

City of Port St. Lucie

City Council

Meeting Minutes

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

Shannon M. Martin, Mayor

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

Please visit www.cityofpsl.com/tv for new public comment options.

Monday, September 25, 2023

6:30 PM

Council Chambers, City Hall

Meeting to Follow the 6:00 PM Budget Hearing* *Addition of Item 7E

1. Meeting Called to Order

A Regular Meeting of the City Council of the City of Port St. Lucie was called to order by Mayor Martin on September 25, 2023, at 7:21 PM, at Port St. Lucie City Hall, 121 SW Port St. Lucie Boulevard, Port St. Lucie, Florida.

2. Roll Call

Council Members Present:

Shannon M. Martin, Mayor
Jolien Caraballo, Vice Mayor
Stephanie Morgan, Councilwoman
Dave Pickett, Councilman
Anthony Bonna, Councilman

3. Invocation & Pledge of Allegiance

The City Clerk delivered the Invocation, and Mayor Martin led the assembly in reciting the Pledge of Allegiance.

4. Proclamations and Special Presentations

4.a Proclamation: Careers in Construction Month

[2023-871](#)

Mayor Martin read the proclamation for Careers in Construction Month and presented it to the builders and developers in attendance. Bob Calhoun, Board Member of the Treasure Coast Builders Association, thanked the Council for their support of the skilled trades in construction available to the young adults in their community. Mayor Martin commented on the importance of skilled trades for the kids coming out of High School and

thanked the Treasure Coast Builders Association for their partnership with the City.

4.b Proclamation: Treasure Coast Day of Prayer [2023-878](#)

Mayor Martin read the proclamation for the Treasure Coast Day of Prayer and presented it to Chris Fogal. On behalf of the Treasure Coast Christian Alliance, Mr. Fogal thanked the Council for the proclamation.

4.c Swearing-in Carly Athanasatos Fabien to The Florida Bar [2023-867](#)

The Honorable Michelle R. Miller, Clerk of the Circuit Court & Comptroller of St. Lucie County, administered the Oath of The Florida Bar to Carly Athanasatos Fabien, who is currently a Law Clerk with the City Attorney's Office.

5. Public to be Heard

Mayor Martin opened Public to be Heard and called on those who signed up to speak:

1. Dodi Spence spoke regarding the tax incentives for businesses, increased number of accidents on Floresta Drive roundabouts, open storage on Port St. Lucie Boulevard and other areas, and status of Botanical Gardens Park. She thanked the Chief of Police for having officers patrolling the streets around Westmoreland instead of just sitting on the Boulevard.

2. Maris Tracy, 2206 Mariner Bay Boulevard, Fort Pierce, stated she represented the Board of the Port St. Lucie Community Band and thanked the Council for their support. Ms. Tracy announced they will be performing a concert on October 18, 2023, and provided Mayor Martin with a flyer.

3. Steven Carroll, 5421 NW Bolin Street, spoke to the City's taxes and the owners of new houses. He stated the City needs to tighten up as they will be taxing people out of the area. He noted that people who feel they have overvalued property should hire a certified appraiser for a second opinion.

There being no further comments, Mayor Martin closed Public to be Heard.

Councilman Bonna discussed the economic incentives and stated that option was voted on by the residents of this community to give Council a tool to compete with other communities across the country to bring businesses to the City. He also commented on the tax bill line items, the millage rate, and the affect on new residents and owners.

Councilman Bonna asked the City Manager for the status of the previous public comments regarding Village Parkway and Tradition Boulevard intersection, as he wants to be included in the meetings because he drives that intersection every

morning. Councilman Bonna also indicated he wanted to keep working on the matter with Redefined Church at the Community Center. City Manager Merejo stated staff would follow-up on these items and provide a memo to the Council.

Councilman Pickett spoke about the Port St. Lucie Community Band and stated they do a phenomenal job.

Vice Mayor Caraballo discussed the tax abatement and asked for an update from the City Manager regarding the roundabout accidents. She explained the reasons for utilizing roundabouts in the City, i.e., safer, flow of traffic. She asked that Ms. Spence be provided an update on Botanical Gardens.

Councilwoman Morgan stated studies have shown that intersections cause more accidents and deaths. She said the roundabouts are safer, but it is about driver behavior. She indicated the appropriate speed signs should be posted near the roundabouts.

