

City of Port St. Lucie

City Council

Meeting Minutes - Final

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

Shannon Martin, Mayor

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

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Monday, September 27, 2021

7:00 PM

Council Chambers, City Hall

Meeting to follow the 6:30 PM Budget Hearing

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 27, 2021, at 7:02 p.m., at Port St. Lucie City Hall, 121 SW Port St. Lucie Boulevard, Port St. Lucie, Florida.

2. Roll Call

Council Members

Present:

Mayor Shannon Martin
Vice Mayor Jolien Caraballo
Councilwoman Stephanie Morgan
Councilman Dave Pickett

3. Invocation & Pledge of Allegiance

Mayor Martin previously led the assembly in the Pledge of Allegiance at the 5:00pm hearing.

4. Proclamations and Special Presentations

4.a Proclamation: Manufacturing Awareness Month

[2021-698](#)

Mayor Martin read the Proclamation aloud and presented it to Pete Tesch, President of the Economic Development Council of St. Lucie County. Mr. Tesch thanked the City Council and stated that 5% of the workforce is in manufacturing which is higher than the average percentage in the State of Florida, and that the County had 209

manufacturing establishments.

5. Public to be Heard

Richard Lawton spoke regarding his opinion on the failure of leadership for COVID-19 protocols.

6. Additions or Deletions to Agenda and Approval of Agenda

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

7. Approval of Consent Agenda

This item was Approved.

- 7.a** Approve Source Technologies LLC as a Sole Source to Provide Proprietary Chemicals and Services for the Treatment of Odors and Corrosion at Odor Scrubber Systems Located at Utility Lift Stations. [2021-747](#)

Vice Mayor Caraballo moved to approve the Consent Agenda. Councilman Pickett seconded the motion. The motion passed unanimously by voice vote.

- 7.b** Award Contract #20210004 for Swale Liner Maintenance in "Area A" with Aquatic Vegetation Control, Inc. [2021-751](#)

Vice Mayor Caraballo moved to approve the Consent Agenda. Councilman Pickett seconded the motion. The motion passed unanimously by voice vote.

- 7.c** Termination of Restrictive Covenant Executed by Sigurd Halvorsen and Janet Halvorsen with Respect to Lots 36 and 37, Block 57, Port St. Lucie Section Twenty-Five, and recorded in Official Records Book 1039, Page 1203, of the Public Records of St. Lucie County, Florida. [2021-787](#)

Vice Mayor Caraballo moved to approve the Consent Agenda. Councilman Pickett seconded the motion. The motion passed unanimously by voice vote.

- 7.d** Board Member Appointments to the Planning and Zoning Board [2021-794](#)

Vice Mayor Caraballo moved to approve the Consent Agenda. Councilman Pickett seconded the motion. The motion passed unanimously by voice vote.

- 7.e** Approve an Agreement Between the City of Port St. Lucie and the Economic Development Council of St. Lucie County [2021-725](#)

to Facilitate Economic Development and Related Services in the City of Port St. Lucie.

Vice Mayor Caraballo moved to approve the Consent Agenda. Councilman Pickett seconded the motion. The motion passed unanimously by voice vote.

- 7.f** Renew the Mutual Use Agreement with St. Lucie County School Board - Sportsman's Park Athletic Field Usage. [2021-783](#)

Vice Mayor Caraballo moved to approve the Consent Agenda. Councilman Pickett seconded the motion. The motion passed unanimously by voice vote.

- 7.g** Approve 2021 Fall Fun Fest Co-Produced Event License Agreement [2021-800](#)

Vice Mayor Caraballo moved to approve the Consent Agenda. Councilman Pickett seconded the motion. The motion passed unanimously by voice vote.

- 7.h** Approval of Compensation Package for FY 21-22 for Employees Whose Positions Are Not Represented by a Bargaining Unit. [2021-807](#)

Vice Mayor Caraballo moved to approve the Consent Agenda. Councilman Pickett seconded the motion. The motion passed unanimously by voice vote.

- 7.i** Approve a Minor Site Plan for Mattamy WG1/Emery Subdivision Model Home Park (P21-038) [2021-786](#)

Vice Mayor Caraballo moved to approve the Consent Agenda. Councilman Pickett seconded the motion. The motion passed unanimously by voice vote.

- 7.j** Approve a Waiver of Bid for Purchase of Materials for Naranja Area Sewer Improvements [2021-795](#)

Vice Mayor Caraballo moved to approve the Consent Agenda. Councilman Pickett seconded the motion. The motion passed unanimously by voice vote.

