

City of Port St. Lucie

City Council

Meeting Minutes

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

Gregory J. Oravec, Mayor

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

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

Monday, September 28, 2020

7:00 PM

Council Chambers, City Hall

Meeting to follow 6:30 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 Mayor Oravec on September 28, 2020, at 6:53 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 Gregory J. Oravec
Vice Mayor Shannon Martin
Councilwoman Jolien Caraballo
Councilman John Carvelli (virtual)
Councilwoman Stephanie Morgan

3. Invocation & Pledge of Allegiance

Said at the GFC meeting.

4. Proclamations and Special Presentations

- 4.a** Proclamation celebrating the 40th Ruby Jubilee Anniversary
of the Port St. Lucie Business Women

[2020-781](#)

Mayor Oravec read the Proclamation and proclaimed September 30,

2020 the 40th Ruby Jubilee Anniversary of the Port St. Lucie Business Women. Donna McDemarchi, President of Port St. Lucie Business Women accepted the Proclamation and thanked the City Council for their partnership and for the opportunity for the brick paver project.

4.b Proclamation for Manufacturing Awareness Month [2020-782](#)

Mayor Oravec read the Proclamation and proclaimed October 2, 2020, National Manufacturing Day, as well as the month of October as Manufacturing Awareness Month. Jerry Jacques explained that they advocated for the training of existing manufacturers as well as potential new employees. He thanked the members of the TCMA and the City Council.

5. Public to be Heard

Sal DeGregorio informed the City Council that the 19th Hole Staff was worried about losing their jobs and they hoped that the City Council would find a resolution for the ownership issue. (Clerk's Note: The City Council could not accept the handout from Mr. DeGregorio due to the cone of silence.)

Marie Falaise stated that she had questions about her tax bill. Mayor Oravec requested that Assistant City Manager Graham and Jeff Snyder, CFO, explain her tax bill to her.

Mayor Oravec requested a one-page sheet with the 19th Hole RFP/DemandStar information to post on social media.

6. Additions or Deletions to Agenda and Approval of Agenda

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

7. Approval of Consent Agenda

Vice Mayor Martin moved to approve the Consent Agenda. Councilman Carvelli seconded the motion. Mayor Oravec stated that the Major Site Plan for Thompson Thrift at Southern Grove was a "neat product". He stated the Major Site Plan for the St. Lucie West Industrial District meant that there would be another warehouse, which would create more jobs. He thanked the State of Florida for the \$200,000 grant which would be used for Winterlakes Park. The motion passed unanimously by voice vote.

7.a Approve FY 2019-2020 Expenditure of Police Forfeiture Funds [2020-722](#)

7.b Award Contract #20200085 for Supply of Coquina Rock. [2020-662](#)

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|------------|--|---------------------------------|
| 7.c | Approval to Participate in the State of Florida Contract #31160000-20-NASPO-ACS for the Purchase of Facilities Maintenance, Repair, and Operations (MRO) and Industrial Supplies with W.W. Grainger Inc., MSC Industrial Supply Company and Fastenal Company. | <u>2020-704</u> |
| 7.d | Approve Re-Appointment of Contractor Examining Board Member | <u>2020-736</u> |
| 7.e | Approve a Major Site Plan for Thompson Thrift at Southern Grove (P20-057) | <u>2020-726</u> |
| 7.f | Ratify Emergency Expenditures for Sanitizing & Disinfecting Services by Paul Davis Restoration & Remodeling of the Treasure Coast. | <u>2020-682</u> |
| 7.g | Ratify Emergency Expenditures for Personal Protective Equipment (PPE) from Manta Marketing I, LLC. | <u>2020-727</u> |
| 7.h | Approve a Major Site Plan for SLW Lot I-37 (P20-091) | <u>2020-697</u> |
| 7.i | Approve Major Site Plan Amendment for Verano Pod A Model Row Racquet Club (P20-027-A1) | <u>2020-742</u> |
| 7.j | Discuss and approve the Election Polling Site Guide for the 2020 General Election | <u>2020-737</u> |
| 7.k | Motion: Termination of Restrictive Covenant #356, Executed by Lisa A. Piver and Andrew F. Piver, with respect to Lots 16 and 17, Block 1294, Port St. Lucie Section Twelve, and Recorded in Official Records Book 1458, Page 2621, Public Records of St. Lucie County. | <u>2020-725</u> |
| 7.l | Approve 2020 Fall Fun Fest Event License Agreement | <u>2020-730</u> |
| 7.m | Approve a Major Site Plan for Baron Shoppes at Tradition (P20-004) | <u>2020-721</u> |
| 7.n | Acceptance of a Florida Recreation Development Assistance Grant for Winterlakes Phase II | <u>2020-770</u> |