Mayor Martin commented on the roundabouts. She stated when it comes to appraising or assessing property, the City of Port St. Lucie does not assess property, as it is done by the Property Appraiser's Office. She indicated if anyone feels their market or assessed value is wrong, the Property Appraiser's Office has a Value Adjustment Board where residents can appeal the value set by the Property Appraiser.

6. Additions or Deletions to Agenda and Approval of Agenda

Mayor Martin indicated Items 8a and 8b have been requested to be tabled to a date uncertain.

There being no further discussion, Vice Mayor Caraballo moved to approve the agenda with Items 8a and 8b tabled to a date uncertain. Councilman Pickett seconded the motion, which passed unanimously by voice vote.

7. Approval of Consent Agenda

There being no discussion, Councilwoman Morgan moved to approve the Consent Agenda. Councilman Bonna seconded the motion, which passed unanimously by voice vote.

- 7.a** Approval of the August 21, 2023 Special City Council and August 28, 2023 Regular City Council Meeting Minutes [2023-855](#)
- 7.b** P22-253 Commerce Lakes Warehouse - Major Site Plan [2023-516](#)
- 7.c** Approve the 2023 Fall Fun Fest Event License Agreement with the Lions Club [2023-885](#)
- 7.d** Approval of a Major Site Plan Amendment for Milner Drive [2023-873](#)

Fire Station (P07-002-A1)

- 7.e** Approve Stop Loss Insurance Policy with Symetra Life Insurance Company for FY 2023/2024 [2023-794](#)

8. Second Reading of Ordinances, Public Hearings

- 8.a** Ordinance 23-52, Public Hearing, An Ordinance Amending the City of Port St. Lucie Code of Ordinances Title XV, "Land Usage", Chapter 156 "Subdivision Regulations", Article VI "Design and Improvement; Model Standards; Principles and Guidelines"; Sec. 156.094 "Subdivision and Lot Access" in Order to Set the Minimum Number of Access Points for Residential Developments. [2023-706](#)

(Clerk's Note: This item was tabled to a date uncertain by the Council under Item 6, Additions and Deletions to Agenda and Approval of Agenda.)

- 8.b** Ordinance 23-53, Public Hearing, An Ordinance Amending the City of Port St. Lucie Code of Ordinances Title XV, "Land Usage", Chapter 158, Entitled "Zoning Code", Article X "Planned Unit Development (PUD) Zoning District", Section 158.172 "Standards for District Establishment" to Set the Minimum Number of Access Points for Residential Developments, Amending Title XV, "Land Usage", Chapter 158, Entitled "Zoning Code", Article X.5 "Master Planned Unit Development (MPUD) Zoning District", Section 158.187 "Standards for District Establishment" to Set the Minimum Number of Access Points for Residential Developments, and Amending Title XV, "Land Usage", Chapter 158, Entitled "Zoning Code", Article XI "Supplementary Use Regulations", Section 158.222 "Access Standards; Sidewalks and Bikepaths" to Set the Minimum Number of Access Points for Residential Developments (P23-113). [2023-711](#)

(Clerk's Note: This item was tabled to a date uncertain by the Council under Item 6, Additions and Deletions to Agenda and Approval of Agenda.)

- 8.c** Ordinance 23-59, Public Hearing, An Ordinance Approving Utility Rate Increases for Water, Wastewater and Reclaimed Water Rates. [2023-480](#)

The City Clerk read Ordinance 23-59 aloud by title only.

Mayor Martin called on those who signed up to speak:

1) Steven Carroll, 5421 NW Bolin Street, stated the wording of the Ordinance was ambiguous and asked if the wastewater fee was going to be increased. Referring to item 8e, he inquired as to how there would be obsolete or surplus supplies.

There being no further comments, Mayor Martin closed the Public Hearing.

Kevin Matyjaszek, Utility Systems Department, indicated the proposed 1.5% rate increase is across the board for water, wastewater, and reclaimed water. He provided a history on the rate increases and stated incremental increases have been implemented in the past. Mr. Matyjaszek and Vice Mayor Caraballo discussed how this improves the City's bond rating and assists with capital improvement projects, including septic-to-sewer conversions. Vice Mayor Caraballo noted this was important to discuss with so many new residents in the City and suggested that this type of information be shared in the future.