Councilwoman Morgan requested a Charter Review be completed as soon as possible for 7 d).

8. Second Reading of Ordinances, Public Hearings

- 8.a** Ordinance 21-90, Public Hearing, Authorizing the [2021-664](#)
Conveyance of Twenty-One (21) City-Owned Parcels as a
Component of a Settlement Agreement with 5T Wealth
Partners and Related to the City Center Project Acquisition,
and Authorizing the Vice Mayor, the City Manager, or Their
Designee, to Execute the Deed Transferring Said Real
Property.

The City Clerk read Ordinance 21-90 aloud by title only. Mayor Martin opened the Public Hearing and inquired as to if there was a presentation on the item, to which City Manager Blackburn responded that this was the last piece of the puzzle for the City to be able to satisfy the concerns and financial issues with the SEC receiver for the sale of the City Center property, and that they were in the final process of getting approval.

Mayor Martin asked if any member of the public wished to speak. There being no response, she closed the Public Hearing. Vice Mayor Caraballo moved to approve Ordinance 21-90. Councilman Pickett seconded the motion. The City Clerk restated the motion as follows: for approval of Ordinance 21-90. The motion passed unanimously by roll call vote.

- 8.b** Ordinance 21-91, Public Hearing, An Ordinance Approving [2021-697](#)
Utility Rate Increase for Water, Wastewater and Reclaimed
Water

The City Clerk read Ordinance 21-91 aloud by title only. Mayor Martin opened the Public Hearing and inquired as to if there was a presentation on the item, to which City Manager Blackburn responded in the negative. Mayor Martin asked if any member of the public wished to speak. There being no response, she closed the Public Hearing.

Councilwoman Morgan moved to approve Ordinance 21-91. Vice Mayor Caraballo seconded the motion. The City Clerk restated the motion as follows: for approval of Ordinance 21-91. The motion passed unanimously by roll call vote.

- 8.c** Ordinance 21-92, Public Hearing, Abandoning a Portion of a [2021-705](#)
Twenty (20) Foot Wide Utility and Drainage Easement
Affecting Lots 10, 11, and 12, Block 1704, Port St. Lucie
Section Thirty-One, According to the Plat Thereof, as
Recorded in Plat Book 14, Pages 22, 22A Through 22G, of the

Public Records of St. Lucie County, Florida.

The City Clerk read Ordinance 21-92 aloud by title only. Mayor Martin opened the Public Hearing and asked if any member of the public wished to speak. There being no response, she closed the Public Hearing. Vice Mayor Caraballo moved to approve Ordinance 21-92. Councilman Pickett seconded the motion. The City Clerk restated the motion as follows: for approval of Ordinance 21-92. The motion passed unanimously by roll call vote.

- 8.d** Ordinance 21-93, Public Hearing, Abandoning a Portion of a Twenty (20) Foot Wide Utility and Drainage Easement Affecting Lot 31, Block 2448, Port St. Lucie Section Thirty-Six, Recorded in Plat Book 15, Page(s) 11, 11A to 11D, of the Public Records of St. Lucie County, Florida.

[2021-706](#)

The City Clerk read Ordinance 21-93 aloud by title only. Mayor Martin opened the Public Hearing and asked if any member of the public wished to speak. There being no response, she closed the Public Hearing. Vice Mayor Caraballo moved to approve Ordinance 21-93. Councilman Pickett seconded the motion. The City Clerk restated the motion as follows: for approval of Ordinance 21-93. The motion passed unanimously by roll call vote.

- 8.e** Ordinance 21-94, Public Hearing, Authorizing the Conveyance of Approximately .43 Acres of Real Property Owned by the City and Described as Tract C, Becker Road Turnpike Interchange No. 1, According to Plat Book 56, Page 37, of the Public Records of St. Lucie County, Florida, to Walter Rodriguez in accordance with a Land Swap Agreement.

[2021-707](#)

The City Clerk read Ordinance 21-94 aloud by title only. Mayor Martin opened the Public Hearing, and City Manager Blackburn stated that there were concerns about the foundation and whether the permit should have been issued to begin with, and Mr. Rodriguez had agreed to swap the parcel for one that was an eighth of a mile away that was owned by the City. He stated that the staff believed that the best interest for the public would be to not have a parcel that has potential drainage issues and confusion with the Turnpike entrance.

Mayor Martin asked if any member of the public wished to speak. There being no response, she closed the Public Hearing. Councilman Pickett moved to approve Ordinance 21-94. Vice Mayor Caraballo seconded

the motion. The City Clerk restated the motion as follows: for approval of Ordinance 21-94. The motion passed unanimously by roll call vote.