Approval of the Consent Agenda

The Consent Agenda was approved.

8. Second Reading, Public Hearing of Ordinances

There was nothing scheduled for this item.

9. Other Public Hearings

There was nothing scheduled for this item.

10. First Reading of Ordinances

- 10.a** Ordinance 20-51, An Ordinance Approving the Release of the Reverter Clause and Waiving Compliance with the Post-Closing Employment and Development Covenants Applicable to White Aluminum Fabrication.

[2020-735](#)

The City Clerk read Ordinance 20-51 aloud by title only. The City Manager stated that the item was continued from the last meeting. Elijah Wooten, Business Navigator, explained that the item was a request from White Aluminum to waive the post-closing employment and development covenants. He stated that in 2008 the City conveyed the property in exchange for job creations, and White Aluminum had paid for pre-development costs and the improvements to the site but due to the recession they did not build a building. He explained that the Reverter Clause was not triggered because a Building Permit was not pulled. He stated that Total Truck Parts was a business that had been in the County for 30 years with 6 locations and 106 employees and they were interested in building a 46,000 square foot distribution facility on the White Aluminum Site. He added that they were not interested in buying the property with the Reverter Clause and Post-Closing Covenants. He stated that the property's sale price was \$630,000. He informed the City Council that if the property was sold to Total Truck and the City waived the Reverter Clause and Post-Closing Covenants, White Aluminum Fabrication would agree to pay \$108,733 to the City. He said that the City would agree to waive the \$260,000 employment penalty to White Aluminum.

Mayor Oravec inquired as to how the City would get the property back if they did not agree to this deal, to which the City Attorney replied that if it was not approved, they would be at a "stalemate." He stated that White Aluminum could build the building that was promised or sell the property with the Reverter Clause attached which would make it not marketable. He said that the Reverter Clause would not be triggered until a Building Permit was pulled, therefore if White Aluminum never built on the property the land would be vacant and would pull in low taxes. Councilman Carvelli inquired if it was different than the previously approved A&G Pool item, to which the City Attorney replied that in the past the City Manager signed off on releasing the Reverter's

or it was completed by Resolution. Councilman Carvelli stated that the City voted to release the A&G Pool Reverter and he would support this item to create jobs and to receive higher taxes. Councilwoman Caraballo stated that the deed was based upon the total build out, to which the City Attorney concurred and added that Total Trucks did not want to buy the property with a cloud over the title. He stated that the Reverter was established to ensure that a building was to be built which would happen with Total Trucks. Councilwoman Caraballo stated the past City Council had approved the A&G Pool Reverter to allow it to be sold and she would approve this item. Councilwoman Morgan stated that she welcomed Total Trucks into the City but felt that the City was taken advantage of by White Aluminum. She stated that expenses and the deductions that White Aluminum claimed were all tax deductible. She said that with regard to A&G Pool the item was to approve the assignment of the Purchase and Sale Agreement which was different than this item. She voiced her disappointment with White Aluminum. Vice Mayor Martin voiced that she was glad that they were moving forward with the item. Councilman Carvelli requested an analysis on other properties with this type of situation. Mayor Oravec responded that it was a great opportunity for management on contracts and agreements. He stated that the City gave the property to White Aluminum to build a building which was not built and felt that they should give the property back. He felt that the City Council could best serve the people of the City by welcoming Total Trucks.