City Manager Merejo stated the Utilities Department has had a practice of self-bonding capital projects and has bonded between \$40 and \$50 million in the last five years. He indicated the 1.5% increase is less than the CIP, so they are below what is required.

There being no further discussion, Vice Mayor Caraballo moved to approve Ordinance 23-59. Councilwoman Morgan seconded the motion, which passed unanimously by voice vote.

- 8.d** Ordinance 23-60, Public Hearing, Conveying an Easement to Florida Power & Light for Electrical Service to The Port District Riverfront Park.

[2023-759](#)

The City Clerk read Ordinance 23-60 aloud by title only.

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

There being no discussion, Councilwoman Morgan moved to approve Ordinance 23-60. Vice Mayor Caraballo seconded the motion, which passed unanimously by voice vote.

- 8.e** Ordinance 23-61, Public Hearing, An Ordinance Amending Title III - "Administration," Chapter 35. Finance; Purchasing, of the Ordinances of the City of Port St. Lucie, Florida, by Specifically Adding Section 35.00, Purpose; Amending

[2023-758](#)

Section 35.01, Purchasing Agent; Amending Section 35.02, Officers Not to Approve Own Purchases; Amending Section 35.03, Procedure for Purchasing; Amending Section 35.04, Competitive Bidding Required for Certain Purchases; Exceptions; Amending Section 35.05, Competitive Bidding Procedure; Amending Section 35.06, Offers Lower Than State Contract Prices; Amending Section 35.07, Extra Services Performed or Deleted; Amending Section 35.08, Personal Services; Amending Section 35.09, Disposal of Supplies, Materials and Equipment Found to be Obsolete or Surplus; Amending Section 35.10, Unauthorized Contracts and Expenditures Prohibited; Amending Section 35.11, Emergency Purchasing Procedures; Amending Section 35.12, Local Preference in Purchasing or Contracting; Amending Section 35.13, Cone of Silence; Amending Section 35.14, Protests; Amending Section 35.15 Suspension and Debarment; Adding Section 35.17, Federal Financial Assistance; Adding Section 35.18, Public-Private Partnerships; Adding Section 35.19, Pilot Programs; Adding Section 35.20 Surplus Property, Real Property; Personal Property; Providing for Severability; Providing for Codification; and Providing an Effective Date.

The City Clerk read Ordinance 23-61 aloud by title only.

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

Mayor Martin explained that surplus property, such as computers, vehicles, etc., are assets of the City that are beyond their useful life and the City puts them out to auction. City Manager Merejo indicated this is the common practice used by the City in the past.

There being no further discussion, Councilman Bonna moved to approve Ordinance 23-61. Vice Mayor Caraballo seconded the motion, which passed unanimously by voice vote.

9. Other Public Hearings

10. First Reading of Ordinances

- 10.a** Ordinance 23-62, An Ordinance to Rezone 0.23 Acres of Property Located East of SW South Macedo Boulevard and

[2023-874](#)

North of Crosstown Parkway from the Zoning Designation of Single-Family Residential (RS-2) to Service Commercial (CS) Zoning District for a Project Known as Imperium Construction Co., LLC (P23-126).

The City Clerk read Ordinance 23-62 aloud by title only.

There being no discussion, Councilwoman Morgan moved to approve Ordinance 23-62. Councilman Pickett seconded the motion, which passed unanimously by voice vote.

- 10.b** Ordinance 23-63, An Ordinance to Rezone 1.01 Acres of Property Located South of SW Dwyer Avenue and West of SW Bayshore Boulevard from the Zoning Designation of Single-Family Residential (RS-2) to General Commercial (CG) Zoning District for Property Legally Described as Lots 9 through 12, Block 237, Port St. Lucie Section 28 (P23-123). [2023-876](#)

The City Clerk read Ordinance 23-63 aloud by title only.

There being no discussion, Vice Mayor Caraballo moved to approve Ordinance 23-63. Councilwoman Morgan seconded the motion, which passed unanimously by voice vote.

