

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

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

Monday, August 23, 2021

6:30 PM

Council Chambers, City Hall

Addition of Item 7H

1. Meeting Called to Order

A Regular Meeting of the CITY COUNCIL of the City of Port St. Lucie was called to order by Vice Mayor Martin on August 23, 2021, at 6:31 PM, 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 Stephanie Morgan
Councilman Dave Pickett
Councilwoman Jolien Caraballo

3. Invocation & Pledge of Allegiance

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

4. Proclamations and Special Presentations

4.a Proclamation: Suicide Prevention Awareness Month

[2021-666](http://www.cityofpsl.com/2021-666)

Vice Mayor Martin read the Proclamation aloud and presented it to William Wims, CEO of the New Horizons of the Treasure Coast.

5. Public to be Heard

Leroy Buck, 1702 SW Booth Avenue, spoke regarding the parking concerns at the C-24 Boat Ramp and traffic concerns from California Avenue to North Crosstown Boulevard.

Debra Magrann, 907 SE Brookedge Avenue, spoke regarding the length of a newspaper article and requested the City Council not allow free space within the City for Pride Fest.

Richard Lawton, Sandpiper Bay, spoke regarding the need for volunteers at polling sites for upcoming elections and encouraged election candidates to seek poll watchers and poll observers to avoid allegations of fraud for the upcoming elections.

Vice Mayor Martin read aloud Daniel Kowallek's public comment that was submitted via email requesting to address the City Council about Code Enforcement abuse of authority at a future meeting.

Russ Blackburn, City Manager stated he will be providing a memo to Mr. Kowallek and the City Council. Councilwoman Morgan added Mr. Kowallek also emailed her and she will be following up with him.

Randy Delzer, 1401 SW Cellini Avenue, spoke regarding his missed yard waste pick-up. Vice Mayor Martin apologized for the missed pick-up and requested the City Manager address Mr. Delzer's concern.

Mr. Blackburn provided information about Bulk Waste Drop-off locations throughout the City.

Councilwoman Caraballo requested information from the City Manager regarding a possible rebate for missed collections from Waste Pro. Mr. Blackburn stated it was determined that it would cost more to provide rebates to the residents. Mr. Blackburn mentioned it is the priority of the City to work with Waste Pro to increase service levels throughout the City.

Councilwoman Caraballo mentioned the Council was provided with a whitepaper that shows service industry problems within the top ten municipalities throughout the State and discovered this is a common issue for other service providers due to employee shortages and COVID-19.

Michael Mayweathers, 1752 SW Del Rio Boulevard, spoke regarding Waste Pro service issues within the City. He provided the Council with ideas to provide better services within the City. Mr. Mayweathers requested the Council review the City's contract agreement with Waste Pro. Councilwoman Caraballo thanked Mr. Mayweathers for his service in the industry and shared the possibility of forming a Solid Waste Committee for the City. Vice Mayor Martin noted the City must be

mindful in the decision-making process for waste services, as the current waste service fees are significantly lower compared to other municipalities. Mr. Mayweathers explained he is the Service Area Coordinator for the Solid Waste Authority of Palm Beach and oversees sanitation, tax assessments, and contract agreements for the County. He noted the City needs to review the contract agreement to include limitations for waste services. Mr. Mayweathers stated Palm Beach residents pay approximately \$427 to the Solid Waste Authority. Vice Mayor Martin thanked Mr. Mayweathers and explained City residents pay \$288 for solid waste services for unlimited disposal. Councilwoman Caraballo thanked Mr. Mayweathers for speaking on this issue.

6. Additions or Deletions to Agenda and Approval of Agenda

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

7. Approval of Consent Agenda

Councilwoman Morgan moved to approve the Consent Agenda. Councilman Pickett seconded the motion. Under discussion, Vice Mayor Martin announced the City was awarding a Contract for Port St. Lucie Boulevard South, Segment Number Three from Darwin to Gatlin Boulevard. The motion passed unanimously by voice vote.

Vice Mayor Martin announced they would be going out of order and moved forward to item 10 c).

