

City of Port St. Lucie

City Council

Meeting Minutes - Final

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

Shannon Martin, Vice Mayor, District III

Stephanie Morgan, Councilwoman, District I

Dave Pickett, Councilman, District II

Jolien Caraballo, Councilwoman, District IV

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Monday, September 13, 2021

7:00 PM

Council Chambers, City Hall

Meeting to follow the 6:30 PM Budget Hearing

1. Meeting Called to Order

A Regular & Virtual Meeting of the CITY COUNCIL of the City of Port St. Lucie was called to order by Vice Mayor Martin on September 13, 2021 at 7:30 p.m., at Port St. Lucie City Hall, 121 SW Port St. Lucie Boulevard, Port St. Lucie, Florida.

2. Roll Call

Council Members

Present:

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

3. Invocation & Pledge of Allegiance

(Clerk's Note: This was heard at the previous meeting.)

4. Proclamations and Special Presentations

4.a Proclamation: Childhood Cancer Awareness Month

[2021-737](#)

Vice Mayor Martin read the Proclamation & presented it to Jessica Jure.

5. Public to be Heard

Steven Carroll spoke regarding the Solid Waste Contract.

6. Additions or Deletions to Agenda and Approval of Agenda

Councilwoman Morgan moved to approve the Agenda with the tabling of Item 8K,

and the removal of Items 8H and 8J. Councilman Pickett seconded the motion, which passed unanimously by roll call vote.

7. Approval of Consent Agenda

Councilwoman Morgan moved to approve the Consent Agenda. Councilman Pickett seconded the motion, which passed unanimously by voice vote. Councilwoman Caraballo voiced that there were good things happening within the City.

7.a August 9, 2021 Regular Council Meeting Minutes [2021-757](#)

Councilwoman Morgan moved to approve the Consent Agenda. Councilman Pickett seconded the motion. The motion passed unanimously by voice vote.

7.b Award Contract #20210060 for the McCarty Ranch Extension [2021-700](#)

Water Quality Restoration Construction Project for Area #4.

Councilwoman Morgan moved to approve the Consent Agenda. Councilman Pickett seconded the motion. The motion passed unanimously by voice vote.

7.c Approval to Participate in the State of Florida Contract [2021-710](#)

#43220000-NASPO-19-ACS for Data Communication Products & Services.

Councilwoman Morgan moved to approve the Consent Agenda. Councilman Pickett seconded the motion. The motion passed unanimously by voice vote.

7.d Approval to Participate in the OMNIA Partners, Public Sector [2021-719](#)

Cooperative (Coop) Contract Issued by City of Mesa Under Contract #2018011 for Information Technology Solutions & Services with CDW-G Government, LLC.

Councilwoman Morgan moved to approve the Consent Agenda. Councilman Pickett seconded the motion. The motion passed unanimously by voice vote.

7.e Approve IRL Council Agency Cost-Share Agreement for [2021-720](#)

Elkcam Waterway

Councilwoman Morgan moved to approve the Consent Agenda. Councilman Pickett seconded the motion. The motion passed unanimously by voice vote.

7.f Approval to Participate in the Sourcewell Cooperative (Coop) [2021-728](#)

Contract #012320 for the Office Supply Catalog Solutions

with Staples Contract & Commercial LLC.

Councilwoman Morgan moved to approve the Consent Agenda. Councilman Pickett seconded the motion. The motion passed unanimously by voice vote.

- 7.g** Award Contract #20210019 for Electrical Connection of Retrofitted City Grinder Pump Systems with Aapex Electric, Inc. [2021-735](#)

Councilwoman Morgan moved to approve the Consent Agenda. Councilman Pickett seconded the motion. The motion passed unanimously by voice vote.

- 7.h** Approve an Agreement Between the Port St. Lucie City Council and the St. Lucie County Chamber of Commerce to Support Small Business Development in the City Through the Chamber of Commerce "Small Business Beginnings" Program. [2021-726](#)

Councilwoman Morgan 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 the Rivella at Tesoro Preserve Model Center (P21-093) [2021-703](#)

Councilwoman Morgan moved to approve the Consent Agenda. Councilman Pickett seconded the motion. The motion passed unanimously by voice vote.

- 7.j** Approve a Major Site Plan for University Boulevard Business Center at St. Lucie West (P21-117). [2021-732](#)

Councilwoman Morgan moved to approve the Consent Agenda. Councilman Pickett seconded the motion. The motion passed unanimously by voice vote.

- 7.k** Approve a Major Site Plan Amendment for Phoenix Gatlin Center (P14-136-A1). [2021-756](#)

Councilwoman Morgan moved to approve the Consent Agenda. Councilman Pickett seconded the motion. The motion passed unanimously by voice vote.