- 10.c** Ordinance 23-64, An Ordinance Providing for the Fifth Amendment to the Planned Unit Development Regulation Book and Conceptual Plan for the St. Lucie Lands Planned Unit Development (P22-346) Located on the South Side of Becker Road and East of the Florida Turnpike, Legally Described as Being all of Tract B, WMT-1, WMT-2, WMT-3 WMT-4, TRACTS R-1 & R-2, Veranda Plat No. 1 as Recorded in Plat Book 60, Page 39, Public Records of St. Lucie County, Being in a Portion of Sections 34 and 35, Township 37 South, Range 40 East, City of Port St. Lucie, St. Lucie County, Florida, Together with a Portion of Tract A (P22-326). [2023-880](#)

The City Clerk read Ordinance 23-64 aloud by title only.

There being no discussion, Councilman Bonna moved to approve Ordinance 23-64. Vice Mayor Caraballo seconded the motion, which passed unanimously by voice vote.

- 10.d** Ordinance 23-65, An Ordinance Rezoning a 0.96-acre parcel, Located West of Port St. Lucie Boulevard, at the End of SW Glenview Ct., from Institutional (I) to Neighborhood [2023-888](#)

Commercial (CN), for Property Legally Described as Port St. Lucie, Section 12, Block 3457, Lot 3 (P23-118).

The City Clerk read Ordinance 23-65 aloud by title only.

There being no discussion, Councilman Pickett moved to approve Ordinance 23-65. Vice Mayor Caraballo seconded the motion, which passed unanimously by voice vote.

- 10.e** Ordinance 23-66, An Ordinance Rezoning 5.8-acres of Land; Consisting of Three Parcels Located South of Becker Road, between SW Lassiter Terrace and SW Junietta Terrace from Planned Unit Development (PUD) to Professional (P) Zoning District, for Property Legally Described as Becker Commons (PB 62-1), Lots 1, 2, & 3 (P23-115).

[2023-884](#)

The City Clerk read Ordinance 23-66 aloud by title only.

Vice Mayor Caraballo moved to approve Ordinance 23-66. Councilwoman Morgan seconded the motion.

Under discussion, Mayor Martin stated she was glad to see some medical offices in this location. She indicated a new hospital will be coming to Becker Road and will provide an opportunity for residents to receive services in this area of the City.

The motion passed unanimously by voice vote.

11. Resolutions

- 11.a** Resolution 23-R97, Quasi-Judicial, A Resolution Approving an Amended and Restated Development Order for the Development of Regional Impact Known as LTC Ranch Previously Approved by Resolution No. 97-085 by the Board of County Commissioners of St. Lucie County, Florida, and by Resolution Nos. 00-R25, 07-R77, 19-R40, 21-R11 and 22-R122 by the City Council of the City of Port St. Lucie(P22-279).

[2023-831](#)

The City Clerk read Resolution 23-R97 aloud by title only.

Deputy City Attorney Richard Berrios reviewed the Quasi-Judicial procedures. The City Clerk swore in those individuals who wished to speak on this item.

Anne Cox, Planning and Zoning Department, stated she was sworn in and the file was transmitted to the City Clerk at least five days prior to this hearing. She asked that the file be entered into the record.

Ms. Cox provided a PowerPoint presentation on the application, which is the 6th amendment to the LTC Ranch DRI development order. She indicated the applicant is Lucido & Associates, acting as the agent for Midway Glades Developers, LLC and LTC Midway, LLC.

Ms. Cox showed the location of the subject property as well as reviewed the background of LTC Ranch and proposed amendment. She discussed the previous DRI amendment regarding transportation, coordination, and proposed transportation conditions. Ms. Cox stated the change to the Master Development Plan - Map H-1 is to eliminate the 3.91-acre Wetland No. 11 to accommodate a proposed residential golf course community. She presented the current and proposed Map H-1. Ms. Cox explained the wetland mitigation will occur in accordance with the South Florida Water Management District permit, as they are proposing a combination of onsite enhancements and the purchase of mitigation credits.

Ms. Cox stated the Planning and Zoning Board recommended approval of the proposed amendment at their August 1, 2023 meeting. She indicated that Staff also finds the amendment to be consistent with the direction and intent of the City's Comprehensive Plan and recommends approval.