- 7.a** June 21, 2021 Special Council Meeting Minutes [2021-695](#)
- 7.b** Award Contract # 20210018 to CPZ Architects, Inc. for Consulting Services for a New Public Works Building. [2021-637](#)
- 7.c** Approve 2021 Oktoberfest Event License Agreement [2021-682](#)
- 7.d** Termination of Restrictive Covenant Executed by Byron W. Wert and Sherry Wert with Respect to Lots 8 and 11, Block 1445, Port St. Lucie Section Fifteen, and recorded in Official Records Book 1177, Page 1062, of the Public Records of St. Lucie County, Florida. [2021-667](#)
- 7.e** Award Contract #20210071 for STEP Basin Parts and Accessories with Alpha General Services, Inc. [2021-653](#)
- 7.f** Approve a Major Site Plan Amendment for Emerald Design Center (P19-140-A1). [2021-678](#)
- 7.g** Award Contract #20200077 for the Port St. Lucie Boulevard [2021-679](#)

Segment #3 Roadway Improvement Project from Darwin Boulevard to Gatlin Boulevard

- 7.h** Appointment of a Districting Commission to Review the Decennial Census Numbers and Make a Recommendation on the Necessity of Redistricting the City. [2021-709](#)

8. Second Reading of Ordinances, Public Hearings

- 8.a** Ordinance 21-69, Public Hearing, An Ordinance Approving the Conveyance of a Portion of Commercial Tract According to the Plat of Telaro at Southern Grove, as Recorded in Plat Book 94, Page 1, Public Records of St. Lucie County, Florida. [2021-238](#)

The City Clerk read Ordinance 21-69 aloud by title only. Vice Mayor Martin opened the Public Hearing. The City Manager explained this item was to swap one parcel for another parcel of similar size in the Telaro area to benefit Utilities. Vice Mayor Martin asked if any member of the public wished to speak. There being no comments, Vice Mayor Martin closed the Public Hearing. Councilwoman Morgan moved to approve Ordinance 21-69. Councilwoman Caraballo seconded the motion. The City Clerk restated the motion as follows: for approval of Ordinance 21-69. The motion passed unanimously by roll call vote.

- 8.b** Ordinance 21-70, Public Hearing, Authorizing the Conveyance of Real Property Described as Lot 7, Block 12, River Point PUD First Replat, according to the plat thereof, as recorded in Plat Book 40, Page 21 of the Public Records of St. Lucie County, Florida, which was Identified and Approved for Surplus on April 26, 2021. [2021-593](#)

The City Clerk read Ordinance 21-70 aloud by title only. Vice Mayor Martin opened the Public Hearing. The City Manager explained items 8 b), 8 c), 8 d) and 8e). There being no comments, Vice Mayor Martin closed the Public Hearing. Councilman Pickett moved to approve Ordinance 21-70. Councilwoman Morgan seconded the motion. The City Clerk restated the motion as follows: for approval of Ordinance 21-70. The motion passed unanimously by roll call vote.

- 8.c** Ordinance 21-71, Public Hearing, Authorizing the Conveyance of Real Property Described as Lot 8, Block 12, River Point PUD First Replat, according to the plat thereof, as recorded in Plat Book 40, Page 21 of the Public Records of St. Lucie County, Florida, which was Identified and Approved for [2021-602](#)

Surplus on April 26, 2021.

The City Clerk read Ordinance 21-71 aloud by title only. Vice Mayor Martin opened the Public Hearing. There being no comments, Vice Mayor Martin closed the Public Hearing. Councilwoman Caraballo moved to approve Ordinance 21-71. Councilman Pickett seconded the motion. The City Clerk restated the motion as follows: for approval of Ordinance 21-71. The motion passed unanimously by roll call vote.

- 8.d** Ordinance 21-72, Public Hearing, Authorizing the [2021-603](#)
Conveyance of Real Property Described as Lot 13, Block 12,
River Point PUD First Replat, according to the plat thereof, as
recorded in Plat Book 40, Page 21 of the Public Records of St.
Lucie County, Florida, which was Identified and Approved for
Surplus on April 26, 2021.