- 7.l** Approval to Participate in the OMNIA Partners, Public Sector Cooperative (Coop) Contract Issued by City of Mesa Under Contract #2017025 for Grounds Maintenance Equipment, [2021-729](#)

Parts, Accessories, Supplies, Related Services, and Equipment with The Toro Company.

Councilwoman Morgan moved to approve the Consent Agenda. Councilman Pickett seconded the motion. The motion passed unanimously by voice vote.

- 7.m** Approval to Participate in the St. Lucie County Contract #C20-10-767 for Roadway Resurfacing, Reconstruction and Preservation with Pavement Technology, Inc. [2021-733](#)

Councilwoman Morgan moved to approve the Consent Agenda. Councilman Pickett seconded the motion. The motion passed unanimously by voice vote.

- 7.n** Award Contract No. 20210075 Between the City of Port St. Lucie and Blue Cross Blue Shield of Florida, Inc. d/b/a Florida Blue for Healthcare Coverage [2021-304](#)

Councilwoman Morgan moved to approve the Consent Agenda. Councilman Pickett seconded the motion. The motion passed unanimously by voice vote.

- 7.o** Award Contract #20210028 for the Renovations-Rehab of Historic Structures at Westmoreland Park to New World Builders, Inc. [2021-743](#)

Councilwoman Morgan moved to approve the Consent Agenda. Councilman Pickett seconded the motion. The motion passed unanimously by voice vote.

Approval of the Consent Agenda

Councilwoman Morgan moved to approve the Consent Agenda. Councilman Pickett seconded the motion. The motion passed unanimously by voice vote.

8. Second Reading of Ordinances, Public Hearings

- 8.a** Ordinance 21-63, Public Hearing, An Ordinance Amending Title XV, "Land Usage", Chapter 158, "Zoning Code", Article XVII, "Appeals" of the Code of Ordinances of the City of Port St. Lucie (P21-099). [2021-512](#)

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

The Assistant City Clerk read Ordinance 21-63 aloud by title only. Vice Mayor Martin opened & closed the Public Hearing.

There being no discussion, Councilwoman Caraballo moved to approve Ordinance 21-63. Councilman Pickett seconded the motion. The Assistant City Clerk restated the motion as follows: for approval of Ordinance 21-63. The motion passed unanimously by roll call vote.

- 8.b** Ordinance 21-66, Public Hearing, An Ordinance Amending Title XV "Land Usage", Chapter 154, "Landscape and Land Clearing Code", Article I - Landscaping of the Code of Ordinances of the City of Port St. Lucie (P20- 050).

[2021-511](#)

The Assistant City Clerk read Ordinance 21-66 aloud by title only. Vice Mayor Martin opened the Public Hearing and asked if there was anyone else who wished to speak on the item, to which there was no one, therefore the Public Hearing closed.

There being no discussion, Councilman Pickett moved to approve Ordinance 21-66. Councilwoman Caraballo seconded the motion. The Assistant City Clerk restated the motion as follows: for approval of Ordinance 21-66. The motion passed unanimously by roll call vote.

- 8.c** Ordinance 21-75, Public Hearing, Amending the City of Port St. Lucie Code of Ordinances by Repealing Title XV, Chapter, 159, Article II, Entitled "Road Impact Fee Schedule" in its Entirety and Replacing Article II with a New Article II to be Entitled "Mobility Plan and Mobility Fee".

[2021-676](#)

(Clerk's Note: This item was heard after Item 11 c.)

The Assistant City Clerk read Ordinance 21-75 aloud by title only. The City Manager stated that mobility fees were an option to offset and mitigate the growth in the community. He clarified that the fees were to mitigate the impact of new growth and could not be used for maintenance of roadways. He said that during the process St. Lucie County had voiced concerns and the City evoked Chapter 164, therefore they were conducting Conflict Resolution Meetings. He stated that there is no resolution found in those meetings, the next step would be to have the City Council and the County Commission meet.

Nicki Van Vonno, Consultant, thanked the team for their hard work & stated that the mobility plan provided extensive data and analysis to support the adoption of the ordinance. She stated that according to a previous presentation from the Finance Director that by end of this fiscal year the City would have provided St. Lucie County close to \$17.7 million. She clarified that the impact fee credits would be honored, and

the City would need to complete new credit agreements (City or County) within 18 months with the developers. She stated that if warranted changes were needed which stem from the conflict meetings, the ordinance could be easily amended.