At this time, Mayor Martin inquired if the Council members had any ex parte communications to disclose. Mayor Martin, Vice Mayor Caraballo, and Councilman Bonna indicated they had spoken to the applicant. Councilwoman Morgan and Councilman Pickett had no ex parte communications to report.

Lee Dobbins stated he was representing the applicant. He explained that other than the mitigation and elimination of the wetland, the other amendments in this DRI were requested by the City. He indicated he was before Council in November 2022 when Staff asked the applicant to amend their conditions to the DRI to time the road improvements based on rooftops instead of trips, which was done and is now before Council.

Vice Mayor Caraballo thanked Mr. Dobbins for being in attendance and stated she would be in support of this item. Mayor Martin thanked Mr. Dobbins as well for working together with the City as a community.

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

There being no further discussion, Vice Mayor Caraballo moved to approve Resolution 23-R97. Councilwoman Morgan seconded the motion, which passed unanimously by voice vote.

- 11.b** Resolution 23-R106, Public Hearing, Approving the
Publication of an Inventory List of City Owned Parcels of Land
Which May Be Appropriate for Use for Affordable Housing
Development.

[2023-869](#)

The City Clerk read Resolution 23-R106 aloud by title only.

Mayor Martin explained the City is required by a new state law to provide and post a list of properties appropriate for affordable housing developments.

Councilman Pickett inquired about the eight properties listed as one address on the original list. Camille Wallace, Deputy Director, Neighborhood Services Department, stated those properties were part of the open space conservation, so they were removed. Mayor Martin added that it was part of the land swamp when Starbuck's was done on Gatlin and then it was determined to be open space conservation land.

There being no further discussion, Vice Mayor Caraballo moved to approve Resolution 23-R106. Councilman Pickett seconded the motion, which passed unanimously by voice vote.

- 11.c** Resolution 23-R107, A Resolution Approving the Preliminary
and Final Plat for Wawa Becker within the City of Port St.
Lucie, Florida on the Request of Becker, LLC, and Wawa
Florida, LLC (P23-082).

[2023-872](#)

The City Clerk read Resolution 23-R107 aloud by title only.

There being no discussion, Vice Mayor Caraballo moved to approve Resolution 23-R107. Councilwoman Morgan seconded the motion.

Under discussion, Vice Mayor Caraballo thanked WaWa for working with Staff and taking the extra steps necessary to make it happen. She welcomed WaWa and looked forward to visiting their location on Becker Road. Mayor Martin stated she has received several emails indicating they needed gas in that area, so she will be letting them know the wonderful news.

The motion passed unanimously by voice vote.

11.d Resolution 23-R108, Resolution for the Adoption of the Rules of Council

[2023-866](#)

The City Clerk read Resolution 23-R108 aloud by title only.

For the workshop meetings, Councilman Bonna suggested changing the language from "shall" to "may", so that it reads - Council "may" hold a monthly workshop meeting - to which the Council agreed.

Regarding public meetings, Vice Mayor Caraballo recommended changing the language from "will" to "may," so that it reads - In the event an applicant does not appear to present the item, the Council "may" table the item to a future regular meeting - to which the Council agreed.

Mayor Martin called on those who wished to speak:

1) Richard Lawton, Sandpiper Bay, inquired about when an informal meeting might be applied.

Mayor Martin explained that an informal meeting would allow a Council member to have a discussion with another Council member about an agenda item on the agenda or the City Manager to call an informal meeting to hear Council's thoughts or concerns about an issue. She stated they will not be taking any action, as it will be a preparation meeting for what is yet to come and allow the Council members to communicate with each other legally.

There being no further discussion, Vice Mayor Caraballo moved to approve Resolution 23-R108, amending Section 3c to read - "may" hold a monthly meeting and amending Section 10d of Public Hearings to read - In the event an applicant does not appear to present the item, the Council "may" table the item to a future regular meeting. Councilwoman Morgan seconded the motion, which passed unanimously by voice vote.

Mayor Martin stated she wanted the public to be noticed about the change in meeting times, as soon as the proposed 2024 Council Meeting Schedule is approved by Council on October 9, 2023, so the citizens can get adjusted to having a day meeting and a night meeting.

11.e Resolution 23-R109, Resolution Approving the Tradition Regional Park Early Site Work Agreement

[2023-863](#)

The City Clerk read Resolution 23-R109 aloud by title only.