The City Clerk read Ordinance 21-72 aloud by title only. Vice Mayor Martin opened the Public Hearing. There being no comments, Vice Mayor Martin closed the Public Hearing. Councilwoman Morgan moved to approve Ordinance 21-72. Councilman Pickett seconded the motion. The City Clerk restated the motion as follows: for approval of Ordinance 21-72. The motion passed unanimously by roll call vote.

- 8.e** Ordinance 21-73, Public Hearing, Authorizing the [2021-604](#)
Conveyance of Real Property Described as Lot 22, Block 12,
River Point PUD First Replat, according to the plat thereof, as
recorded in Plat Book 40, Page 21 of the Public Records of St.
Lucie County, Florida, which was Identified and Approved for
Surplus on April 26, 2021.

The City Clerk read Ordinance 21-73 aloud by title only. Vice Mayor Martin opened the Public Hearing. There being no comments, Vice Mayor Martin closed the Public Hearing. Councilwoman Caraballo moved to approve Ordinance 21-73. Councilman Pickett seconded the motion. The City Clerk restated the motion as follows: for approval of Ordinance 21-73. The motion passed unanimously by roll call vote.

- 8.f** Ordinance 21-74, Public Hearing, Authorizing the Issuance of [2021-644](#)
Capital Improvement and Refunding Revenue Bonds, Series
2021 not to exceed \$55,000,000 for Various Capital
Improvements and Refunding the City's Outstanding Sales
Tax Refunding Revenue Bonds, Series 2011 and Pledge
Certain Proceeds of the Half-Cent Sales Tax and Revenue
Sharing to Secure the Payment of Principal.

The City Clerk read Ordinance 21-74 aloud by title only. Vice Mayor Martin opened the Public Hearing. The City Manager stated the presentation was given at first reading, which discussed how this ordinance would provide funding for a new Public Works Building, Police Department Building, and Traffic Light Synchronization.

Councilwoman Caraballo inquired about the City's bond rating, to which Jeff Snyder, CFO reported the City's bond rating went up two steps.

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

Councilwoman Caraballo moved to approve Ordinance 21-74. Councilman Pickett seconded the motion. The City Clerk restated the motion as follows: for approval of Ordinance 21-74. The motion passed unanimously by roll call vote. Vice Mayor Martin requested the City Manager share the bond rating improvement with the public.

9. Other Public Hearings

10. First Reading of Ordinances

- 10.a** Ordinance 21-63, 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](#)

The City Clerk read Ordinance 21-63 aloud by title only. Vice Mayor Martin asked the Council if they needed a presentation, to which they responded in the negative. Councilwoman Caraballo thanked Staff for their work. There being no further discussion, Councilwoman Caraballo moved to approve Ordinance 21-63. Councilwoman Morgan seconded the motion, which passed unanimously by voice vote.

- 10.b** Ordinance 21-66, 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 City Clerk read Ordinance 21-66 aloud by title only. Vice Mayor Martin asked the Council if they needed a presentation. Councilwoman Morgan responded in the negative. There being no discussion, Councilwoman Morgan moved to approve Ordinance 21-66. Councilwoman Caraballo seconded the motion, which passed unanimously by voice vote.

- 10.c** Ordinance 21-75, 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 the approval of the Consent Agenda.)

The City Clerk read Ordinance 21-75 aloud by title only.

Mr. Blackburn gave a brief overview of the item before the Council and introduced Stephen Okiye, Finance Division Director.

Mr. Okiye showed the Council a Power Point Presentation with an overview comparison of the City’s Impact Fees that have been collected, the St. Lucie County’s Fiscal Year 2021 Impact Fees Capital Improvement Plan (CIP) and St. Lucie County’s Comprehensive Annual Financial Report based on the City’s Budget Advisory Committee’s findings. Vice Mayor Martin clarified 83% of St. Lucie County’s Impact Fees were collected from the City of Port St. Lucie and based on the County’s CIP for the next five years, will only be spending \$16 million. She stated the current Interlocal Impact Fee Agreement calls for the money to be spent on six County roads that border or are partially located in the City of Port St. Lucie.