(Clerk's Note: A PowerPoint was shown at this time.) Jonathan Paul, NUE Urban Concepts, explained that the Mobility Plan had two phases, the first phase identifying corridors and intersections, and the second phase would contain more details. He stated that the mobility fee would ensure that the fees paid by new development would be spent in the City and would allow for matching funds. He went over the steps in developing the mobility plan/fee and added that the technical report was over 200 pages. He explained the miles of streets with their owners & stated that no County roads bisected the City. He explained the proposed corridor & intersection improvements. He stated that funds collected on behalf of the County by the City for Road Impacts as well as extending the half-cent sales tax could fund improvements. He stated that there was a significant need in the City today and over the next 20 years. He said that the mobility fee was fully mitigating the impact and the fee was structured to two assessment areas: east of the St. Lucie River and west of the river. He explained that the County was reviewing the fee calculation & the benefit areas and were updating their study. Councilwoman Caraballo inquired if counties and cities were working together to utilize mobility fees, to which Mr. Paul responded in the affirmative and gave examples.

Mr. Paul explained that the County had one benefit district which the County has advised that they were reviewing. He stated that 13% of travel occurred on County Roads, 73% occurred on City Roads and clarified that most of the impact fees in the City were generated east of I-95, and south of Midway Road as the area to the west had credit agreements. Upwards of 90% of fees generated from the City and remitted to the County occur in an area where the County traffic represented 10% of the travel and in the County's 5-year CIP for roadways, there was no capacity project. He said that the area of Paar to Becker Road on Port St. Lucie Boulevard had remitted \$17.7 million to the County, which would cover the remaining \$20 million for the road project. He said that his extremely detailed report showed all the data and the actual impacts. He informed the City Council that the six roads listed in the interlocal agreement made up 11% of the traffic today. He clarified that the ordinance included a provision which stated that the City would set aside a percentage of overall mobility fee revenue

collected to go towards funding County roadway improvements; the City would evaluate it on an annual basis to determine which roadways would receive funding and when the County was ready to move forward on that project, the City would remit its' share.

Vice Mayor Martin stated that this has been in process for more than one year and she was not in favor of postponing the item since the City was moving forward and were acting in good faith and were doing what was best for the City. She stated that the Budget Advisory Committee showed how unfairly the City was being treated by the County. She agreed to hold a percentage of the mobility fee revenue in escrow to be provided to the County and hoped that they could come to an agreement by November 1st. Councilwoman Morgan voiced her support to move forward with the Mobility Plan but had questions regarding the fee amounts. Mr. Paul clarified that the percentage was open in the ordinance because they were hoping to come to an agreement during the Conflict Resolution meetings. Councilwoman Morgan voiced she was concerned if the County charged a fee and the City charged a fee because it would be over \$12,000, to which Mr. Paul replied that if the County did charge the fee, developers could challenge it based off the data in the report. Vice Mayor Martin clarified that on October 1st, the City would implement mobility fees and would no longer collect the County's Impact fees. She stated that the City Manager had offered to hold 15%, out of the mobility fee revenues, in escrow for the County provided that the County and the City could come to an agreement by November 1st. Councilwoman Morgan inquired if there was flexibility with the 15%, to which the City Manager replied that Mr. Paul had provided a range from 5%-23.3% and he offered the County 15% in his proposal. Councilwoman Caraballo stated that she did not support holding a certain percentage in escrow since the percentage had to be based off state statute and wanted to ensure that the City was in line with those. Vice Mayor Martin stated that they needed a date certain since she felt that this process could be drawn out, to which Councilman Pickett agreed. Councilman Pickett added that the City Manager provided a proposal to the County and the County did not offer a counter proposal since they had to review the proposal. Councilwoman Caraballo voiced that she would support a percentage and a date as long as the percentage followed rational nexus, to which Vice Mayor Martin agreed.

Councilwoman Caraballo moved to approve Ordinance 21-75 , with 15% of the funds being held in escrow until November 1, 2021.

Councilman Pickett seconded the motion. Under discussion, the City Manager stated that the 15% may be adjusted based upon negotiations, to which the City Council agreed. The Assistant City Clerk restated the motion as follows: for approval of Ordinance 21-75 with the stated provisions. The motion passed unanimously by roll call vote.

(Clerk's Note: This item was reopened after Item 8 m.) Vice Mayor Martin read Ordinance 21-75 aloud by title only and opened the Public Hearing. She inquired if there was any member of the Public who wished to speak on the item to which there was no one, therefore the Public Hearing was closed. Councilwoman Caraballo moved to approve Ordinance 21-75 , with 15% of the funds being held in escrow until November 1, 2021. Councilman Pickett seconded the motion. The Assistant City Clerk restated the motion as follows: for approval of Ordinance 21-75 as stated. The motion passed unanimously by roll call vote.