There being no further discussion, Vice Mayor Martin moved to approve Ordinance 20-51. Councilman Carvelli seconded the motion, which passed unanimously by roll call vote.

- 10.b** Ordinance 20-52, An Ordinance of the City of Port St. Lucie repealing and replacing Chapter 150, Building Regulations, Article I, Administration of the City's Code of Ordinances adopting the 2020 edition of the Florida Building Code with certain administrative amendments, establishing a City Construction Board of Adjustments and Appeals, setting forth procedures for declaring structures unsafe, and proposing a reduction in the permit fee schedule.

[2020-681](#)

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

The City Clerk read Ordinance 20-52 aloud by title only. There being no discussion, Councilwoman Morgan moved to approve Ordinance 20-52. Vice Mayor Martin seconded the motion, which passed

unanimously by voice vote.

- 10.c** Ordinance 20-53, An Ordinance Amending Title XV “Land Usage”, Chapter 158, “Zoning Code”, Article XII - Site Plan Review Requirements, Procedures of the Code of Ordinances of the City of Port St. Lucie (P19-137). [2020-690](#)

The City Clerk read Ordinance 20-53 aloud by title only. There being no discussion, Councilwoman Morgan moved to approve Ordinance 20-53. Vice Mayor Martin seconded the motion, which passed unanimously by voice vote.

- 10.d** Ordinance 20-54, An Ordinance to rezone 344 Acres of property located south of Paar Road Right-of-Way, west of SW Village Parkway, north of Becker Road, and east of Community Boulevard Right-of-Way from SLC AG-5 (1 dwelling unit per 5 acres) to Master Planned Unit Development (MPUD) (P20-111). [2020-710](#)

The City Clerk read Ordinance 20-54 aloud by title only. Dan Sorrow, Coteleur and Hearing, stated that he supported the Rezoning request for Southern Grove and welcomed the continued expansion. He encouraged all stake holders, the City, the residents, Southern Grove, Mattamy, and Riverland to review the requirements in the DRI and the annexation agreement as they looked to the future plans of the City. Mayor Oravec recommended that Mr. Sorrow speak at the Public Hearing. There being no further discussion, Vice Mayor Martin moved to approve Ordinance 20-54. Councilwoman Morgan seconded the motion, which passed unanimously by voice vote.

- 10.e** Ordinance 20-55, An Ordinance Authorizing The City Manager To Make Provisions For Public Meetings By Use Of Communication Media Technology And For Attendance By Use Of Such Technology By Elected And Appointed Officials During Periods When The City Manager Determines And Declares A Local Public Health Emergency. [2020-767](#)

The City Clerk read Ordinance 20-55 aloud by title only. There being no discussion, Vice Mayor Martin moved to approve Ordinance 20-55. Councilwoman Morgan seconded the motion. Under discussion, Mayor Oravec and Vice Mayor Martin requested a future conversation at a Special Meeting on options for allowing the City Council and Boards & Committees to continue to allow for virtual attendance. The motion passed unanimously by voice vote.

11. Resolutions

- 11.a** Resolution 20-R90, A Resolution to Amend and Adopt a Revised Debt Management Policy, Previously Adopted Via Resolution 17-R30, and Adopt City Council Directed Policy #20-01.

[2020-734](#)

The City Clerk read Resolution 20-R90 aloud by title only. (Clerk's Note: A PowerPoint was shown at this time.) Jeff Snyder, CFO, informed the City Council that staff reviewed five debt policies from other jurisdictions and explained the key changes that staff made to the City's policy along with the uses on debt and the added limitations on the debt. He explained the GFOA's best practices for use of advisors as, the method of sale of municipal bonds, the use of bond counsel, and the use of financial advisors. He stated that the techniques for the best practices were to select underwriters for negotiated bond sales and pricing bonds in a negotiated sale. He informed the City Council that they added language in the policy regarding refunding, the restructuring of debt, the open market purchase of city securities, as well as monitoring interest rates and other conditions against existing debt portfolio and would use credit enhancements. He stated that they would keep the disclosures and the investor relations up and moving.