Councilwoman Caraballo provided additional insight regarding discrepancies with the Interlocal Agreements and noted a discrepancy with the Florida Statutes, as the Statue requires a rational nexus to the Impact Fee and provided the definition of Impact Fee. She stated the current Interlocal Agreement does not currently abide by Florida State Statute as it contains the word “may” and Florida State Statute does not clarify the word “may” and states it must have a rational nexus. She added the County was supposed to provide the City with Annual Reports to make sure the Impact Fees were utilized as agreed upon; however, the County has not provided the City with such Annual Reports in the past ten years. Councilwoman Caraballo explained the County defaulted on the Interlocal Agreement, and the Council continued to investigate, due to the inability to come to a resolution and the City cancelled the Impact Fee agreement.

Mr. Oikye resumed the PowerPoint Presentation and provided a

breakdown of the Road and Park Impact Fees generated by the City of Port St. Lucie from the last five years. He concluded his presentation by providing the Budget Advisory Committee's Recommendations to the Council. Mr. Okiye asked the Council if they had any questions, to which Vice Mayor answered in the negative.

Teresa Lamar-Sarno, Deputy City Manager, introduced Jonathan Paul and Louis Rotundo from NUE Urban Concepts to present to the Council the City's Mobility Plan.

Mr. Rotundo explained Florida's Legislation provides impact fees for the new development happening in Florida. He stated about seventy cities and counties have adopted a Mobility Plan and provided examples of cities who do not include County Impact Fees. Mr. Rotundo defined capacity improvements and provided an explanation of the City's Mobility Plan expectations.

Councilwoman Caraballo added that Mobility is one of the weakest points in the City's Citizens Survey and moving forward would allow the City to take charge of its own destiny and control the future infrastructure needs for its residents as the City continues to grow.

Mr. Paul, Principal of NUE Urban Concepts presented a PowerPoint Presentation to the Council on the City's Mobility Plan and provided a vision plan for the next 25 years on how to move people in the City. He gave the Council an overview of the Mobility Plan and basis for Mobility Fees for new development to fully mitigate the City's transportation system. Mr. Paul stated they would be discussing the appropriate entity to determine where revenues paid by new development are used as well as how and what they are expended on. He stated the City's Mobility Fee would allow the City Council to determine how those funds are expended based on the Staff's recommendations and would allow the City to approach developers for public-private partnerships to improve City or County roads. Mr. Paul explained the City's ordinance and the plan based on data that proves the Mobility Fee meets federal and statutory requirements to assess on new development within the City. He reported there will be a citywide growth rate in Vehicle Miles of Travel (VMT) and an increase in Person Miles of Travel (PMT). Mr. Paul showed the Council the five different areas to evaluate transportation and traffic conditions along with the 2020 and 2045 Level of Service (LOS) analysis. He also presented the Mobility Plan Maps and Costs Graph that showed the corridor and intersection

improvements needed to add road capacity based on the City's expected growth.

Councilwoman Morgan asked about those that travel outside of City for work. Mr. Paul explained home-to-work travel makes up less than 20% of all trips within the City and the other 80% is roadway traffic. He informed the Council 15% of travel occurs on County roads and 69% of travel occurs in City roads and discussed various major improvements that are needed for Glades Cut Off Road, Midway Road, Selvitz Road, and Range Line Road.

Vice Mayor Martin noted the County does not include Glades Cut Off and Selvitz Road as part of their 5-year plan for road improvements.

Mr. Paul resumed his presentation and provided information regarding Detailed Improvements needed for Mobility Corridors and Multimodal Corridors as well as the respective costs associated for the improvements. He also spoke about various misconceptions proffered by the County regarding the City's Mobility Fee and provided clarification as it related to each claim. Mr. Paul discussed the recent ruling in Santa Rosa County. It was ruled that the County must meet a rational nexus test to show the need for and benefit from the impact fees. He added that the County has not completed this test and per statutory requirements they would have to have the burden of proof to demonstrate their fee is legal and clarified developers will only pay one fee until the County provides its study. He showed and discussed the Map of the Mobility Fee Assessment Areas and tables of the proposed Mobility Fee Schedules for the City. Mr. Paul provided a comparison of Road Impact Fees versus Mobility Fees. He also showed the proposed Benefit Districts Map for the Mobility Fee within the City. Mr. Paul discussed payment options for the Mobility Fees to the City and an example of Mobility Fee Credit uses within the City. He also provided various percentage recommendation amounts of the City's Mobility Fee that the City can remit for County Improvements.