Vice Mayor Caraballo stated it was a very happy day in the City of Port St. Lucie and commented on the need for parks in the City. Mayor Martin

spoke to all of the projects that have been worked on in the park system. Teresa Lamar-Sarno, Assistant City Manager, noted that it was a heavy lift for all of those involved to get this agenda item in front of Council.

There being no further discussion, Councilman Bonna moved to approve Resolution 23-R109. Councilman Pickett seconded the motion, which passed unanimously by voice vote.

12. Unfinished Business

13. New Business

- 13.a** Request for an Attorney/Client Session with the City Council to Discuss Pending Litigation in the Matter of Moxie Pest Control Florida, LLC v. *City of Port St. Lucie, Florida*, Case No.: 23-CV-14250-DMM.

[2023-886](#)

Richard Barrios, Deputy City Attorney, stated this was related to Item 13b and indicated it is a request for shade meetings, so the Council can meet with outside Council and be briefed on the progression of both cases.

There being no discussion, Vice Mayor Caraballo moved to approve Item 13a. Councilwoman Morgan seconded the motion, which passed unanimously by voice vote.

- 13.b** Request for an Attorney/Client Session with the City Council to Discuss Pending Litigation in the Matter of City of Port St. Lucie v. Waste Pro of Florida, Inc., Case No. 2021-CA-001628.

[2023-899](#)

There being no discussion, Councilwoman Morgan moved to approve Item 13b. Councilman Bonna seconded the motion, which passed unanimously by voice vote.

- 13.c** Authorize Staff to Take All Actions Necessary to Preserve the City's Rights and Interests Related to the Oak Ridge Ranches Comprehensive Plan Amendment and Oak Ridge Ranches PUD Rezoning and PUD Preliminary Site (Master) Plan with an Associated Wetland Waiver

[2023-870](#)

Mary Savage-Dunham, Division Director, Planning & Zoning, provided a Powerpoint presentation and update on the St. Lucie County Oak Ridge Ranches Development Project. She showed the location of the project site and discussed the proposed traffic improvements. Ms. Savage-Dunham stated the City was depending on the developer and the County to make sure the City's interests are met. She indicated there is no negotiated development agreement currently and reviewed the concerns of City Staff and the consultant. Ms. Savage-Dunham noted that a draft PUD road

conditions, draft PUD resolution, draft Future Land Use Map amendment ordinance, and draft Proportionate Share Agreement have been received, but Planning, Public Works, Legal, and Peer Review Traffic are stilling reviewing these documents. She stated Staff needs to prepare for the October 12, 2023, meeting in order to participate in the hearing efficiently and put testimony and evidence on the record to preserve the City's interest and rights should the City Council desire to take further action on the applications in the future. Ms. Savage-Dunham indicated that Staff is requesting direction from Council and authorization to take all actions necessary to preserve the City's rights and interests in all matters related to Oak Ridge Ranches applications, including but not limited to participation on behalf of the City as an interested party and raising objections.

Mayor Martin indicated she spoke on behalf of the City at the special meeting held by the Board of County Commissioners. In the spirit of cooperation, she stated she shared with their partners at the County how important this item is to the City of Port St. Lucie, because of the impacts from 8,600 homes and at least 22,000 additional residents. Mayor Martin explained as a result of this development being in the County, the City will not receive impact or mobility fees, but it will get all of the associated impacts. She hoped the City and the County could continue to work together on this issue. Mayor Martin stated she supported this request to protect the City's interests. She emphasized that the developers responsible for the road impacts need to address the capacity and build the infrastructure, not the taxpayers of the City. Mayor Martin also spoke regarding the Fire Board and the lack of fire stations, fire engines, ambulances, and firefighters, to which the developers need to contribute as well.

Councilwoman Morgan inquired if any City comments were sent to DEO, to which Ms. Savage-Dunham explained the comments were sent in past the deadline. Councilwoman Morgan indicated Kolter has committed to 4-lane Crosstown Parkway, and agreed the City and the County need to work together. She stated her concern with the language is that it states "authorize Staff to take all actions necessary," and asked what that was allowing Staff to do. She indicated she cannot support this item as it currently reads. Regarding the Fire District, Councilwoman Morgan noted it was about the safety of all the residents of St. Lucie County.

