it requires the County to inform the City regarding the

expenditure of any impact fees collected by the City and remitted to the County, and where possible to spend impact fee funds for the following six roads: Midway Road, Prima Vista Boulevard, Glades Cutoff Road, Range Line Road, Walton Road, and St. James / S. 25th Street. She stated the County is also required to submit an annual report every December indicating the amount of fees collected and the expenditure of those fees for the prior fiscal year. She indicated that as of August 2020 the County had not provided those annual reports. She stated that Mr. Blackburn directed a letter to the County requesting that data and the County provided some information in October 2020.

Ms. van Vonno reviewed the St. Lucie County Road Impact Fees collected in Port St. Lucie from FY 2015 through FY 2019. She noted that \$22 million of the \$32 million was collected on Port St. Lucie development. She showed Council a graph depicting the amounts of St. Lucie County Impact Fees collected as well as the percentages of Port St. Lucie Impact Fees collected versus non-Port St. Lucie Impact Fees collected from FY 2015 through FY 2019. She reviewed the allocation of impact fee funds on the roads listed in the Interlocal Agreement and on other roads for those five years. She noted that Port St. Lucie comprises over 60% of St. Lucie County and that development within Port St. Lucie accounts for 69% of all St. Lucie County impact fees collected between FY 2015 through FY 2019. She stated that Range Line Road and Walton Road, two of the six roads in the Interlocal Agreement, have not received impact fee funding to date.

Ms. van Vonno indicated that St. Lucie County has \$22.5 million listed as impact fee reserves and the City Manager sent a letter to the County requesting information on same. She stated that her research shows the County's philosophy is that the reserves provide flexibility, so they can use the money as needed.

Ms. van Vonno noted that she worked with the Port St. Lucie's Budget Advisory Committee (BAC) on reviewing the white paper on St. Lucie County's use of impact fees collected on development in Port St. Lucie, at three different meetings in October and November 2020.

Chairman Charles D'Agata of the Budget Advisory Committee introduced the members in attendance: Michael Bernard, Vice Chair; and Jack Jennings, Committee Member. The Chairman thanked everyone who worked on this project.

Chairman D'Agata explained that interlocal agreements are the keystone in providing opportunities for improvement and solutions that benefit all the citizens represented by the multiple jurisdictions involved. He stated that the statute is designed to allow the jurisdictions to agree on language that can benefit the citizens. He said the Budget Advisory Committee recommends the following to Council:

1. Renegotiate Interlocal Agreements
2. Negotiate Reserves
3. Intergovernmental Coordination between Port St. Lucie and St. Lucie County
4. Representation on County Citizen Budget Development Committee
5. Impact Fee Study (In Progress)
6. Mobility Fee

Mayor Oravec thanked the Budget Advisory Committee for their hard work and acknowledged the other members in attendance: John Doughney and Lynette Marraffa.

Mayor Oravec inquired if a non-chartered county had the authority to levy impact fees with a municipality, if the municipality is levying said impact fees. In response, the City Attorney stated he would have research this, as well as several other questions, and get back to Council. Ms. van Vonno indicated that the Florida Statute does not have a lot of guidance on impact fees, as most were based on case law. She said the section of the statute that lays out the parameters of impact fees was only created in the last few years. She stated that St. Lucie County created countywide impact fees in 1986. She said it is very clear in their ordinances that they assert they have the right to do this and the right to have them imposed in the municipalities as well. She indicated, whether or not they are legally able to do that, she does not know.

Mayor Oravec asked if the language in the current Interlocal Agreements, providing that one party notice the other with a 180-day notice, is one way to terminate the agreement. The City Attorney responded in the affirmative. He stated that after the 180-day notice is given, the termination will take effect at the start of the next fiscal year.

Mayor Oravec questioned, even if it is legal for the County to levy the impact fees and not spend them on the roads that benefit the people who are paying them, if it satisfies the dual rational nexus test. In

response, the City Attorney explained that under the law of impact fees, the County must establish that nexus, whether or not the roads are properly in the city limits.

Mayor Oravec stated that the dollar amount of impact fees that one pays should be set in combination with the level of impact. He asked if anyone has analyzed what the consumer, builder, developer, or property owner pays in impact fees in the City of Port St. Lucie within St. Lucie County compared to similar jurisdictions. In response, the Budget Advisory Committee Chairman indicated that that information had been presented previously. Teresa Lamar-Sarno, Special Assistant to the City Manager, stated that she would share that information with the Council.