- 8.d** Ordinance 21-77, Public Hearing, Abandoning a Portion of a [2021-654](#)
Twenty (20) foot Utility and Drainage Easement affecting Lot
32, Block 2642, Port St. Lucie Section Thirty-Nine, recorded in
Plat Book 15, Page(s) 30, 30A to 30NN, of the Public Records
of St. Lucie County, Florida.

The Assistant City Clerk read Ordinance 21-77 aloud by title only. Vice Mayor Martin opened the Public Hearing. Vice Mayor Martin inquired if there was any member of the Public who wished to speak on the item to which there was no one, therefore the Public Hearing was closed.

There being no discussion, Councilwoman Morgan moved to approve Ordinance 21-77. Councilman Pickett seconded the motion. The Assistant City Clerk restated the motion as follows: for approval of Ordinance 21-77. The motion passed unanimously by roll call vote.

- 8.e** Ordinance 21-78, Public Hearing, Abandoning a Portion of a [2021-656](#)
Twenty (20) foot Utility and Drainage Easement affecting Lot
26A, Block 603, Port St. Lucie Section Eighteen, recorded in
Plat Book 13, Page 17, of the Public Records of St. Lucie
County, Florida.

The Assistant City Clerk read Ordinance 21-78 aloud by title only. Vice Mayor Martin opened the Public Hearing. Vice Mayor Martin inquired if there was any member of the Public who wished to speak on the item to which there was no one, therefore the Public Hearing was closed.

There being no discussion, Councilwoman Caraballo moved to approve Ordinance 21-78. Councilwoman Morgan seconded the motion. The Assistant City Clerk restated the motion as follows: for approval of Ordinance 21-78. The motion passed unanimously by roll call vote.

- 8.f** Ordinance 21-79, Public Hearing, Abandoning a Portion of a [2021-657](#)
Twenty (20) foot Utility and Drainage Easement affecting Lot
18, Block 1695, Port St. Lucie Section Thirty-One, recorded in
Plat Book 14, Page(s) 22, 22A to 22G, of the Public Records of
St. Lucie County, Florida.

The Assistant City Clerk read Ordinance 21-79 aloud by title only. Vice Mayor Martin opened the Public Hearing and inquired if there was any member of the Public who wished to speak on the item to which there was no one, therefore the Public Hearing was closed.

There being no discussion, Councilwoman Caraballo moved to approve Ordinance 21-79. Councilman Pickett seconded the motion. The Assistant City Clerk restated the motion as follows: for approval of Ordinance 21-79. The motion passed unanimously by roll call vote.

- 8.g** Ordinance 21-80, Public Hearing, Authorizing the [2021-690](#)
Conveyance of Real Property Described as Lots 15 and 16,
Block 700, Port St. Lucie Section Eighteen, according to the
Plat thereof, as Recorded in Plat Book 13, Page 17 of the
Public Records of St. Lucie County, Florida, which was
Identified and Approved for Surplus on November 9, 2020.

The Assistant City Clerk read Ordinance 21-80 aloud by title only. Vice Mayor Martin opened the Public Hearing and inquired if there was any member of the Public who wished to speak on the item to which there was no one, therefore the Public Hearing was closed.

There being no discussion, Councilman Pickett moved to approve Ordinance 21-80. Councilwoman Morgan seconded the motion. The Assistant City Clerk restated the motion as follows: for approval of Ordinance 21-80. The motion passed unanimously by roll call vote.

- 8.h** Ordinance 21-81, Public Hearing, Authorizing the [2021-691](#)
Conveyance of Real Property Described as Lot 6, Block 12,
River Point PUD First Replat, according to the plat thereof, as
recorded in Plat Book 41, Page 21 of the Public Records of St.
Lucie County, Florida, which was Identified and Approved for
Surplus on April 26, 2021.

(Clerk's Note: This item was removed.)

- 8.i** Ordinance 21-82, Public Hearing, Authorizing the [2021-692](#)
Conveyance of Real Property Described as Lot 17, Block 12,
River Point PUD First Replat, According to the Plat thereof, as
Recorded in Plat Book 41, Page 21 of the Public Records of
St. Lucie County, which was Identified and Approved for
Surplus on April 26, 2021.

The Assistant City Clerk read Ordinance 21-82 aloud by title only. Vice Mayor Martin opened the Public Hearing and inquired if there was any member of the Public who wished to speak on the item to which there was no one, therefore the Public Hearing was closed.

