

# 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

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<b>Monday, June 10, 2024</b>	<b>1:00 PM</b>	<b>Council Chambers, City Hall</b>
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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 at 1:00 PM on June 10, 2024, at Port St. Lucie City Hall, 121 SW Port St. Lucie Boulevard, Port St. Lucie, Florida.

2. Roll Call

Council Members Present:

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

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

There were no Proclamations or Special Presentations.

**4.a** Proclamation: Treasure Coast Waterway Cleanup Week

[2024-527](#)

Mayor Martin read the proclamation in support of Treasure Coast WaterWay Cleanup Week, July 20, 2024 to July 27, 2024, and presented it to Valerie Lindh, who was representing the Marine Industries Association of the Treasure Coast. Ms. Lindh thanked the Council for their support, spoke to the waterway cleanup efforts, and encouraged everyone to

signup to volunteer via their website at [www.tewaterwaycleanup.com](http://www.tewaterwaycleanup.com).

5. Public to be Heard

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

6. Additions or Deletions to Agenda and Approval of Agenda

Mayor Martin explained the Proclamation for the Treasure Coast WaterWay Cleanup Week has a corresponding item to sponsor the event with regard to utilizing the City's logo and advertising, as no monetary contribution is required. She requested the item be added as Consent Agenda Item 7.o.

There being no further discussion, Councilman Bonna moved to approve the Consent Agenda with the approval of item 7.o, Approve Sponsorship Request from the Marine Industries Association of the Treasure Coast, Inc., for the 17th Annual Treasure Coast Waterway Cleanup. Vice Mayor Caraballo seconded the motion, which passed unanimously by voice vote.

7. Approval of Consent Agenda

There being no further discussion, Vice Mayor Caraballo moved to approve the Consent Agenda. Councilman Pickett seconded the motion.

At this time, Bridgett Kean requested that Item 7.m be pulled for separate discussion. Vice Mayor Caraballo amended her motion to approve the Consent Agenda with Item 7.m being removed as requested by staff. Councilman Pickett seconded the motion, which passed unanimously by voice vote.

**7.a** Approval of the May 6, 2024 Strategic Planning Session and [2024-537](#)  
May 13, 2024 Regular City Council Meeting Minutes

This Consent item was Approved on the Consent Agenda.

**7.b** Approve a Right-of-Way Agreement between the City of Port [2024-539](#)  
St. Lucie and Florida Power & Light

This Consent item was Approved on the Consent Agenda.

**7.c** Authorize the City Manager to Execute the Memorandum of [2024-562](#)  
Agreement (MOA) between Indian River State College,  
School of Continuing Education (IRSC-SCE) and the City of  
Port St. Lucie.

This Consent item was Approved on the Consent Agenda.

**7.d** Approve Contract 20240090 Sole Source for Purchase of an [2024-446](#)  
Automatic Bar Screen and Roto Press for Glades Wastewater  
Treatment Facility Headworks from Parkson Corporation.

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- This Consent item was Approved on the Consent Agenda.
- 7.e** Approve Amendment #5 to Contract #20220045 for the Construction of the Floresta Drive Improvements Phase 2. [2024-536](#)
- This Consent item was Approved on the Consent Agenda.
- 7.f** Approve Amendment #3 to Contract #20210104 for Grinder Pumps & Related Parts with Environment-One Corporation. [2024-535](#)
- This Consent item was Approved on the Consent Agenda.
- 7.g** Award Contract #20240060 to Provide Citywide Stormwater & Right of Way Preventative Maintenance and Repair Services. [2024-519](#)
- This Consent item was Approved on the Consent Agenda.
- 7.h** Approve a Preliminary and Final Subdivision Plat for Tradition SG 11 on the Request of Mattamy Palm Beach, LLC ( P23-233). [2024-560](#)
- This Consent item was Approved on the Consent Agenda.
- 7.i** Approve the Terms and Conditions for Public Art Executed Artwork Commission Agreement, the “Whorl” Sculpture Proposed by the Texas Based Artist Team RE:site, Made Up of Artists Shane Allbritton and Norman Lee, for the Roundabout at Torino Parkway and Turtle Dove Lane. [2024-538](#)
- This Consent item was Approved on the Consent Agenda.
- 7.j** Approve the Terms and Conditions and Provide Authorization for the City Manager to Execute an Artwork Commission Agreement for a Dolphin Themed Sculpture by the Artist Peter Busby, Located in an Oval-a-bout at Floresta Drive between Walters Terrace and Damask Avenue. [2024-556](#)
- This Consent item was Approved on the Consent Agenda.
- 7.k** Approve a Major Site Plan for Verano - 4 Acre Commerce Center Drive (P23-200) [2024-567](#)
- This Consent item was Approved on the Consent Agenda.
- 7.l** Award Contract #20240034 for the Rehabilitation and Maintenance of Floridan and Surficial Wells. [2024-484](#)
- This Consent item was Approved on the Consent Agenda.
- 7.m** Approve a Major Preliminary and Final Subdivision Plat for [2024-557](#)
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Southern Grove Plat No. 46 (P24-010).