There being no further discussion, Vice Mayor Martin moved to approve Resolution 20-R90. Councilwoman Morgan seconded the motion. The City Clerk restated the motion as follows: for approval of Resolution 20-R90. The motion passed unanimously by roll call vote.

- 11.b** Resolution 20-R108, Finding that the Acquisition of a Portion of Real Property Described as Lot 10, Block 783, Port St. Lucie Section Eighteen, recorded in Plat Book 13, Page 17, of the Public Records of St. Lucie County, through Negotiated Conveyance or the City's Eminent Domain Powers, Serves a Public Purpose and is Necessary for the Floresta Drive Improvement Project from Southbend Boulevard to Prima Vista Boulevard, and; Authorizing the City Manager and City Attorney, or their Designees, to Acquire via Negotiated Conveyance or Eminent Domain the Subject Parcel in Fee Simple.

[2020-723](#)

The City Clerk read Resolution 20-R108 aloud by title only. There being no discussion, Councilwoman Caraballo moved to approve Resolution 20-R108. Vice Mayor Martin seconded the motion. Under discussion,

Mayor Oravec stated that Floresta Drive was a major improvement project which was under way. The City Clerk restated the motion as follows: for approval of Resolution 20-R108. The motion passed unanimously by roll call vote.

- 11.c** Resolution 20-R109, Finding that the Acquisition of Real Property Described as Lot 25, Block 787, Port St. Lucie Section Eighteen, recorded in Plat Book 13, Page 17, of the Public Records of St. Lucie County, through Negotiated Conveyance or the City's Eminent Domain Powers, Serves a Public Purpose and is Necessary for the Floresta Drive Improvement Project from Southbend Boulevard to Prima Vista Boulevard, and; Authorizing the City Manager and City Attorney, or their Designees, to Acquire via Negotiated Conveyance or Eminent Domain the Subject Parcel in Fee Simple. [2020-724](#)

The City Clerk read Resolution 20-R109 aloud by title only. There being no discussion, Councilwoman Morgan moved to approve Resolution 20-R109. Vice Mayor Martin seconded the motion. The City Clerk restated the motion as follows: for approval of Resolution 20-R109. The motion passed unanimously by roll call vote.

- 11.d** Resolution 20-R110, A Resolution approving the Preliminary and Final Plat for Second Replat of Tract "E" South Port St. Lucie Unit Fifteen (P20-120) [2020-713](#)

The City Clerk read Resolution 20-R110 aloud by title only. There being no discussion, Councilwoman Caraballo moved to approve Resolution 20-R110. Vice Mayor Martin seconded the motion. The City Clerk restated the motion as follows: for approval of Resolution 20-R110. The motion passed unanimously by roll call vote.

- 11.e** Resolution 20-R111, A Resolution Approving a Preliminary and Final Subdivision Plat for Verano South POD A Plat No. 5 Replat 1(P20-122). [2020-716](#)

The City Clerk read Resolution 20-R111 aloud by title only. There being no discussion, Councilwoman Morgan moved to approve Resolution 20-R111. Vice Mayor Martin seconded the motion. The City Clerk restated the motion as follows: for approval of Resolution 20-R111. The motion passed unanimously by roll call vote.

- 11.f** Resolution 20-R112, A Resolution Approving a Preliminary Subdivision Plat With Construction Plans for Verano South [2020-717](#)

PUD 1 - POD D - Plat No. 3 (P20-123).