Vice Mayor Martin opened the Public Hearing.

Maddie Williams, 631 Preston Lane, Executive Director for the Treasure Coast Builders Association (TCBA) spoke in opposition of the City's Mobility Fee. She stated it would ultimately be passed down to the property owner and hurt the development community regardless of the outcome.

Raymond Kummer, 1718 SW Cecilia Lane, spoke in favor of the City's Mobility Fee and against the rapid development west of the City.

Councilwoman Caraballo replied to Mr. Kummer's comment regarding property rights and growth within the City. She also responded to Ms. Williams regarding investing in the development community and working together with the County regarding the City's Mobility Fees.

Councilwoman Morgan stated she would like to move forward, cooperate and find a resolution to benefit the residents of Port St. Lucie and local municipalities. She mentioned she had additional questions and would speak to Mr. Paul and the City Manager.

Councilman Pickett requested the City Manager question Mr. Tipton on what will happen with the money the City has accrued this year, as he would like to know how that money will be spent and benefit the City of Port St. Lucie. He also requested that every Interlocal Agreement with the County be reviewed and revised to remove any ambiguous words such as: "at our discretion", "best effort to" and "may" to confirm the Interlocal Agreement's contain direction that is equitable for both sides.

Vice Mayor Martin responded to Ms. Williams and stated she hopes the City and County can work together to do what is in the best interest of the entire community.

There being no further discussion, Councilwoman Caraballo moved to approve Ordinance 21-75. Councilman Pickett seconded the motion. The City Clerk restated the motion as follows: for approval of Ordinance 21-75. The motion passed unanimously by roll call vote.

- 10.d** Ordinance 21-65, Public Hearing, An Ordinance Amending the Comprehensive Plan to Provide a Large-Scale Map Amendment to The Future Land Use Element on Behalf of PSL Town Place Partners, LLC (P21-089).

[2021-638](#)

The City Clerk read Ordinance 21-65 aloud by title only. Vice Mayor Martin opened the Public Hearing. There being no comments, Vice Mayor Martin closed the Public Hearing. Under discussion, Councilwoman Caraballo requested to meet with Mr. Houston prior to the next meeting and expressed concern over the multifamily development to the eastern side of the City and how the development will impact any future Master Plan based on the City purchasing City

Center in the future. There being no further discussion, Councilwoman Morgan moved to approve Ordinance 21-65. Councilwoman Caraballo seconded the motion. The City Clerk restated the motion as follows: for approval of Ordinance 21-65. The motion passed unanimously by roll call vote.

- 10.e** Ordinance 21-76, Public Hearing, An Ordinance Amending the Comprehensive Plan of the City of Port St. Lucie to Add a New Element Entitled "Property Rights", Pursuant to Chapter 163, Florida Statutes (P21-150) [2021-673](#)

Vice Mayor Martin called this item prior to item 10 d).

The City Clerk read Ordinance 21-76 aloud by title only. Vice Mayor Martin opened the Public Hearing. There being no comments, Vice Mayor Martin closed the Public Hearing . There being no discussion, Councilwoman Caraballo moved to approve Ordinance 21-76. Councilwoman Morgan seconded the motion. The City Clerk restated the motion as follows: for approval of Ordinance 21-76. The motion passed unanimously by roll call vote.

- 10.f** Ordinance 21-77, Abandoning a Portion of a 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. [2021-654](#)

The City Clerk read Ordinance 21-77 aloud by title only. There being no discussion, Councilwoman Morgan moved to approve Ordinance 21-77. Councilman Pickett seconded the motion, which passed unanimously by voice vote.

