

City of Port St. Lucie

City Council

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

Meeting Minutes - Final

Shannon M. Martin, Mayor

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

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Monday, June 26, 2023

6:30 PM

Council Chambers, City Hall

Meeting to follow the 6:00 PM Board of Zoning Appeals

1. Meeting Called to Order

A Regular Meeting of the CITY COUNCIL of the City of Port St. Lucie was called to order by Mayor Martin on June 26, 2023, at 6:30 p.m., at Port St. Lucie City Hall, 121 SW Port St. Lucie Boulevard, Port St. Lucie, Florida.

2. Roll Call

Council Members Present:

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

3. Invocation & Pledge of Allegiance

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

4. Proclamations and Special Presentations

4.a Proclamation: Treasure Coast Waterway Cleanup Week

[2023-509](#)

Mayor Martin read and presented the Proclamation to the Marine Industry Association of the Treasure Coast.

4.b Proclamation: Parks & Recreation Month

[2023-571](#)

Mayor Martin read and presented the Proclamation to Kelly Tiger, Special

Events Administrator, Parks and Recreation, who gave an update on the Parks and Recreation events for the month of July.

Vice Mayor Caraballo clarified that there would be a modification to River Nights due to construction, to which Ms. Tiger responded in the affirmative and informed that River Nights would be held at the Veteran's Park in Rivergate.

4.c Vehicular Access Standards for Residential Subdivisions

[2023-537](#)

(Clerk's Note: A PowerPoint Presentation was shown at this time.)

Colt Schwerdt, Assistant Public Works Director, stated that during the Winter Workshop City Staff was asked to review the City's existing vehicular access standards and bring forward certain dwelling unit threshold recommendations for minimum accesses.

Assistant Director Schwerdt stated that he met with the Fire District to discuss their policies, codes, and requirements to ensure that the health, safety, and welfare of the residents were in consideration. He explained that there were currently two existing city access requirements in the City Code, which were Section 156.094 and Section 158.222.

Assistant Director Schwerdt stated that due to not having an industry-wide standard, they found two municipalities with minimum access standards. The first municipality was Orlando, which required a minimum of two access points for 31 to 99 units and one access may operate as "Emergency Only". He added that Orlando required a minimum of two access points with impervious surfaces suitable for all users for a 100 or more units. The second municipality was Alachua County, which required a minimum of 2 functional access points located on different sides of the subdivision with 25 or more units or generating 250 or more non-residential daily trips. For developments containing only 1 access point, an emergency service access shall be provided unless a waiver is granted.

Assistant Director Schwerdt explained that the Fire District did not have any set code requirements for access points. He informed that the code requirements only stated that Site Plans shall include all necessary fire department access roadways and fire lanes as determined by the Fire Marsha. Assistant Director Schwerdt added that more than one fire department access road or fire lane shall be provided when it is determined by the Fire Marshal that access by a single road or fire lane may be impaired by vehicle congestion, conditions of terrain, climatic conditions, building characteristics, fire behavior, or other factors that could limit access.

Assistant Director Schwerdt presented Staff's recommendation, 49 or less units: Sites must provide one access point. Sites may be required to provide more than one access if determined by a traffic study or by the Fire Marshal that access by a single road may be impaired by vehicle congestion or other factors limiting access; 50 to 99 units: Sites must provide a minimum of 2 access points. One access may operate as "Emergency Only" and may use a stabilized, pervious surface approved by the City Engineer and Fire Marshal; and 100 or more units: Sites must provide a minimum of 2 access points with impervious surfaces suitable for all users and shall be located on different public roadways and different sides of the subdivision where feasible.

Vice Mayor Caraballo thanked the City Manager on the procedure utilized for the presentation and stated that she agreed that the entrances and exits should be appropriately done in the future, as the City continued to grow. Vice Mayor Caraballo stated that she wanted consistency and would support having an ordinance come forward.

Councilman Pickett suggested removing the words "may be", to which Mr. Schwerdt responded that those words were dependent on the traffic study indicating that it was needed or the Fire Marshal's determination. Councilman Pickett reiterated that he wanted to remove "may be" from the recommendation, as it was subjective.

Mayor Martin stated that they could fine tune or tweak the topic during their one-on-ones and explained that it was important for the emergency vehicles to get to the residents within a reasonable time.

Assistant Director Schwerdt clarified that the City Council wanted to strike bullet number one and change bullet number two by adding 1-99 units, to which Mayor Martin responded that first they needed to have consensus to bring the topic forward for an ordinance and then have one-on-ones to tweak the item.

Councilman Bonna inquired as to what they should implement in the interim, to which Mayor Martin responded to use discretion and bring the item forward soon.