Mary Savage-Dunham, Director, Planning and Zoning, indicated the exception and conditions for this plat need to be read into the record.

Bridget Kean, Planning and Zoning, stated this plat is being recommended for approval and is in accordance with Section 156.023 of the Subdivision Code, which allows City Council to grant exceptions to the subdivision regulations as may be reasonable and within the general purpose and intent of the code when applying that code would be impractical or create a hardship. She indicated Southern Grove Plat No. 46 was submitted by the Governmental Finance Corporation (GFC) and the City, and includes the construction of three roadways. Ms. Kean stated they have construction plans for two of the roadways, Tom Mackie Boulevard and Marshall Parkway, and do not have the construction plans for East West 2, which will be known as Destination Way. She noted that Destination Way is still under design and the construction plans are not ready at this time.

Ms. Kean stated they are requesting a waiver to the requirement for a letter of credit or performance bond for this plat, as this is an economic development project. She indicated Staff is expediting the review, the City is the entity responsible for the design and construction of the three roadways, and the City has secured alternative funds for the construction of the roads, which includes \$8.85 million in ARPA special appropriation funds with time constraints to obligate and spend these funds. Ms. Kean stated Staff recommended approval of the waiver with the condition that the construction plans and street tree planting plans for Destination Way are submitted and approved by the Site Plan Review Committee prior to the issuance of the Public Works permit.

Vice Mayor Caraballo moved to approve adding Item 7.m back to the agenda. Councilman Bonna seconded the motion, which passed unanimously by voice vote.

Vice Mayor Caraballo moved to approve Item 7.m, Approve the Major Preliminary and Final Subdivision Plat for Southern Grove Plat No. 46 (P24-010), with the requested requirements by Staff, including the additional items. Councilman Bonna seconded the motion, which passed unanimously by voice vote.

- 7.n** Approval to Participate in Collier County Contract #23-8149 [2024-545](#)  
for Laboratory Services with Pace Analytical Services, LLC.

This Consent item was Approved on the Consent Agenda.

- 7.o** Approve Sponsorship Request from the Marine Industries [2024-524](#)

Association of the Treasure Coast Inc., for the 17th Annual  
Treasure Coast Waterway Cleanup

(Clerk's Note: This item was added and approved under Item 6 above,  
Additions or Deletions to Agenda and Approval of Agenda.)

8. Second Reading of Ordinances

- 8.a** Ordinance 24-28, Authorizing the Conveyance of a Utility Easement to Florida Power & Light Company as part of the Storm Secure Underground Program for 204 SW Tulip Boulevard. [2024-451](#)

The City Clerk read Ordinance 24-28 aloud by title only.

There being no discussion, Councilman Pickett moved to approve Ordinance 24-28. Councilwoman Morgan seconded the motion, which passed unanimously by voice vote.

- 8.b** Ordinance 24-29, an Ordinance Rezoning a 0.24-acre Parcel Located South of SW Gatlin Boulevard, on the West Side of SW Casella Street, from Single-Family Residential (RS-2) to Service Commercial (CS), for Property Legally Described as Port St. Lucie Section 31, Block 1706, Lot 12 (P24-026). [2024-505](#)

The City Clerk read Ordinance 24-29 aloud by title only.

There being no discussion, Vice Mayor Caraballo moved to approve Ordinance 24-29. Councilman Bonna seconded the motion, which passed unanimously by voice vote.