The City Clerk read Resolution 20-R112 aloud by title only. (Clerk's Note: The Planner had computer issues and could not present the PowerPoint.) Councilman Carvelli stated that he received many complaints from residents regarding speeding in the development which caused safety issues, therefore he would not support the item. Mayor Oravec stated that the item was for a plat which would create 52 lots within the authorized DRI. He added that gated communities could petition the City for an agreement to allow the City to enforce the laws within their development if the roads met the City's standards. Councilman Carvelli stated that the residents were trying to contact the developers to speak about the speeding issue and could not receive a response. Mayor Oravec & Councilman Carvelli requested that staff contact the developer to discuss the life safety issue of speeding in the community.

Vice Mayor Martin moved to approve Resolution 19-R112.

Councilwoman Morgan seconded the motion. The City Clerk restated the motion as follows: for approval of Resolution 20-R112. The motion passed by roll call vote with Mayor Oravec, Vice Mayor Martin, Councilwoman Morgan, and Councilwoman Caraballo voting in favor and Councilman Carvelli voting against.

- 11.g** Resolution 20-R113, Authorizing the Execution of an Interlocal Agreement with St. Lucie County for Intersection Improvements at Floresta Drive and Prima Vista Boulevard Relating to the Floresta Drive Corridor Improvement Project Phases 2 & 3.

[2020-729](#)

The City Clerk read Resolution 20-R113 aloud by title only. The City Attorney explained that the City Council needed to waive the Procurement Process in order to provide for a change order with the existing contract. There being no further discussion, Councilwoman Caraballo moved to approve Resolution 20-R113 with the expansion of the American contract. Vice Mayor Martin seconded the motion. Under discussion, Councilwoman Caraballo stated that this item was part of the Floresta Project and was a positive impact for the project & the City as a whole. Mayor Oravec stated that the location was in the County therefore it needed an interlocal agreement. The City Clerk restated the motion as follows: for approval of Resolution 20-R113 with the expansion of the American contract. 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 tentative agreement between the City of Port St. Lucie and the Government Supervisors Association of Florida, OPEIU, Local 100 , Supervisory Unit [2020-745](#)

Natalie Cabrera, Assistant Director, Human Resources, stated that Items 13 a.) and 13 b.) were the same agreement. She explained that under the Wage Section there was a 2.5% increase to the minimum and maximum for all pay ranges effective October 1st and provided for an across the board increase of 2.5% on October 1st, with a .5% merit increase in December, the healthcare contribution was 11% for single coverage on the traditional plan and 18.5% for all other tiers; on the basic plan it was 8% for single coverage and 16% for all other tiers, and the Retirement section remained status quo. There being no further discussion, Councilwoman Caraballo moved to approve Item 13 a.) Vice Mayor Martin seconded the motion, which passed unanimously by voice vote. Mayor Oravec thanked the employees for their hard work.

- 13.b** Approval of tentative agreement between the City of Port St. Lucie and the Government Supervisors Association of Florida, OPEIU, Local 100 , Professionals Unit [2020-746](#)

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

- 13.c** Seeking Council approval to enter into a partnership to build a single-family home on a City-owned lot and establish a program to donate the home to a local disabled Veteran or Gold Star family. [2020-731](#)

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

Carmen Capezzuto, Neighborhood Services Director, informed the City Council that Synergy Homes offered to build a home on a City owned lot and gift it to a local disabled veteran or a gold-star family. He added that this partnership would be a pilot project, and staff was requesting to waive the procurement process for good cause shown. He stated that staff would discuss the process, the program, and the details once reviewed, but they would be following the guidelines that were used in 2016 for a home that was already constructed. He informed the City Council that some of the details would be that the family would have to be a resident of Port St. Lucie in the low-mod income range,

demonstrate enough income to afford the maintenance and taxes on the property, allow a credit score check to be completed and participate in First Time Home Buyer courses. He added that they would place a Restrictive Covenant on the property to prevent a quick sale, which would ensure that the homeowner paid back a certain percentage during a defined forgiveness period; on the last home they placed a 15-year forgiveness. Frank Young and Ryan Davis, Synergy Homes, stated that they wanted to give back to the community. Mayor Oravec stated that the City was fortunate to have companies like theirs in the area. Mayor Oravec and Vice Mayor Martin thanked them for the offer.