Teresa Lamar-Sarno, Assistant City Manager, stated that Legal worked with the team and this was their recommendation. Deputy City Attorney Elizabeth Hertz clarified the intent of the recommended motion was to authorize Staff to prepare for the hearings on October 12, 2023, and

preserve the City's rights in the event that after the hearing there is City Council direction to engage in any further type of legal action. She stated it is a safeguarding measure to preserve the City's rights and interests in the event there is a decision to do something more substantial than attend and participate in the hearings.

Mayor Martin stated a mediation could be called or the City may have to take legal action. She noted she did not trust any developer without having the documents in writing and the City needs to be protected from the impacts. She stated the City and the County have to work together and hold the developers accountable for the roads.

Vice Mayor Caraballo spoke to the City and County partnership and the potential for getting it right for the future. She explained it was important to protect the City and the County, and they need to have these agreements upfront. She stated she had to give Staff the authorization, because they need Council authority to make any pertinent decisions in order to protect everyone.

Councilman Pickett inquired when the departments will get together to come up with a game plan. He stated he was troubled with the comments being sent to the DEO after the deadline. Councilman Pickett indicated he wants to know what is going on prior to the next meeting. He stated this particular subject is a priority for all departments.

Ms. Savage-Dunham stated the material is currently under review by the City's respective teams and today they were working on scheduling a meeting with Staff to come back together to share their comments with each other and administration. She said this a priority for them. Ms. Savage-Duham explained the process to make sure Staff has the best possible recommendations based on the codes, ordinances, and data. She indicated the one-on-ones with Council will be scheduled in advance of the October 12, 2023, meeting for their input and feedback.

Council discussed and expressed their concerns regarding the language. Deputy City Attorney Elizabeth Hertz tailored the motion to make everyone more comfortable and stated it would be authorizing Staff to take all actions necessary to preserve the City's rights in the hearing occurring on October 12, 2023, and related ancillary actions. She stated before any additional formal action is taken, Staff would come back to Council. Deputy City Attorney Hertz clarified that a portion of the ask is to allow Staff to participate as an interested party in the Quasi-Judicial item, should it be determined necessary in order to preserve the City's rights on a go forward basis. But before Staff would do anything to preserve rights, they

would come back to Council for further authorization.

Councilwoman Morgan inquired if Council was authorizing up and to the hearing that is scheduled to occur October 12, 2023, and then Staff will come back to council. Deputy City Attorney Hertz stated the recommendation would be if action needs to be taken, as they may need a Special Meeting shortly thereafter, because of the tight timeframes for challenges.

City Manager Merejo stated it was not uncommon for this to occur. He indicated the County did it to the City for Glades Cutoff on the Wastewater Plant and McCarty Ranch. He said it is only a conversation, but the City needs to preserve its rights. City Manager Merejo stated if the County is taking the City into a different direction, the City needs to object to it to protect the City, as there will be impacts to the City's road network.

There being no further discussion, Councilman Bonna moved to approve Item 13c, as amended by Deputy City Attorney Elizabeth Hertz. Vice Mayor Caraballo seconded the motion, which passed unanimously by voice vote.

13.d Discussion and Direction for Interim City Attorney

[2023-902](#)

Mayor Martin indicated this item was to ask the City Manager to gather information for Council's next meeting on October 9, 2023, regarding available external firms to serve as interim and/or any other additional options.

Councilman Bonna stated an external firm would charge by the hour which could be \$120,000 for 20 hours/week for 20 weeks. He stated his preference was to have Richard Berrios as the Interim City Attorney, while the search is being conducted, as Mr. Berrios is capable and this option would save a lot of money versus hiring an outside firm. Councilwoman Morgan agreed with Councilman Bonna.

Vice Mayor Caraballo stated there were several options and she was open to Mr. Berrios being the Interim City Attorney. She also suggested considering Susan Trevarthen, because of the many land use items they currently have and three internal attorneys have recently changed positions, so an outside firm may be beneficial in that regard. Vice Mayor Caraballo stated Mr. Berrios indicated he would be interested in applying for the City Attorney position, and she explained she would like to search for candidates to even the playing field. Vice Mayor Caraballo noted the City may need to hire outside firms for some upcoming items, so the savings to stay internal may not be that great.