There being no discussion, Councilwoman Morgan moved to approve Ordinance 21-82. Councilman Pickett seconded the motion. The Assistant City Clerk restated the motion as follows: for approval of Ordinance 21-82. The motion passed unanimously by roll call vote.

- 8.j** Ordinance 21-83, Public Hearing, Authorizing the [2021-693](#)
Conveyance of Real Property Described as Lot 3, Block 12,
River Point PUD First Replat, According to the Plat Thereof,
as Recorded in Plat Book 41, Page 21 of the Public Records of
St. Lucie County, Florida, which was Identified and Approved
for Surplus on April 26, 2021.

(Clerk's Note: This item was removed.)

- 8.k** Ordinance 21-84, Public Hearing, An Ordinance Amending [2021-677](#)
the Comprehensive Plan to Provide a Small-Scale Map
Amendment to The Future Land Use Element on Behalf of St.
Andrew's Park Commercial, LLC (P21-142).

(Clerk's Note: This item was tabled to an unspecified date.)

- 8.l** Ordinance 21-85, Quasi-Judicial Hearing, An Ordinance to [2021-685](#)
Rezone Three (3) Acres of Property Located West of NW East
Torino Parkway and South of NW Conley Drive, From I
(Institutional) to the PUD (Planned Unit Development)
Zoning District and to Amend the Existing Torino Lakes PUD
for a Project Known as Torino Lakes II Rezoning and PUD
Amendment (P21-021).

The City Attorney read the Quasi-Judicial Procedures into the record for Items 8 l) & 8 m). The Assistant City Clerk administered the Oath of

Testimony to staff and other interested parties. The Assistant City Clerk read Ordinance 21-85 aloud by title only.

(Clerk's Note: A PowerPoint was shown at this time.) Stephen Mayer, Planner III, stated that the property was vacant and showed an aerial and explained the zoning, future land use and the PUD Conceptual Plan. He added that they were proposing to rezone the property and add 34 units. He stated that it was consistent with the Comp Plan and the Site Plan Review Committee & the Planning & Zoning Board both had recommended approval. (Clerk's Note: The applicant was available for a presentation.)

Vice Mayor Martin opened the Public Hearing and inquired if there was any member of the Public who wished to speak on the item to which there was no one, therefore the Public Hearing was closed. There being no further discussion, Councilwoman Morgan moved to approve Ordinance 21-85. Councilwoman Caraballo seconded the motion. The Assistant City Clerk restated the motion as follows: for approval of Ordinance 21-85. The motion passed unanimously by roll call vote.

(Clerk's Note: The City Council and City Manager welcomed Mr. Mayer to the City's Team.)

- 8.m** Ordinance 21-86, Quasi-Judicial Hearing, An Ordinance to Rezone 27 Acres of Property Located South of SW Discovery Way, East of SW Community Boulevard, North of E/W 2 Road Right-Of-Way, and West of SW Village Parkway From the Zoning Designation of AG-5 (SLC Agricultural-5) to the City's MPUD (Master Planned Unit Development) Zoning District; to Include the 27 Acres in the Mattamy Palm Beach @ Southern Grove 3 MPUD; and to Amend 138 Acres of the Existing Mattamy Palm Beach @ Southern Grove 3 MPUD, for a Project Known as Mattamy Palm Beach @ Southern Grove 3 Rezoning and MPUD Amendment No. 1 (P20-066).

[2021-687](#)

The Assistant City Clerk read Ordinance 21-86 aloud by title only.

(Clerk's Note: A PowerPoint was shown at this time.) Ms. Kean stated that she had been sworn in and added that the official file was submitted to the City Clerk's Office 5 days before the meeting and requested that it be entered into the record. She explained that the item was proposing to rezone 27 acres of property and amend the Mattamy Palm Beach at Southern Grove MPUD. She stated that the property

was located in the Southern Grove DRI, south of SW Discovery Way, west of SW Village Parkway, east of Community Boulevard, and north of E-W 2 right-of-way. She explained the future land use and the revised development program with conceptual plans. She stated that it was consistent with the Comp Plan and the Planning & Zoning Board had recommended approval.

Vice Mayor Martin opened the Public Hearing and inquired if there was any member of the Public who wished to speak on the item to which there was no one, therefore the Public Hearing was closed. There being no further discussion, Councilwoman Morgan moved to approve Ordinance 21-86. Councilwoman Caraballo seconded the motion. The Assistant City Clerk restated the motion as follows: for approval of Ordinance 21-86. The motion passed unanimously by roll call vote.

A break was called at 10:03 p.m., and the meeting resumed at 10:09 p.m.