- 8.f** Ordinance 21-95, Public Hearing, An Ordinance of the City Council of Port St. Lucie Approving Conveyance of Unplatted City Right of Way to ACR Acquisitions, LLC and Accepting Replacement City Right of Way from ACR Acquisitions, LLC. [2021-748](#)

The City Clerk read Ordinance 21-95 aloud by title only. Mayor Martin opened the Public Hearing and asked if any member of the public wished to speak. There being no response, she closed the Public Hearing. Vice Mayor Caraballo moved to approve Ordinance 21-95. Councilman Pickett seconded the motion. The City Clerk restated the motion as follows: for approval of Ordinance 21-95. The motion passed unanimously by roll call vote.

- 8.g** Ordinance 21-96, Public Hearing, An Ordinance of the City of Port St. Lucie, Florida, Calling for a Special Referendum Election to Renew the Economic Development Ad Valorem Tax Exemptions for Certain New Businesses and Certain Expansions to Existing Businesses; Providing for Ballot Language; Providing for Notice of Election; Providing for Delivery to the Supervisor of Elections; Providing for Severability; Providing for Conflicts; Providing for an Effective Date. [2021-782](#)

The City Clerk read Ordinance 21-96 aloud by title only. Mayor Martin opened the Public Hearing and inquired as to if there was a presentation on the item, to which City Manager Blackburn stated that it was time for the City of Port St. Lucie to look at an extension for another 10-year period, and that the Ordinance was proposing a referendum on the 7th of December coterminous with the Special Election to fill District 3. He stated that this tool would be critical to have in their economic development activities. Vice Mayor Caraballo asked if they were supposed to abstain from saying yay or nay in this situation and only provide information for the referendum, to which Attorney Stokes responded in the affirmative. Vice Mayor Caraballo stated that she would like to see the City Manager and Communications Department prepare information to educate the public, as well as calendars for the Districts regarding HOA meetings. City Manager Blackburn stated that they had developed a calendar, and it involved reaching out to community groups.

Mayor Martin stated that there was no ballot language about a Sunset,

and asked if it was something they could add, to which Attorney Stokes stated that although it was not required by Florida Statute, they could add it as long as it did not mislead. Mayor Martin stated that it should be added as it was an important piece of information.

Councilman Pickett stated that it was important that they all work together due to the short time frame, and that it was important to communicate with all of the City's community partners. Councilwoman Morgan stated that it would be very important for the EDC to be involved.

Mayor Martin asked if any member of the public wished to speak. There being no response, she closed the Public Hearing. Councilwoman Morgan moved to approve Ordinance 21-96, with the addition of the ten-year limitation added to the ballot language. Councilman Pickett seconded the motion. The City Clerk restated the motion as follows: for approval of Ordinance 21-96, with the addition of the ten-year limitation added to the ballot language. The motion passed unanimously by roll call vote.

9. Other Public Hearings

There was nothing scheduled for this item.

10. First Reading of Ordinances

There was nothing scheduled for this item.

11. Resolutions

- 11.a** Resolution 21-R114, Accepting the Conveyance of Real Property Owned by Walter Rodriguez and Described as Lot 25, Block 2447, Port St. Lucie Section Thirty-Four, as Recorded in Plat Book 15, Pages 9, 9A to 9W, of the Public Records of St. Lucie County, Florida, to the City and in Accordance with a Land Swap Agreement.

[2021-721](#)

The City Clerk read Resolution 21-R114 aloud by title only.

There being no discussion, Vice Mayor Caraballo moved to approve Resolution 21-R114. Councilman Pickett seconded the motion. The City Clerk restated the motion as follows: for approval of Resolution 21-R114. The motion passed unanimously by roll call vote.

- 11.b** Resolution 21-R115, A Resolution Approving Artwork Submitted by GRBK GHO Belterra, LLC in Connection with the Construction of The Belterra Phase One - Plat One

[2021-774](#)

Development (P21-015) and to Include Future Plat, Beltera
Phase 1 Plat 2

The City Clerk read Resolution 21-R115 aloud by title only.

Vice Mayor Caraballo requested additional landscaping, and Councilwoman Morgan stated that they should make it just a suggestion for additional landscaping to make sure the wording was correct. Chuck DeSanti of GHO Homes stated that he agreed and that they had a separate landscaping program and would be happy to work with staff.