Councilwoman Morgan agreed with two exits and looked forward to more information.

Vice Mayor Caraballo moved to have Staff bring forward an Ordinance regarding the Vehicular Access Standards within 30 days. Councilman

Pickett seconded the motion, which passed unanimously by voice vote.

5. Public to be Heard

Richard Lawton, spoke about the Mom's for Liberty Group and Item 10.g.

Stacy Brockman, spoke about the once-a-week garbage pickup and the number of flies it is producing.

Mayor Martin closed the Public to be Heard portion of the agenda. Councilman Bonna responded to Mr. Lawton and spoke about the solid waste pickup for the City.

Vice Mayor Caraballo responded to Mr. Lawton's comment regarding Item 10.g. The City Attorney suggested tabling Item 10.g until the Council Rules are amended. The City Clerk advised that Item 10.g was scheduled to be advertised for the July 10, 2023 City Council Meeting. Mayor Martin and Vice Mayor Caraballo agreed Item 10.g should have been tabled. Vice Mayor Caraballo addressed Mr. Lawton and discussed the rules of engagement as it pertains to Public Comment at City Council Meetings. She address Ms. Brockman's comment regarding the solid waste pickup for the City.

Mayor Martin addressed the solid waste issue and advised there would be an increase in cost this year due to the consumer price index (CIP) increase that was previously built into the current contract. She advised there will not be a credit for this year but rather a 4% increase in services. Mayor Martin suggested a referendum to allow the residents of the City to choose. She advised that in the event the City goes back to twice a week pick up it would take at least a year to implement as the contractor would have to find garbage trucks and additional workers.

Councilman Bonna stated he would be in support of a referendum to decide the future of the City's Solid Waste.

6. Additions or Deletions to Agenda and Approval of Agenda

Mayor Martin stated they would be tabling Items 10.c, 10.d and 10.g. Vice Mayor Caraballo moved to table Items 10.c, 10.d and 10.g. Councilman Pickett seconded the motion, which passed unanimously by voice vote.

7. Approval of Consent Agenda

Mayor Martin inquired if any Council Members wished to remove items from the consent agenda for separate discussion. There being no response, Councilwoman Morgan moved to approve the consent agenda. Councilman Pickett seconded the motion, which passed unanimously by voice vote.

7.a Approval of the May 8, 2023 Regular City Council Meeting
Minutes

[2023-562](#)

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- 7.b** Approval to Participate in Broward County Board of County Commissioners Contract #GEN2122526Q1 for Document Scanning with Advanced Data Solutions, Inc. [2023-506](#)
- 7.c** Approval to Participate in the State of Florida Contract #205100000-23-STC for the Purchase of Motor Vehicles with Various Approved Vendors. [2023-515](#)
- 7.d** Approve Amendment #1 to Contract #20230005 for Mechanical Integrity Testing for Southport and Westport Injection Wells. [2023-540](#)
- 7.e** Approval to Participate in the OMNIA Partners, Public Sector Cooperative (Coop) Contract Issued by City of Mesa, AZ, under Contract #2018011-02 for Information Technology Solutions & Services with SHI International Corp. [2023-541](#)
- 8. Second Reading of Ordinances, Public Hearings**
- 8.a** Ordinance 23-25, Public Hearing, An Ordinance Amending the Comprehensive Plan to Include a Large-Scale Amendment to the Future Land Use Map for St. Lucie Lands/Veranda to Change the Future Land Use Designation of Approximately 84 acres from Residential, Office, Institutional (ROI) (65.4 acres) and General Commercial /Residential, Office, Institutional (CG/ROI) (18.6 acres) to Residential Golf Course (RGC), for Property Legally Described as Portions of Veranda Plat No. 3, Veranda Gardens West Phase 1; Portions of Veranda Plat No. 4, Veranda Gardens West Phase 2; Portions of Veranda Plat No. 5, Veranda Gardens West Phase 3; Veranda Plat No. 2, Parcel 7; and all of Veranda Plat No. 9, and Generally Located South of Becker Road and East of the Florida Turnpike (P22-356). [2023-310](#)
- Mayor Martin opened the Public Hearing. Anne Cox, Assistant Director for Planning and Zoning, presented a PowerPoint Presentation. She advised the request was to change the future land use designation of approximately 84 acres from Residential, Office, Institutional and General Commercial/Residential, Office, Institutional to Residential Golf Course. She provided the location, the aerial of the property and the future land use and zoning map. Assistant Director Cox explained the request and reason for the amendment of the Comprehensive Plan. There being no one signed up to speak, Mayor Martin closed the Public Hearing.
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There being no discussion, Vice Mayor Caraballo moved to approve Ordinance 23-25. Councilwoman Morgan seconded the motion, which passed unanimously by voice vote.