- 10.g** Ordinance 21-78, Abandoning a Portion of a 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. [2021-656](#)

The City Clerk read Ordinance 21-78 aloud by title only. There being no discussion, Councilwoman Caraballo moved to approve Ordinance 21-78. Councilwoman Caraballo seconded the motion, which passed unanimously by voice vote.

- 10.h** Ordinance 21-79, Abandoning a Portion of a Twenty (20) foot Utility and Drainage Easement affecting Lot 18, Block 1695, Port St. Lucie Section Thirty-One, recorded in Plat Book 14, [2021-657](#)

Page(s) 22, 22A to 22G, of the Public Records of St. Lucie County, Florida.

The City Clerk read Ordinance 21-79 aloud by title only. There being no discussion, Councilman Pickett moved to approve Ordinance 21-79. Councilwoman Morgan seconded the motion, which passed unanimously by voice vote.

- 10.i** Ordinance 21-80, Authorizing the 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. [2021-690](#)

The City Clerk read Ordinance 21-80 aloud by title only. There being no discussion, Councilwoman Morgan moved to approve Ordinance 21-80. Councilman Pickett seconded the motion, which passed unanimously by voice vote.

- 10.j** Ordinance 21-81, Authorizing the 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. [2021-691](#)

The City Clerk read Ordinance 21-81 aloud by title only. There being no discussion, Councilwoman Caraballo moved to approve Ordinance 21-81. Councilman Pickett seconded the motion, which passed unanimously by voice vote.

- 10.k** Ordinance 21-82, Authorizing the 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. [2021-692](#)

The City Clerk read Ordinance 21-82 aloud by title only. There being no discussion, Councilwoman Morgan moved to approve Ordinance 21-82. Councilwoman Caraballo seconded the motion, which passed unanimously by voice vote.

- 10.l** Ordinance 21-83, Authorizing the Conveyance of Real [2021-693](#)

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.

The City Clerk read Ordinance 21-83 aloud by title only. There being no discussion, Councilwoman Caraballo moved to approve Ordinance 21-83. Councilman Pickett seconded the motion. The motion passed unanimously by voice vote.

- 10.m** Ordinance 21-84, An Ordinance Amending 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).

[2021-677](#)

The City Clerk read Ordinance 21-84 aloud by title only. Councilwoman Morgan moved to approve Ordinance 21-84. Councilman Pickett seconded the motion.

Under discussion, Councilwoman Caraballo requested Staff to clarify if they will be removing the "I" out of "ROI" based on a previous discussion.

The motion passed unanimously by voice vote.

- 10.n** Ordinance 21-85, An Ordinance to 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).

[2021-685](#)

The City Clerk read Ordinance 21-85 aloud by title only. Vice Mayor Martin opened the Public Hearing.

Richard Laventure, Atlantic Civil Engineering, stated he was present along with the owner representative and the project planner to answer any questions that the Council may have.

There being no discussion, Councilwoman Morgan moved to approve Ordinance 21-85. Councilwoman Caraballo seconded the motion. The City Clerk restated the motion as follows: for approval of Ordinance 21-85. The motion passed unanimously by roll call vote.

- 10.o** Ordinance 21-86, 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 City Clerk read Ordinance 21-86 aloud by title only. There being no discussion, Councilwoman Morgan moved to approve Ordinance 21-86. Councilman Pickett seconded the motion, which passed unanimously by voice vote.

- 10.p** Ordinance 21-87, 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 City Clerk read Ordinance 21-87 aloud by title only. There being no discussion, Councilwoman Caraballo moved to approve Ordinance 21-87. Councilwoman Morgan seconded the motion, which passed unanimously by voice vote.

11. Resolutions

- 11.a** Resolution 21-R101, Authorizing the City Manager to Execute a Grant Agreement with Florida Department of Environmental Protection [2021-670](#)

The City Clerk read Resolution 21-R101 aloud by title only. Vice Mayor Martin explained the nature of the Federal Grant that was awarded to the City. There being no further discussion, Councilwoman Morgan moved to approve Resolution 21-R101. Councilwoman Caraballo seconded the motion. The City Clerk restated the motion as follows: for approval of Resolution 21-R101. The motion passed unanimously by roll call vote.