Councilwoman Morgan asked how it was different than giving lots to Habitat for Humanity, to which Mr. Capezzuto replied that the City would be allowing the builder/developer to enter onto the City's property to construct a home and then the City would award it to a family in need. Councilwoman Morgan inquired if the home would be built and then turned over to the City, to which Mr. Capezzuto replied that all fees would be absorbed by Synergy Homes. She inquired about the liability, to which the City Attorney replied that they would create an agreement to ensure that the proper insurance, hold harmless and indemnification provisions were in place. Mayor Oravec stated that there had to be a balance between creating liability coverage and ensuring that the home could be built. The City Attorney stated that Synergy most likely had all the Liability Insurance, and Workers' Compensation, etc., but Risk Management would need to work with them to name the City as the additional insurer. The City Manager stated that once all the details were sorted, the item would come back to the City Council with an update. He proposed that the land stay in the City's name and would ensure that if the home was sold, money would come back to the City to reinvest in another property. Councilwoman Caraballo thanked Synergy Homes for the offer and thanked Mr. Davis for his service. She stated that a broader discussion would be deciding what happens when the City runs out of land for these projects. Mayor Oravec stated that in the past the City had to go out for an RFP since they would use funding to pay a contractor to build the home and the homeowners had to attend trainings and meet certain program criteria; in this case Synergy offered to build the house but the homeowner criteria should remain the same. He replied to Councilwoman Caraballo's comment about the future by saying that property always changes hands, so when the lots are built-out there would still be homes that needed to be renovated. There being no further discussion, Vice Mayor Martin moved to approve Item 13 c.) Councilwoman Caraballo seconded the motion,

which passed unanimously by voice vote.

14. City Manager's Report

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

The City Manager stated that Governor DeSantis moved the State into Phase 3, therefore staff would be reevaluating the City's policies for the Community Center and the Event Center, and he hoped to release a proposal in the middle of the week. He informed the City Council that the City won their 2nd Voice of the People Award for citizen engagement.

15. Councilmembers Report on Committee Assignments

Councilwoman Morgan- She attended the Fire District Board meeting on the 16th, on the 22nd she attended the Chamber of Commerce Breakfast, on the 24th she attended the Council on Aging meeting, and on Friday she toured the Port St. Lucie Police Department, CSI Division.

Councilman Carvelli- He voiced that he was receiving complaints from residents/businesses regarding making bank appointments and inquired if there was anything in the Governors Order to resolve that, to which the City Manager replied that the order lifted restrictions on the number of people in a location but the individual businesses still had the ability to determine their own terms. The City Attorney responded that the Governor rolled back the Governments ability to make restrictions, but the businesses still had those abilities. Mayor Oravec stated that he received similar complaints from King's Isle and St. James. Councilman Carvelli stated that banks could not restrict commerce.

Councilwoman Caraballo- She attended the Riverwalk Groundbreaking event on the 14th, on the 16th she attend the Treasure Coast Regional League of Cities, on the 18th she attended the Land Use and Economic Development Committee for the Florida League of Cities, and on the 25th the Florida League of Cities Board of Directors Committee. She requested an update on the role local government will have in distributing the COVID-19 Vaccine information.

Vice Mayor Martin- She attended the Fire District Board meeting on the 16th, she attended the Humane Society Fundraiser on the 17th and informed the Public that there would be another fundraiser at the Draft House on November 12th. She stated that the Vet Clinic at the Humane Society would open on October 1st. She thanked the Humane Society Board Chairman, Dan Wire.

Mayor Oravec- He voiced that personal precautions should not be rolled back and expressed that his son contradicted COVID and had to be quarantined in a dorm room. He urged the Public to remember the Three C's, to wear masks, and to keep

a social distance.

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 8:34 p.m.

Karen A. Phillips, City Clerk

Shanna Donleavy, Deputy City Clerk