(Clerk's Note: At this time the Vice Mayor Martin reopened Item 8 c.)

- 8.n** Ordinance 21-87, Public Hearing, Abandoning a Portion of a Twenty (20) Foot Utility and Drainage Easement Affecting Lot 15, Block 2263, Port St. Lucie Section Thirty-Three, Recorded in Plat Book 15, Page 1, of the Public Records of St. Lucie County, Florida.

[2021-658](#)

The Assistant City Clerk read Ordinance 21-87 aloud by title only.

Vice Mayor Martin opened the Public Hearing and inquired if there was any member of the Public who wished to speak on the item to which there was no one, therefore the Public Hearing was closed. There being no further discussion, Councilwoman Morgan moved to approve Ordinance 21-87. Councilman Pickett seconded the motion. The Assistant City Clerk restated the motion as follows: for approval of Ordinance 21-87. The motion passed unanimously by roll call vote.

9. Other Public Hearings

There was nothing scheduled under this item.

10. First Reading of Ordinances

- 10.a** Ordinance 21-90, Authorizing the Conveyance of Twenty-One (21) City-Owned Parcels as a Component of a Settlement Agreement with 5T Wealth Partners and Related

[2021-664](#)

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 Assistant City Clerk read Ordinance 21-90 aloud by title only. The City Manager stated that 5T Wealth purchased tax certificates for City Center which was necessary for the sale to occur. He said that the City was trading, 5T Wealth, 21 parcels totaling \$3 million for paying the tax certificates. He thanked the team and the Taxing Authorities for achieving this agreement.

There being no further discussion, Councilwoman Caraballo moved to approve Ordinance 21-90. Councilman Pickett seconded the motion, which passed unanimously by voice vote.

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

The Assistant City Clerk read Ordinance 21-91 aloud by title only. There being no discussion, Councilwoman Morgan moved to approve Ordinance 21-91. Councilwoman Caraballo seconded the motion, which passed unanimously by voice vote.

- 10.c** Ordinance 21-92, Abandoning a Portion of a 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. [2021-705](#)

The Assistant City Clerk read Ordinance 21-92 aloud by title only. Councilman Pickett moved to approve Ordinance 21-92. Councilwoman Caraballo seconded the motion, which passed unanimously by voice vote.

- 10.d** Ordinance 21-93, 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 Assistant City Clerk read Ordinance 21-93 aloud by title only. Vice Mayor Martin opened the Public Hearing and inquired if there was any member of the Public who wished to speak on the item to which there was no one, therefore the Public Hearing was closed. There being no

discussion, Councilwoman Caraballo moved to approve Ordinance 21-93. Councilman Pickett seconded the motion, which passed unanimously by voice vote.

- 10.e** Ordinance 21-94, 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 Assistant City Clerk read Ordinance 21-94 aloud by title only. The City Manager stated that staff supplied a map. He informed the City Council that one property may have impacts to the surrounding areas & it was in the best interest of the community to complete a parcel swap. Vice Mayor Martin opened the Public Hearing, Stefanie Beskovoyne Deputy Director Utility Legal Affairs, stated that Mr. Rodriguez was available if the City Council had any questions. There being no public to be heard, the Public Hearing was closed. There being no discussion, Councilman Pickett moved to approve Ordinance 21-94. Councilwoman Caraballo seconded the motion, which passed unanimously by voice vote.

- 10.f** Ordinance 21-95, 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 Assistant City Clerk read Ordinance 21-95 aloud by title only. Vice Mayor Martin opened the Public Hearing and inquired if there was any member of the Public who wished to speak on the item to which there was no one, therefore the Public Hearing was closed. There being no discussion, Councilwoman Caraballo moved to approve Ordinance 21-95. Councilwoman Morgan seconded the motion, which passed unanimously by voice vote.

11. Resolutions

- 11.a** Resolution 21-R108, Authorizing the City Manager, or His
Designee, to Enter Into and Execute a License Agreement
Between the State of Florida Department of Transportation
and the City of Port St. Lucie to Facilitate the Removal of
Sidewalk on City-owned Property.

[2021-592](#)

The Assistant City Clerk read Resolution 21-R108 aloud by title only.

Vice Mayor Martin inquired if this item was proposing to remove to sidewalk on Port St. Lucie Boulevard South for the new project, to which the City Manager responded in the affirmative.

There being no further discussion, Councilwoman Morgan moved to approve Resolution 21-R108. Councilwoman Caraballo seconded the motion. The Assistant City Clerk restated the motion as follows: for approval of Resolution 21-R108. The motion passed unanimously by roll call vote.