There being no further discussion, Vice Mayor Caraballo moved to approve Resolution 21-R115, with additional landscaping. Councilman Pickett seconded the motion. The City Clerk restated the motion as follows: for approval of Resolution 21-R115, with additional landscaping. The motion passed unanimously by roll call vote.

- 11.c** Resolution 21-R116, A Resolution Approving the Preliminary and Final Plat for Riverland Parcel A - Plat One - Replat No. 1 (P20-229)

[2021-759](#)

The City Clerk read Resolution 21-R116 aloud by title only.

There being no discussion, Councilwoman Morgan moved to approve Resolution 21-R116. Councilman Pickett seconded the motion. The City Clerk restated the motion as follows: for approval of Resolution 21-R116. The motion passed unanimously by roll call vote.

- 11.d** Resolution 21-R117, A Resolution Approving the Preliminary and Final Subdivision Plat for Port St. Lucie Section 34, Replat of Tract C.

[2021-792](#)

The City Clerk read Resolution 21-R117 aloud by title only.

There being no discussion, Vice Mayor Caraballo moved to approve Resolution 21-R117. Councilwoman Morgan seconded the motion. The City Clerk restated the motion as follows: for approval of Resolution 21-R117. The motion passed unanimously by roll call vote.

- 11.e** Resolution 21-R118, Adoption of St. Lucie County Local Mitigation Strategy (LMS)

[2021-773](#)

The City Clerk read Resolution 21-R118 aloud by title only.

Emergency Management Director Billy Weinshank gave an overview of

a Local Mitigation Strategy, stating that it was a County Wide plan that identified hazards within the County and ways to avoid them, and that the City needed to adopt the LMS to be able to apply for grants. City Manager Blackburn asked if they had a grant lined up, to which Mr. Weinshank responded in the affirmative.

There being no further discussion, Councilwoman Morgan moved to approve Resolution 21-R118. Councilman Pickett seconded the motion. The City Clerk restated the motion as follows: for approval of Resolution 21-R118. The motion passed unanimously by roll call vote.

- 11.f** Resolution 21-R119, A Resolution Approving the Preliminary and Final Plat for Riverland Parcel A - Plat Eleven Replat (P20-231) [2021-791](#)

The City Clerk read Resolution 21-R119 aloud by title only.

There being no discussion, Vice Mayor Caraballo moved to approve Resolution 21-R119. Councilwoman Morgan seconded the motion. The City Clerk restated the motion as follows: for approval of Resolution 21-R119. The motion passed unanimously by roll call vote.

- 11.g** Resolution 21-R120, Deferring Implementation of City Ordinance 21-75, Mobility Plan and Mobility Fee, from October 1, 2021 to October 5, 2021. [2021-813](#)

The City Clerk read Resolution 21-R120 aloud by title only.

City Manager Blackburn stated that a question was raised on whether the Public Hearing had occurred, and that the staff believed that the City did have one, but in an abundance of caution they would be opening the hearing back up.

Vice Mayor Caraballo stated that she was glad that they would do this, but wanted to reiterate that it was not required and everything that was done abided by the law.

There being no further discussion, Vice Mayor Caraballo moved to approve Resolution 21-R120. Councilman Pickett seconded the motion. The City Clerk restated the motion as follows: for approval of Resolution 21-R120. The motion passed unanimously by roll call vote.

City Manager Blackburn stated that the timeline of the Mobility Plan would now start on October 5th, which was different from the last vote

of October 1st, and that he had provided a letter to County Administrator Tipton with an offer to continue collecting until October 4th. He added that the response he received had proposed a much longer period of time which was different than the policy direction that the Council had provided, and that his intent was to provide back a form for Mr. Tipton to sign if he chose to. City Manager Blackburn also stated that a memorandum was provided to the Mayor that proposed collecting Impact Fees through December 31st, to which Mayor Martin stated that she did review the letter, but that nothing would change her mind about the decisions that were already made. Vice Mayor Caraballo stated that it was prudent to offer a 4-day extension if that was the City Manager's pleasure, but she would not like to see a new draft agreement of any kind.

Mayor Martin stated that it was important to point out that even after the last conversation that City Manager Blackburn had in a meeting with Mr. Tipton, he still went back another time and proposed yet another offer that was more than fair, and it had been rejected again.

12. Unfinished Business

There was nothing scheduled for this item.