Councilman Pickett stated he would like to keep Richard Berrios as the Interim City Attorney, as the search process would not be an infinite amount of time.

Mayor Martin stated she would like to have the City Manager come back with the information. She noted the City currently has outside firms on retainer. Mayor Martin explained she has no concerns with Mr. Berrios being the Interim City Attorney, but Council needs to have all the information presented to them, so they can make a final decision. She stated she would like to see the internal and external options.

City Manager Merejo indicated it could be a combination of internal and external, as the City has done in the past. Mayor Martin stated the Council would make the final decision on October 9, 2023. She noted that she shared Vice Mayor Caraballo's concern regarding land use issues or items.

Council consensus was for the City Manager to provide external and internal options to the City Council for consideration at their October 9, 2023, meeting.

13.e Discussion and Direction on Executive Search Firms for City Attorney Position

[2023-904](#)

Mayor Martin stated she would like to conduct a search, to create an even playing field, and anyone internal can apply, to which Vice Mayor Caraballo and Councilman Bonna agreed.

Mayor Martin inquired if the Council was agreeable to the recommendation of directing the City Manager to select a recruiting firm provided it is within the spending threshold, facilitate scheduling a meeting with City Council, and select the recruiting firm to begin the process.

Councilwoman Morgan asked for the spending threshold and requested that the City Manager bring back the top three firms. Mayor Martin indicated the spending threshold is \$100,000, but it could be between \$30,000 and \$50,000. City Manager Merejo indicated he has seen between \$25,000 and \$30,000 thus far.

Council discussed their preferences and concerns regarding the selection of the firms. Mayor Martin stated that since only two firms are available and their job is to find executive leaders, the City Manager can come back with the two firms. Mayor Martin indicated she is confident the team will ensure it is a smooth process.

City Manager Merejo stated he could provide the information on the firms and if Council needed more information, the members could contact the firms. Mayor Martin stated the Council has to provide a direction at a public meeting, so they will discuss the information on October 9, 2023. She said if the firms are not available, they will postpone it to another time.

City Manager Merejo offered to provide a list of the firms Staff has already called. Mayor Martin noted that Council does not want to use the firm that has been used many times in the past.

Council consensus was for the City Manager to provide information on executive search firms for the City Council to consider at their October 9, 2023, meeting.

14. City Manager's Report

City Manager Merejo stated he had no report.

15. Councilmembers Report on Committee Assignments

Councilwoman Morgan reported she attended Coffee with the Council, the Fire District Board meeting, and the Florida League of Cities (FLC) Board meeting in Fort Myers.

Councilman Pickett stated he attended the EDC luncheon and Fresh Market grand opening. He thanked the Parks and Recreation Department for setting up the POW/MIA Chair of Honor Ceremony in Veterans Park, and then setting up for the International Fest the next day.

Vice Mayor Caraballo reported she attended the EDC luncheon and thanked them for the tribute to Jen DeBoy, Fresh Market grand opening, Treasure Coast Regional League of Cities meeting, Housing Accelerator Task Force meeting, Florida League of Cities Board of Directors Meeting and other various meetings she attends on behalf of the FLC.

Councilman Bonna attended the Fresh Market grand opening. He stated a constituent reached out to him, as they had a lengthy discussion at the last Special Meeting about park programming and resources in terms of facilities and such. He asked that on behalf of the constituent that they include the junior basketball programming in that larger discussion.

Mayor Martin reported that she attended the Fire Board meeting and Fresh Market grand opening. She stated she spoke at BisNow held by the Treasure Coast State of the Market on business and all of the developers were there in partnership with the EDC. Mayor Martin also attended the Big City Mayor Coalition, which was started by the Florida League of Cities this past year. She

stated they surveyed each of the ten cities to see how they lined up and the focus was on affordability, homelessness, public safety, and what constituents want to see in their leaders. Mayor Martin stated she will present more in depth findings to the Council.

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

There were no comments from the public.

17. Adjourn

There being no further business, the meeting was adjourned at 9:40 PM.

Sally Walsh, City Clerk

Traci Mehl, Deputy City Clerk