- 8.c** Ordinance 24-30, an Ordinance Adopting the Seventh Amendment to the Master Sign Program Amendment for Tradition (P16-042-A2). [2024-499](#)

The City Clerk read Ordinance 24-30 aloud by title only.

There being no discussion, Councilwoman Morgan moved to approve Ordinance 24-30. Councilman Bonna seconded the motion, which passed unanimously by voice vote.

- 8.d** Ordinance 24-31, an Ordinance Adopting the Fifth Amendment to the Master Sign Program Amendment for St. Lucie West. (P00-221-A1) [2024-497](#)

The City Clerk read Ordinance 24-31 aloud by title only.

There being no discussion, Councilman Bonna moved to approve

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Ordinance 24-31. Vice Mayor Caraballo seconded the motion, which passed unanimously by voice vote.

- 8.e** Ordinance 24-32, Quasi-Judicial, Public Hearing, an Ordinance Rezoning 658.21 Acres for Land Located North of Marshal Parkway, South of Discovery Way, East of Range Line Road, and West of N/S A, from St. Lucie County AG-5 Zoning to a Master Planned Unit Development (MPUD) (P22-311).

[2024-500](#)

(Clerk's Note: A court reporter was present for this item for Attorney Telsula Morgan with Lewis, Longman and Walker, who was representing ACR Acquisitions, LLC, owner of Wilson Groves.)

The City Clerk read Ordinance 24-32 aloud by title only.

Mayor Martin indicated this was a quasi-judicial hearing, as directed by Council at the last meeting. Interim City Attorney Berrios explained the procedures and parameters for quasi-judicial hearings at this time. He discussed competent substantial evidence, public comments, criteria, etc. The City Clerk swore in those individuals who wished to speak or provide testimony.

Mayor Martin inquired if the Council Members had any ex parte communications to disclose. Mayor Martin, Vice Mayor Caraballo, Councilman Bonna, and Councilman Pickett stated they had spoken to the applicant and members of the public. Councilwoman Morgan stated she met with the applicant in person as well as had spoken to the applicant and members of the public.

Vice Mayor Caraballo inquired about the difference between a citizen and an intervener, to which Interim City Attorney Barrios indicated that an intervener's interests differ distinctly from those of the general public at large. He indicated an intervener is to submit a request for intervention at least five days in advance of the hearing, and he has not received any such requests. He stated all testimony given thus far has been from Staff, the applicant, or public comment.

Mary Savage-Dunham, Planning & Zoning Director, provided an overview of the project and stated it was located in the southwest annexation area. She explained that in 2004 the City received petitions for annexations of just under 10,000 acres and how the developers came in for Development of Regional Impacts (DRI) and MPUDs. Ms. Savage-Dunham noted that this MPUD rezoning for Riverland POD E does not change the calculation for any road commitments or triggers and that a lower trip rate is not being

approved at this time, as this project received approval in 2021 to use age-restricted trip generation rates.

Councilman Bonna inquired about the specific language in Condition 17, as it was referenced in the applicant's letter and original development orders. He stated Condition 18 was a clawback provision and does not distinguish between two and four lanes, and the development order is silent on two lanes versus four lanes. He explained the clawback refers to widening and he did not understand what language approved the change in the trip generation code in 2021 to allow the use of age-restricted rates.

Diana Spriggs, Public Works, indicated the 2021 DRI amendment allowed age-restricted communities, which is when the traffic analysis was brought forth that used the reduced trip counts. In response to how the clawback provision would affect previous MPUDs, she stated the City has been operating as if it affects all Riverland DRIs.

Deputy City Attorney Elizabeth Hertz advised that the language being referenced was inserted into paragraph three of the conditions relating to the minimum amount of age-restricted that could be done. She stated the footnotes under Table 2 and to paragraph 19 were added to provide safeguards in the event one of the communities ever became a traditional community and somewhat of a clawback provision to require upgrades to the roadway if warranted. Ms. Hertz explained this was a negotiated DRI agreement where the developer came in seeking to memorialize the use of age-restricted and put it in their DRI. She stated those were the changes where the City blessed the use. Deputy City Attorney Hertz stated she understood there may have been utilization of some type of traffic data prior to that amendment taking place. However, this language formalized that and the intent was to cure that on a go forward basis. She indicated that with reading everything together, Staff has interpreted this as the document that formalized the usability of that trip read.