13. New Business

13.a Mural at Minsky Gym Public Art Project

[2021-688](#)

Stephen Mayer of Planning and Zoning gave a presentation for the project. (Clerk's Note: a PowerPoint Presentation was shown at this time.) Mr. Mayer stated that the Mural at Minsky Gym was a public art project that had a National Endowment for the Arts, and the NEA Challenge America Grant offered support for projects that extended the reach of the arts to underserved populations, and Port St. Lucie had been approved for the \$10,000 Grant. He stated that the purpose of the project was to create a 'City For All People' themed mural and recommended that the City Council move to recommend the selection of an artist from the Project Review Team final four ranking, or an alternate recommendation of selecting an artist from an amended top order. Mr. Mayer added that after the selection of artists, they would move forward with a Contract Agreement and a Public Workshop to gain Citizen's input on the final design, which was anticipated to be held in the Fall of this year.

Vice Mayor Caraballo stated that she would like to see the mural on a Parks and Recreation brochure because it was a beautiful piece of art.

Councilman Pickett asked if they had considered moving the palm trees away from the building because it would take away from the artwork, to which Deputy City Manager Teresa Lamar-Sarno responded in the affirmative.

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

- 13.b** Approve Second Amendment to the NUE Urban Concepts, LLC to Prepare Phase 2 of the Mobility Plan and Mobility Fee Study

[2021-788](#)

City Manager Blackburn stated that they had been working with NUE Urban Concepts on the Mobility Plan, and that the Development Plan had always anticipated more detailed project development in Phase 2, so they had adopted the Plan and the fee had been set, and Phase 2 would occur all of next year. Ms. Lamar-Sarno stated that it was anticipated that Phase 2 would include significant public outreach and a defined list of projects, and that staff had requested an additional scope of work from NUE Urban that would include an Implementation Plan.

There being no further discussion, Councilman Pickett moved to approve Item 13 b). Vice Mayor Caraballo seconded the motion, which passed unanimously by voice vote.

- 13.c** Request for an Attorney/Client Session with the City Council to Discuss Pending Litigation in the Matter of ACR Acquisition, LLC, a Delaware Limited Liability Company v. City of Port St. Lucie, a Florida Municipal Corporation and Riverland/Kennedy, LLP, Case No. 2015-CA-000337.

[2021-810](#)

Attorney Stokes stated that this was for the Becker Road Litigation and that they needed another Executive Session, so he needed to do a new ask, by law, to get approval so that it could be scheduled.

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

- 13.d** 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.

[2021-818](#)

Attorney Stokes stated that this was seeking injunctive relief and

authority of the Court to cover with other vendors.

There being no further discussion, Vice Mayor Caraballo moved to approve Item 13 d). Councilman Pickett seconded the motion, which passed unanimously by voice vote.

14. City Manager's Report

City Manager Blackburn announced that the National Parks and Recreation Association honored the City of Port St. Lucie as one of its top Health Award winners, and that the Mental Health conversation that they had last year was chosen as one of the top 4 winners. He also stated that the City's Parks and Recreation Department was chosen to be an Accredited Department in the PA, with there only being a handful of those in the State.

15. Councilmembers Report on Committee Assignments

Councilwoman Morgan – On September 15th she attended the Fire Board meeting, on September 17th she attended a Ribbon-Cutting at Jessica Clinton Park for the Born to Learn Trail where she also met the new President of the Cleveland Clinic, and on September 23rd to 25th she attended the Florida League of Cities Board of Directors meetings. She stated that Meet Up With Morgan would begin again, which was redesigned to be outside for social distancing, with the first one to be held on October 30th from 10:00am to 2:00pm at the Fall Fest, and that on November 10th she would be at the Saints 60th Anniversary. She also stated that they needed to give direction to the City Attorney to start the Charter Review sooner than later. Mayor Martin stated that she wanted to make sure that they were addressing items in the Charter that were problematic.

Councilman Pickett – He stated that last Friday his team did a Care Net Banquet.

Vice Mayor Caraballo – On September 15th she attended the Treasure Coast Regional League of Cities meeting, and she was also a Hibachi Chef for Friends in Pink, who raised over \$16,000 for Breast Cancer. On September 23rd to the 25th she attended the Florida Municipal Insurance Trust and the Board of Directors meeting with the Florida League of Cities, and on September 25th she attended the San Juan Festival at the MidFlorida Event Center.

Mayor Martin stated that the Solid Waste Task Force had received upwards of 30 applications so far, and that it would be discussed on October 11th. She asked that if there were any recommendations to let the City Manager know so that it could be put on the Agenda, and that October 8th is the cut-off date.

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

There was nothing heard under this item.

17. Adjourn

There being no further business, the meeting was adjourned at 8:09 p.m.

Sally Walsh, City Clerk

Jasmin De Freese, Deputy City Clerk