- 11.b** Resolution 21-R102, Public Hearing, A Resolution of the City of Port St. Lucie, Florida, Relating to Residential Street Lighting Within the Residential Street Lighting Assessment [2021-689](#)

Areas in Port St. Lucie, Florida; Re-Imposing Residential Street Lighting 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; Providing for Severability; and Providing an Effective Date.

The City Clerk read Resolution 21-R102 aloud by title only. Vice Mayor Martin opened the Public Hearing. There being comments, Vice Mayor Martin closed the Public Hearing. The City Manager confirmed the rate will remain the same at \$26. Councilwoman Caraballo moved to approve Resolution 21-R102. Councilman Pickett seconded the motion. Under discussion, Councilwoman Caraballo invited City residents that wish to have street lights to contact the City Clerk's Office for more information. There being no further discussion, the City Clerk restated the motion as follows: for approval of Resolution 21-R102. The motion passed unanimously by roll call vote.

- 11.c** Resolution 21-R103, Public Hearing, A Resolution of the City of Port St. Lucie, Florida, Adopting the Non-Ad Valorem Assessment Roll for Stormwater Utility User Fees; Specifying the Unit of Measurement for the Assessment; Approving the Rate of the Assessment; and Providing an Effective Date.

[2021-686](#)

(Clerk's Note: This item was heard after the approval of item 10 c).

The City Clerk read Resolution 21-R103 aloud by title only. Vice Mayor Martin opened the Public Hearing. Vice Mayor Martin and the City Manager discussed the Stormwater Utility User Fee increasing by \$5.

Leroy Buck, 1702 SW Booth Avenue, spoke in opposition of the Stormwater Utility User Fee increase.

Vice Mayor Martin called for Gabrielle Perry and Jay Cohn based on the public to be heard comment card that was submitted; however, no one responded.

Randy Delzer, 1401 SW Cellini Avenue, stated he was not in opposition but explained the City's swale system does not work as his swale does not drain properly.

Vice Mayor Martin called for Don Miranda based on the public to be heard comment card that was submitted; however, no one responded.

Raymond Kummer, 1718 SW Cecilia Lane, spoke in opposition of the Half Cent Tax.

James Geis, 348 NW Hibiscus Street, spoke in opposition of the Stormwater Utility User Fee increase.

Bob Thomas, 430 SW Jefferson Circle, spoke in opposition of the Stormwater Utility User Fee increase.

Vice Mayor Martin read aloud public comments that were submitted via email by Roberto Melendez and Brian Bauer, who stated they were in opposition of the Stormwater Utility User Fee increase and concluded with Wanda Stokes' email, who stated she was in favor of the Stormwater Utility User Fee increase.

Mr. Blackburn explained how the Stormwater fund is used.

Councilwoman Caraballo asked the City Manager to email the Stormwater Master Plan to those members of the public who spoke in opposition of the Stormwater Utility User Fee increase. She also requested the City Manager research having signs installed at the City's various Stormwater Projects so residents can identify where their tax dollars are being spent as well as include the Stormwater Projects in the Bi-Weekly update to keep the public informed.

Vice Mayor Martin requested the City Manager assist Mr. Delzer and Mr. Geis with their swale drainage issues.

(Clerk's Note: Vice Mayor Martin addressed an unnamed female member of the public and requested the City Manager to work in resolving her swale drainage issue.)

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

Councilwoman Caraballo moved to approve Resolution 21-103R. Councilman Pickett seconded the motion. The City Clerk restated the motion as follows: for approval of Resolution R21-103. The motion passed unanimously by roll call vote.

At this time, Vice Mayor Martin stated the Council would return to the

beginning of the agenda.

- 11.d** Resolution 21-R104, A Resolution Accepting a Portion of [2021-234](#)
Commercial Tract According to the Plat of Telaro at Southern
Grove, as Recorded in Plat Book 94, Page 1 of the Public
Records of St. Lucie County, Florida.

The City Clerk read Resolution 21-R104 aloud by title only. There being no discussion, Councilwoman Morgan moved to approve Resolution 21-R104. Councilwoman Caraballo seconded the motion. The City Clerk restated the motion as follows: for approval of Resolution 21-R104. The motion passed unanimously by roll call vote.