Councilman Bonna inquired if they had age-restricted communities prior to the changes in 2021. Deputy City Attorney Hertz indicated they had age-restricted communities, but she does not know if the trip rate was utilized when those initial PODs were approved by City Council. She stated this document was meant to formalize the process and procedure because there was some confusion on both sides. Councilman Bonna requested that the specific language and footnotes be emailed to him.

Daniel Robinson, Planning and Zoning, stated he was sworn in and the official file has been submitted to the City Clerk more than five days prior to this meeting. He asked that the file be entered into the record.

Planner Robinson provided a PowerPoint presentation on this rezoning request for Riverland Parcel E. He stated the applicant is GL Homes and the owner is Riverland/Kennedy II, LLC. He showed the location of the subject property as well as the zoning and future land use. He also reviewed the project description, land use consistency, MPUD concept plan, and traffic impact analysis. Planner Robinson indicated the Planning and Zoning Board recommended approval at their regular meeting on May 7, 2024.

Mayor Martin asked, if this item were to be approved, if the rezoning lessens the applicant's obligations to construct the two-lane network, to which Mary Savage-Dunham responded in the negative.

Attorney Cynthia Angelos, on behalf of the applicant, requested they be entitled to their presentation at the close of public comment to rebut any issues or questions. Mayor Martin granted the request.

Mayor Martin opened the Public Hearing and called on those who wished to speak:

1. Attorney Telsula Morgan with Lewis, Longman and Walker, stated she was representing ACR Acquisitions, LLC, owner of Wilson Groves. She explained, while it was not ACR's intent to obstruct Riverland/Kennedy's pending application, ACR has a vested interest in a completed road network. She stated a failure by the City Council to enforce the construction of the road segment of Community to Becker Road, a road that should have already been triggered under the original western annexation area traffic study is not only necessary . . .

At this point, Mayor Martin inquired if these comments were part of the facts to be considered, to which Interim City Attorney Berrios indicated they were considered comments from the public. He explained Council would have to determine whether the testimony or comments given relate directly to the application and stated that Council can ask questions for clarification.

Vice Mayor Caraballo inquired if testimony would be provided regarding the actual application in question. Attorney Morgan stated that correct and consistent application of City ordinances is well within the scope of a quasi-judicial hearing and pointing out the consequences of inconsistent and incorrect application of the law also falls within that scope, which is also the scope of her comments.



Attorney Morgan continued with her comments. She stated that last week Riverland/Kennedy's counsel submitted a letter to both the City Council and City Attorney, contending that their development order contains several provisions that mandate an age-restricted trip analysis for its road triggers. Attorney Morgan indicated that contrary to the assertions made in the letter, as well as various representations that have been made by others as well, development orders neither have any impact nor do they dictate that traffic codes are appropriate to use. She discussed how the City was imposing different road development standards on different developers and how that puts the road construction out of sync with the timing originally envisioned. Attorney Morgan indicated that at the last public hearing on this matter, Riverland/Kennedy correctly acknowledged that it may never be required to build out certain road segments as a result of using age-restricted ITE codes. She stated this will place the responsibility of completing the road network squarely on the shoulders of the City. Therefore, ACR requests that the City condition its approval on the completion of the construction of Community Blvd between Marshall Parkway and Becker Road within 18 months of approval.

Mayor Martin stated that Community Blvd is not part of this application. She indicated, when discussing development orders and DRIs, there are plenty of opportunities for other developers to make changes and have different requirements. She stated there was a difference between consistency, being fair, and the exact same treatment.

Councilman Bonna inquired as to what the development order states, what is required, what is the history, and is what is being proposed consistent with criteria D. Theresa Lamar-Sarno clarified that this is consistent with what has been reviewed, which is why the Staff and the Planning and Zoning Board are recommending approval.

Vice Mayor Caraballo stated she thought Staff stated on record that the ITE generation codes for age-restricted were previously approved in 2021. She questioned if this process and this PUD approval would allow a second chance at this particular subject matter. Interim City Attorney Berrios stated this quasi-judicial proceeding does not serve to reopen a previously approved development order, as it would be Staff's interpretation of the terms of that development order and those conditions.

Regarding Riverland, Vice Mayor Caraballo believed that history shows the additional testimony should not be relevant to what they are discussing and there has been a history as to how this has been applied in the past. She stated she was not taking testimony, opinions, or commenting today on future applications coming before this Council, as she was there to

discuss one MPUD regarding one developer.