- 11.b** Resolution 21-R109, A Resolution of the City Council of the City of Port St. Lucie, Florida, Authorizing the Vice Mayor to Enter into an Interlocal Agreement Between St. Lucie County and the City of Port St. Lucie, for Maintenance of a Roundabout at the Gilson Road and Becker Road Intersection.

[2021-718](#)

The Assistant City Clerk read Resolution 21-R109 aloud by title only. Vice Mayor Martin stated that this item was in relation to the future roundabout.

There being no discussion, Councilwoman Morgan moved to approve Resolution 21-R109. Councilman Pickett seconded the motion. The Assistant City Clerk restated the motion as follows: for approval of Resolution 21-R109. The motion passed unanimously by roll call vote.

- 11.c** Resolution 21-R110, Public Hearing, A Resolution of the City of Port St. Lucie, Florida, Relating to the Collection and Disposal of Solid Waste Within the City of Port St. Lucie; Re-Imposing Solid Waste Service Assessments Against Assessed Property Located Within Port St. Lucie, Florida, for the Fiscal Year Beginning October 1, 2021; Approving the Rate of Assessment; Approving the Assessment Roll; and Providing an Effective Date.

[2021-736](#)

(Clerk's Note: This item was heard after Item 7.)

The Assistant City Clerk read Resolution 21-R110 aloud by title only. Vice Mayor Martin opened the Public Hearing. The City Manager explained that the City contracted the Solid Waste service and levied the assessment. He said that the assessment was built in and occurred every two years as a cost of living. He explained that it did not pertain to the quality of service since it was a contractual obligation. He stated that an idea brought up by Councilwoman Morgan was to use the

money collected from the Solid Waste Fines (which were levied because of poor service) to pay for the increase. Councilman Pickett inquired if that would be legal, to which the City Attorney responded in the affirmative.

(Clerk's Note: A PowerPoint was shown at this time.) Irene Sorensen, Assessment & Property Tax Manager, explained that the proposed rate adjustment was for \$2.82 per single-family home that receives service or 1.3 cents per service. She stated that from 2012-2018 the rate did not increase and within the last 15 years the monthly cost of service increase was \$3.17. The City Manager clarified that Ms. Sorensen's figures did not take into account the fact that the increase may come out of the fines, meaning the rate for the residents would be \$281.92. Councilwoman Caraballo inquired if there would be an increase next year, to which Ms. Sorensen replied that there would be no increase added on, but the rate would be \$284.74.

Vice Mayor Martin entered all emailed Public to Be Heard comments into the record.

Keith Monroe spoke in opposition of the Solid Waste Assessment.

Jack Clark urged for solutions to the WastePro issues and hoped that the increase does not affect the residents.

Steven Carroll urged the City Council to solve the WastePro issues.

The City Manager explained that garbage was picked up two times a week, recycling, bulky items & yard waste were picked up once a week with unrestricted service for residents. He stated that since the beginning of the pandemic, services had declined, and the City had been working with WastePro to improve services. He informed the Public that the City can fine WastePro for missed or incomplete routes, and the fines were in excess of \$1 million for the year. He stated that Public Works would create 15 crews to collect yard waste until WastePro was able to fulfill the service on a regular basis. Vice Mayor Martin stated that there was a new Division Manager for WastePro who had met with City Staff.

The City Attorney stated that WastePro was going to evoke the force majeure clause in the contract but on numerous occasions WastePro had informed the City that the issue has been a personnel/employment

retainment issue, which was excluded from the force majeure clause in the WastePro contract. Therefore, Legal was submitting a complaint to the Circuit Court. He added that the City was maintaining personal records for the Public Works crews and would be asserting that into the complaint as chargeable to WastePro.

The City Council voiced that they dedicated most of their time to WastePro complaints and were making them a priority but reminded that Public that they were also City residents and were experiencing the same issues. Councilwoman Morgan inquired about the WastePro Strategic Plan, to which Vice Mayor Martin stated that their timeline did not meet the needs of the City. She added that the City would be creating a Solid Waste Task Force which would be discussed at the Special City Council September 20, 2021 meeting. She explained that the City had the lowest solid waste rates in the state for a city of 200,000+ residents; benchmarking studies showed that the lowest annual rates were \$350-700 per resident per year. She added that other contracts may also impose restrictive services.

Councilman Pickett and Councilwoman Morgan felt that communication needed to be improved and it was the consensus of the City Council to have the City Manager, in conjunction with WastePro, send a letter to all residents to inform them of the issues; the mailing is to be funded with the money received from WastePro fines.