- 11.e** Resolution 21-R105, A Resolution of the City of Port St. Lucie, [2021-694](#)
Florida, authorizing the City Manager to enter into and
execute Florida Department of Environmental Protection
(DEP) Grant Agreements to benefit Water Quality

The City Clerk read Resolution 21-R105 aloud by title only. Vice Mayor Martin discussed the nature of the grant awarded to the City from Florida Department of Environmental Protection. There being no further discussion, Councilwoman Caraballo moved to approve Resolution 21-R105. Councilwoman Morgan seconded the motion. The City Clerk restated the motion as follows: for approval of Resolution 21-R105. The motion passed unanimously by roll call vote.

- 11.f** Resolution 21-R106, Authorizing the Issuance of Capital [2021-704](#)
Improvement and Refunding Revenue Bonds, Series 2021
Not to Exceed \$55,000,000 for Various Capital Improvements
and Refunding the City's Outstanding Sales Tax Refunding
Revenue Bonds, Series 2011 and Pledge Certain Proceeds of
the Half-Cent Sales Tax and Revenue Sharing to Secure the
Payment of Principal.

The City Clerk read Resolution 21-R106 aloud by title only. There being no discussion, Councilwoman Morgan moved to approve Resolution 21-R106. Councilwoman Caraballo seconded the motion. The City Clerk restated the motion as follows: for approval of Resolution 21-R106. The motion passed unanimously by roll call vote.

12. Unfinished Business

13. New Business

- 13.a** Approve Financial Support for the Annual St. Lucie [2021-683](#)
Multicultural Arts & Music Festival

Elijah Wooten, Business Navigator presented a PowerPoint Presentation to discuss the approval of the City's sponsorship for the Annual St. Lucie Multicultural Arts & Music Festival in Spring 2022.

Councilwoman Caraballo requested the City's Strategic Goals be linked with Staff's PowerPoint Presentations to have the public easily identify the reason for the funding request. There being no further discussion, Councilwoman Morgan moved to approve item 13 a). Councilman Pickett seconded the motion, which passed unanimously by voice vote.

- 13.b** Request for an Attorney/Client Session with the City Council to Discuss Pending Litigation in the Matter of 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.

[2021-701](#)

James Stokes, City Attorney requested an Attorney/Client Session with the City Council to discuss pending litigation in the matter of ACR Acquisition, LLC v. City of Port St Lucie and Riverland/Kennedy. There being no discussion, Councilwoman Caraballo moved to approve item 13 b). Councilwoman Morgan seconded the motion, which passed unanimously by voice vote.

14. City Manager's Report

The City Manager reported the City's S&P Global Rating moved up two steps to 'AA' and informed the Council the City continues to offer COVID-19 vaccine point-of-distribution events. He also reported Waste Pro held two job fairs recently in the hopes of finding trainable job candidates.

15. Councilmembers Report on Committee Assignments

Councilwoman Morgan reported she attended the Florida League of Cities Conference from August 11th through August 14th in Orlando, the Fire Board Meeting on August 18th, and the Governor's Press Conference at the Fenn Center today regarding the Monoclonal Antibody Treatment facility in Fort Pierce.

Councilman Pickett reported he did not attend any board meetings. He thanked the Council for their support in approving the City's sponsorship for the St. Lucie Multicultural Arts & Music Festival.

Councilwoman Caraballo stated she would comment at the next Council meeting. She thanked the Florida League of Cities for electing her as First Vice President.

Vice Mayor Martin congratulated Councilwoman Caraballo. Vice Mayor Martin reported she attended the Fire Board Meeting on August 18th. She also reported

she met and spoke to the Del Webb Tradition Economic Club and Valencia Cay Men's and Woman's Club. Vice Mayor Martin mentioned she looks forward to the Ardie R. Copas State Veterans' Nursing Home grand opening.

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 10:50PM.

Sally Walsh, City Clerk

Traci Mehl, Deputy City Clerk

Typed By:
Daisy Ruiz, Deputy City Clerk