2. Andrea Levin, 11934 SW Sailfish Isles Way, spoke to the levels of traffic in age-restricted communities and stated a two-lane roadway must be built for health and safety reasons. She asked that the Council not reopen the development order but reconsider the traffic levels for active age restricted communities.

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

Vice Mayor Caraballo asked staff to put on record who generates the ITE codes. Ms. Spriggs stated the City utilizes the ITE Trip Generation Manual provided by the U.S. Department of Transportation. She explained there is an opportunity for influence and for people to provide their studies and data, so the next Edition is more accurate.

Vice Mayor Caraballo agreed the age-restricted numbers do not speak the whole story, especially in an active adult community. She explained that until the U.S. DOT recognizes that, the Council does what they can to accelerate some of the obligations. She noted that in this particular MPUD application, several roads have been accelerated through the process.

Vice Mayor Caraballo indicated she would like the City Manager to respond to the questions and concerns regarding Discovery and Community. Mayor Martin stated she was at Valencia Grove recently where she addressed Discovery and Community. She explained GL Homes provided a traffic analysis to the Public Works Department regarding a future potential need for traffic signalization at Discovery and Community Blvd. She also discussed the significance of having the facts when incidents take place and looking at the data to determine the need for a traffic signal.

Mayor Martin stated the Council recognizes the importance of having the developers build the two-lane network and has provided direction to continue to negotiate those efforts. She indicated the issue here continues to be that one developer thinks they are not getting exactly what another developer is getting. Mayor Martin stated she will make the best decision based on the facts in front of her. She reiterated that anything regarding Community and Becker, although important, is outside of this conversation.

City Manager Merejo indicated staff will be more proactive in monitoring these roadway systems for any trigger that may show a signal is required in this location. Mayor Martin explained how they will use real time data and traffic counts as well as the information provided in the documents.

Councilman Bonna inquired as to when the age-restricted ITE code came into existence and if it existed when Parcel A and Parcel B were approved, to which Ms. Spriggs indicated she believed it was the 10th Edition. Councilman Bonna requested that the language and footnotes he requested earlier be provided to him before the vote.

Vice Mayor Caraballo explained that even if the language is silent, historically the City has operated a certain way with previous approvals of MPUD applications, which provides a precedent that has been created over time. Interim City Attorney Berrios, Council, and Ms. Spriggs spoke to precedence, Condition 17, and the timeline of the ITE Editions, age-restricted code, and approval of Parcels A, B, and C.

Attorney Angelos and Attorney Nicholas Gieseler with Bartlett, Loeb, Hinds, Thompson and Angelos, stated that based on the comments from this hearing and the previous hearing, they would like to put formal evidence and expert testimony on the record from their traffic expert. Attorney Gieseler questioned Bryan Kelley at this time, who stated he was a professional traffic engineer registered in the State of Florida and was sworn in for this hearing. Mr. Kelley stated he has 17 years of experience as a traffic engineer, performing work for a number of developments with GL Homes, public and private development work all over South Florida, traffic studies, and expert witness and public testimony such as this, with over 100 expert testimonies in court.

Mr. Kelley stated his role in the Riverland/Kennedy project was to provide a trip generation analysis based on the Development Order Resolution 21-07. He indicated he has done a number of different traffic studies for Riverland since 2020 and did a specific one for Parcel E. Mr. Kelley stated there was a lot of discussion today about the ITE, the Institute of Transportation Engineers, which is essentially the bible they all utilize when generating trips that have several different land uses as they have a significant number of studies. Mr. Kelley stated they looked into both the development order, resolution, and City code as far as how to apply those trip generation rates as well as the applicable tables within the development order as far as when those road triggers are met, which is based on the number of dwelling units or the PM peak hour trips, whichever is less. Mr. Kelley stated that based on his experience with this project and in other projects, he has used the ITE manual almost exclusively and is intimately familiar with its contents.