There being no further discussion, Councilwoman Morgan moved to amend the original Resolution and to approve Resolution 21-R110. Councilwoman Caraballo seconded the motion. The Assistant City Clerk restated the motion as follows: for approval of Resolution 21-R110. The motion passed unanimously by roll call vote.

A break was called at 8:38 p.m., and the meeting resumed at 8:40 p.m.

- 11.d** Resolution 21-R111, A Resolution Approving the Preliminary and Final Plat with Construction Plans for Riverland Parcel B - Plat One (P21-094)

[2021-680](#)

The Assistant City Clerk read Resolution 21-R111 aloud by title only.

There being no discussion, Councilwoman Caraballo moved to approve Resolution 21-R111. Councilman Pickett seconded the motion. The Assistant City Clerk restated the motion as follows: for approval of Resolution 21-R111. The motion passed unanimously by roll call vote.

- 11.e** Resolution 21-R112, A Resolution of the City of Port St. Lucie, Florida, Relating to the Levy of Special Assessments Against the Lands and Real Estate Within the City That Are Specially Benefitted By Certain Stormwater, Roadway, Water and Wastewater Improvements and Which Are In an Area Known as the Southwest Annexation Special Assessment District No. 1; Adopting and Approving the Revised and Updated Assessment Roll With Respect to Such Special Assessments; Providing for Severability; Providing an Effective Date. [2021-746](#)

The Assistant City Clerk read Resolution 21-R112 aloud by title only.

There being no discussion, Councilwoman Caraballo moved to approve Resolution 21-R112. Councilwoman Morgan seconded the motion. The Assistant City Clerk restated the motion as follows: for approval of Resolution 21-R112. The motion passed unanimously by roll call vote.

- 11.f** Resolution 21-R113, A Resolution Approving the Preliminary and Final Plat for Telaro at Southern Grove Plat No. 2. (P21-108) [2021-681](#)

The Assistant City Clerk read Resolution 21-R113 aloud by title only.

There being no discussion, Councilwoman Caraballo moved to approve Resolution 21-R113. Councilman Pickett seconded the motion. The Assistant City Clerk restated the motion as follows: for approval of Resolution 21-R113. The motion passed unanimously by roll call vote.

12. Unfinished Business

There was nothing scheduled under this item.

13. New Business

- 13.a** Approval of One (1) Year Agreement Between the City Of Port St. Lucie and the Federation of Public Employees (FOPE) Bargaining Unit [2021-752](#)

The City Manager stated that three, one-year, bargaining agreements were under Item 13 and staff could provide a presentation if needed.

There being no discussion, Councilwoman Caraballo moved to approve Item 13 a.). Councilman Pickett seconded the motion, which passed unanimously by roll call vote.

- 13.b** Approval of a One (1) Year Agreement Between the City Of [2021-753](#)

Port St. Lucie and the Government Supervisors Association of Florida, OPEIU, Local 100, Professional Employees Bargaining Unit

There being no discussion, Councilman Pickett moved to approve Item 13 b.). Councilwoman Morgan seconded the motion, which passed unanimously by roll call vote.

- 13.c** Approval of a One (1) Year Agreement Between the City of Port St. Lucie and the Government Supervisors Association of Florida, OPEIU, Local 100, Supervisor Employees Bargaining Unit

[2021-754](#)

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

14. City Manager's Report

The City Manager stated that the City was continuing to have COVID vaccines every Friday. He stated that the City would be reallocating crews to assist WastePro.

15. Councilmembers Report on Committee Assignments

Councilwoman Morgan- She stated that she attended the ribbon cutting of Ardie R. Copas Nursing Home, Wished a Happy 104th Birthday to Dottie Wing on September 2nd, and she attend the 9/11 Memorials at Clover Park, MidFlorida Event Center and Ft. Pierce's CeeCee Lyles Memorial.

Councilman Pickett- He spoke at the Veteran's Center for Excellence & attended the 9/11 Memorial at MidFlorida Event Center. He requested that there be COVID-19 testing sites within the City.

Councilwoman Caraballo- She attend a delegation meeting on September 8th, the Jobs Express Ribbon Cutting, and attend the 9/11 Memorial at MidFlorida Event Center.

Vice Mayor Martin- She welcomed the 11th City University class. She attended the Port St. Lucie Boulevard South Public Meeting, the Jobs Express Ribbon Cutting, the ribbon cutting of Ardie R. Copas Nursing Home and attended the 9/11 Memorial at MidFlorida Event Center.

- 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 9:00 p.m.

Bryan Pankhurst, Assistant City Clerk

Shanna Donleavy, Deputy City Clerk