Mayor Oravec stated that it was important for the public to understand that St. Lucie County has one of the highest property tax rates and one of the highest impact fees in the state. He said not only does the County levy impact fees, in addition to the City, it evidently does not spend much of it within the City of Port St. Lucie. He indicated that it is a big dollar amount, which he believes is above their peers.

Mayor Oravec explained the history of the Interlocal Agreements and impact fees from 2011, which was a depression year. He said it was supposed to be a stopgap measure, but that did not happen. He stated he wanted this Council to take assertive action.

Council expressed their concerns and disappointment with the County, their unwillingness to have a joint meeting, and their existing Interlocal Agreements. The Council members indicated they wanted to look into mobility fees, the impact fees not spent on roads in Port St. Lucie, the information from the County prior to the last five years, the \$22.5 million in reserves, and the language in the Interlocal Agreements.

Councilwoman Morgan stated that the Treasure Coast Builders Association, Realtors Association, and Chamber of Commerce should be contacted regarding the impact fees. She said that she will meet with each County Commissioner one-on-one to understand what has happened, so that they can move forward.

Council agreed to terminate the Interlocal Agreements with St. Lucie County for Roads and Parks impact fees as well as revise the language in the County, Fire District and School Board Interlocal Agreements; to

cancel the joint meetings with the County in January and February 2021 and instead have a meeting to discuss mobility fees on January 26, 2021; and to legally explore how the money the County has collected to date, from the City of Port St. Lucie for impact fees, has been expended.

The City Manager stated that he will check to see if the consultant is available on January 26, 2021. The City Attorney said that he will start working on the legalities of the impact fees and Interlocal Agreements.

A break was called at 8:38 PM and the meeting resumed at 8:49 PM.

14. City Manager's Report

(Clerk's Note: This item was heard after Agenda Item 8j.)

The City Manager reported that:

- Centerstate Bank has approved the \$25,000 grant and the City will match those dollars to support their Business Accelerator Program, which helps small businesses to succeed.
- The City has received sixteen applications from veterans, and one is a Gold Star family, for the Home Giveaway provided in partnership with Synergy Homes.
- The Police Department has started highlighting the contributions their police officers are making to the community.

15. Councilmembers Report on Committee Assignments

Councilwoman Morgan stated she attended the meetings of the St. Lucie County Chamber Board and the St. Lucie County Tourist Development Council. She said opening night for the St. Lucie Cultural Alliance Art Guild is Thursday, December 17, 2020, from 6:00 PM to 9:00 PM at the MidFlorida Credit Union Event Center and to save the date for the grand opening of the Florida Sports Hall of Fame on Thursday, February 18, 2021. She stated that she participated in the Toy Run on Sunday, December 13, 2020, for St. Lucie County PAL. She thanked all the law enforcement agencies for controlling the traffic. Councilwoman Morgan also advised that she has had multiple meetings regarding the hurricane shutters and that they will be doing an educational plan.

Councilman Pickett stated that he went to the Council on Aging and toured the facility as well as attended the Village Green Stakeholders Meeting, Treasure Coast Regional Planning Council, Humane Society's Whiskers in Wonderland, and Treasure Coast Christian Alliance Dinner.

Councilman Caraballo stated that the Treasure Coast League of Cities is having a

luncheon tomorrow, December 15, 2020, where she will be inducted as President. She said the Noche Buena Party will be held on Saturday, December 19, 2020, at the 19th Hole.

Vice Mayor Martin stated the Humane Society had their car raffle on Saturday at Dyer Chevrolet as well as the raffle for the TV and iPad Pro. She said Whiskers in Wonderland on Sunday was a nice fundraising event. She stated that she enjoys working with and is proud of everyone in the City. She said she looks forward to the new year and what they are going to accomplish. She acknowledged Sergeant Boham, PIO, for engaging in social media and doing a great job.

Mayor Oravec stated that he attended the Menorah Lighting ceremony at Tradition's Village Square as well as the Treasure Coast Regional Planning Council Meeting. He said he was going to save his comments for the State of the City Address, which he will do in writing and perhaps a presentation by the end of the year.

Council wished everyone Happy Holidays.

16. Public to be Heard - (if necessary as determined by City Council at conclusion of public to be heard)

17. Adjourn

There being no further business, the meeting adjourned at 10:54 PM.

Karen A. Phillips, City Clerk

Traci Mehl, Deputy City Clerk