Attorney Gieseler stated there was a discussion previous to Mr. Kelley's testimony about the age-restricted land use code in the ITE manual. He

asked Mr. Kelley to correct the record and let the Council know when that was accepted by the ITE. Mr. Kelley explained he went through a bunch of old ITE's at their office to find the chronology of events. He stated to the best of his knowledge, it looks like the 7th Edition in 2005-2006 first introduced it. He indicated it had very limited sample studies, so it was not utilized much at that time. He stated it was not in the 6th Edition, but it was in the 8th Edition in 2008 and 9th Edition in 2012. He indicated both editions added more data and studies into the ITE, so it was more prominently used once the 8th and 9th Editions came out. Mr. Kelley explained he utilized the ITE 11th Edition when creating his traffic report and indicated 35 different age-restricted studies were performed in the 11th Edition for the PM peak hour, which was the trigger threshold in the development order, and utilized to come up with that trip generation rate.

Mr. Kelley stated in addition to the ITE standards, he has carried out his own studies that support the findings of the ITE. He explained a few years ago they looked at age-restricted, active adult communities in South Florida and Palm Beach County, which had counts at the driveways of these sites. He stated he believed there were seven or eight different traffic data and peak hour volumes at five different sites. He indicated the trip generation rates were almost identical to the ITE, as they were just slightly less. Mr. Kelley stated the ITE manual was used for the approval of Parcels A, B, C, and D for Riverland/Kennedy.

Mr. Kelley indicated he reviewed the development order and land development regulations for his testimony today. He stated the development order and land development regulations incorporate the ITE manual and require them to use the latest ITE 11th Edition with the proposed land use. Mr. Kelley indicated there was no distinction in the development order between GLs responsibilities for a two-lane and a four-lane network.

Attorney Gieseler asked Mr. Kelley to clarify, as Councilman Bonna has asked direct questions at both hearings, what GLs responsibilities are under the development order and what GL has done to make good on those responsibilities. Mr. Kelley stated the table within the development order shows a number of thresholds, based on the PM peak hour trips for the dwelling units and different roadway segments, for when the two-lanes, four-lanes, or six-lanes are triggered. He indicated GL Homes has advanced and accelerated several of the two-lane roadways, which probably has not been discussed enough. He stated as part of Parcel E approval and prior approvals, GL Homes will have built and will be responsible for 84% of the two-lane network at only 44% of the overall residential build-out, so they have accelerated it past the requirement in

their development order.

Attorney Gieseler asked why Mr. Kelley felt it was appropriate to use the age-restricted analysis when generating his traffic report. Mr. Kelley stated that as a professional traffic engineer, they must project trips to the best of their ability for that specific land use, whether it is a gas station, bank, assisted living facility, active adult community. He explained the age-restricted analysis is the most appropriate lane use within the ITE that is consistent with the Resolution Development Order and City Code.

Attorney Gieseler asked if Mr. Kelley had to use the Land Use Code in the ITE Manual that mostly tracks with the proposed development, to which Mr. Kelley responded in the affirmative and indicated ITE Land Use Code #251, Senior Adult Housing, Single Family, was utilized.

Attorney Gieseler asked Mr. Kelley, after reviewing the land development regulations, development order, and his traffic report, if the traffic analysis under this proposed project met all requirements of the development order and land development regulations, to which Mr. Kelley responded in the affirmative.

Councilman Bonna wanted to confirm the ITE Manual was used for Parcels A, B, C, and D. Teresa Lamar-Sarno indicated Staff was looking into it, as they had indicated an application was submitted in 2015. She stated Staff will get back to Council on this and the applicant has done some of the research. Mayor Martin added that the applicant has provided testimony to the fact.

Councilwoman Morgan stated that Mr. Kelley did his calculations to the best of his ability. She hoped that the Council would have future discussions regarding the monitoring of traffic and having the City obtain their own counts. Mayor Martin stated the Council has had discussions on how Pacer AI's real time data could be used for traffic analysis to compare to other methods of trip determinations and will continue the conversations in the future.

At this point, Attorney Angelos summarized and explained the quasi-judicial process, including the consideration of testimony and evidence, and referred to and read from Section 32.80(d)(1) of the City Code. She stated the evidence on record today consists of the application, development order, presentation by Staff, Staff's recommendation, with the finding under oath that this application is consistent with the comprehensive plan, the applicable zoning ordinances, and the development order. Attorney Angelos indicated, as customary, there was

a recommendation from the Planning and Zoning Board. She stated that under Florida Law that is enough for this applicant to meet its burden of competent substantial evidence on the record.

Attorney Angelos also discussed and explained Section 32.80(e), Conduct of a Hearing, of the City Code. She spoke to considering evidence, sitting as judges, and basing decisions solely on the evidence in the record. She stated there is no contrary evidence to the record in this case.

There being no further discussion, Vice Mayor Caraballo moved to approve Ordinance 24-32. Councilwoman Morgan seconded the motion.

Under discussion, Councilman Bonna explained he has not received testimony from Staff that allows him to say without doubt that criteria D was met. He indicated without those answers he will have to vote "no" today, based on the testimony and criteria D.

Vice Mayor Caraballo requested a roll-call vote.

Motion passed by roll call vote (4-1) to approve Ordinance 24-32, Quasi-Judicial, Public Hearing, an Ordinance Rezoning 658.21 Acres for Land Located North of Marshal Parkway, South of Discovery Way, East of Range Line Road, and West of N/S A, from St. Lucie County AG-5 Zoning to a Master Planned Unit Development (MPUD) (P22-311), with Councilman Bonna dissenting.

(Clerk's Note: Mayor Martin called for a break at 2:33 PM and the meeting resumed at 2:43 PM.)

9. Other Public Hearings

10. First Reading of Ordinances, Public Hearing

- 10.a** Ordinance 24-33, Public Hearing, Authorizing the  
Conveyance of a Drainage Easement to Wawa Florida, LLC.

[2024-518](#)

The City Clerk read Ordinance 24-33 aloud by title only.

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

There being no discussion, Councilman Pickett moved to approve Ordinance 24-33. Councilwoman Morgan seconded the motion, which passed unanimously by voice vote.

- 10.b** Ordinance 24-34, Public Hearing, an Amendment to

[2024-491](#)

Ordinance 22-70 of the City of Port St. Lucie, Florida, Amending the Name of FedEx Ground Package System, Inc. ("FedEx Ground") to Federal Express Corporation ("FedEx Corp.") due to a Company Merger. Providing an Ad Economic Development Ad Valorem Tax Exemption for the Property Located at 13701 SW Sansone Sr. Blvd., Port St. Lucie, Florida, to Encourage Economic Development within the City for the Expansion of an Existing Port St. Lucie Business.

The City Clerk read Ordinance 24-34 aloud by title only.

Mayor Martin and Councilman Pickett explained this was a housekeeping item, as FedEx merged into one company as of June 1, 2024.

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

There being no discussion, Vice Mayor Caraballo moved to approve Ordinance 24-34. Councilwoman Morgan seconded the motion, which passed unanimously by voice vote.

## 11. Resolutions

- 11.a** Resolution 24-R36, Authorizing the Acquisition of Real Property Described as Lot 11, Block 1447, Port St. Lucie Section Fifteen, as Recorded in Plat Book 13, Pages 6, 6A through 6E, of the Public Records of St. Lucie County, Florida, for the Port St. Lucie Boulevard South Improvements.

[2024-522](#)

The City Clerk read Resolution 24-R36 aloud by title only.

There being no discussion, Councilman Bonna moved to approve Resolution 24-R36. Councilman Pickett seconded the motion, which passed unanimously by voice vote.

## 12. Unfinished Business

There was no Unfinished Business to be heard.

## 13. New Business

There was no New Business to be heard.

## 14. City Manager's Report

City Manager Merejo reported on the Grand Opening of The Port that will be held on Saturday, June 15, 2024.

## 15. Councilmembers Report on Committee Assignments

Councilwoman Morgan reported that she attended the St. Lucie TPO Board meeting.

Councilman Pickett reported that he attended the Dave & Buster's ribbon cutting, St. Lucie TPO Board meeting, Treasure Coast Council of Local Governments meeting, and Roundtable of St. Lucie County.

Vice Mayor Caraballo reported the City welcomed the National League of Cities Roadshow to celebrate its 100th anniversary and stated she attended the Florida League of Cities Board of Directors and Nominating Committee meetings.

Councilman Bonna reported that he attended the National League of Cities Centennial Roadshow and he is wearing a purple tie today for Alzheimer's awareness.

Mayor Martin reported that she welcomed the National League of Cities Roadshow, attended Dave & Buster's grand opening, and visited The Kitty Cup cat cafe.

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 was adjourned at 2:50 PM.

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Sally Walsh, City Clerk

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Traci Mehl, Deputy City Clerk