- 8.b** Ordinance 23-30, Public Hearing, An Ordinance Amending [2023-311](#)
the Comprehensive Plan to Include a Small- Scale
Amendment to the Future Land Use Map for Property
Owned by VF II, LLC to Change the Future Land Use
Designation of Approximately 12.4 Acres from General
Commercial/Residential, Office and Institutional (CG/ROI)
(3.7 acres) and Residential, Office, Institutional (8.7 acres) to
Residential Golf Course (RGC) for a Property Legally
Described as Tract 2, Veranda Plat No. 8 and Generally
Located South of Becker Road and East of the Florida
Turnpike (P22-357).

Mayor Martin opened the Public Hearing. Assistant Director Cox presented a PowerPoint Presentation to the City Council. She stated this was an amendment to the comprehensive plan changing the future land use designation of approximately 12.4 acres. Assistant Director Cox provided the location, future land use and zoning map. Dennis Murphy, Culpepper and Terpening, LLC was present representing the applicant. There being no one signed up to speak, Mayor Martin closed the Public Hearing.

There being no discussion, Councilman Bonna moved to approve Ordinance 23-30. Councilman Pickett seconded the motion, which passed unanimously by voice vote.

- 8.c** Ordinance 23-41, Public Hearing, Amend the City of Port St. [2023-474](#)
Lucie Code of Ordinances Title III, Chapter 36, Article I,
“General Provisions,” Increasing the Fees Charged By the
Lien Services Division.

Mayor Martin inquired if the City Council needed to review the presentation on this item. It was the consensus of the City Council to not review the presentation for this item. Councilwoman Morgan questioned how long it took to process a title search, to which Charlie Proulx, Deputy Finance Director advised their office typically completes the title searches within 3 to 4 business days.

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

There being no discussion, Councilwoman Morgan moved to approve

Ordinance 23-41. Vice Mayor Caraballo seconded the motion, which passed unanimously by voice vote.

9. Other Public Hearings

- 9.a** Public Hearing, Approve the City of Port St. Lucie's Community Development Block Grant (CDBG) Action Plan for the Program Year 2023-24.

[2023-556](#)

Carmen Capezzuto, Neighborhood Services Director, presented a PowerPoint Presentation to the City Council and provided the categories where the project funding can be spent. He explained Staff's recommendations for project funding and alternate funding if additional funds become available.

Mayor Martin requested that the alternate projects be presented to City Council later in the interest of time.

Vice Mayor Caraballo stated she approved of the projects presented and inquired if the alternate projects would be funded by additional CDBG funds, to which Director Capezzuto responded in the affirmative. She requested that the City Manager review additional projects to find out if there will be additional outside funds for priority projects previously mentioned by the City Council.

Councilman Pickett questioned if the two additional Full Time Employees would be funded by the CDBG Funds continuously, to which Director Capezzuto advised they would have to bring them forward every year to City Council for approval.

Mayor Martin stated she inquired about the Staffing and learned that many municipalities utilize CDBG Funds for Staffing.

Vice Mayor Caraballo clarified that CDBG Funds are different and continuous every year due to the City's size and noted that not every grant should be utilized for Staffing positions.

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

Vice Mayor Caraballo moved to approve the City of Port St. Lucie's Community Development Block Grant (CDBG) Action Plan for the Program Year 2023- 2024. Councilman Pickett seconded the motion, which passed unanimously by voice vote.

Mayor Martin called for a recess at 7:57 PM and returned at 8:08 PM.

10. First Reading of Ordinances

- 10.a** Ordinance 23-42, Amending the City of Port St. Lucie Code of Ordinances Title XV, Chapter 159, Article II, Entitled “Mobility Fees”; Providing for the Adoption of the City of Port St. Lucie 2045 Mobility Plan as Anticipated in the Technical Report; Providing for Authority; Providing for General Provisions; Providing for Definitions; Providing for Findings and Declarations; Providing for Purpose; Providing for Requirements for Review And Updates to the Mobility Plan.

[2023-352](#)

The City Clerk read Ordinance 23-42 aloud by title only.

Mayor Martin inquired if the City Council would like to go over the PowerPoint Presentation or wait until the Second Reading for this item. Vice Mayor Caraballo inquired if the consultant would be present during the Second Reading, to which she was advised he would be available virtually. Councilwoman Morgan stated she was okay reviewing the presentation during the Second Reading for this item. She asked if a copy of the presentation had been given to the Builders Association, the St. Lucie County Chamber, and the St. Lucie Realtor’s Association. Vice Mayor Caraballo congratulated the consultant at Nue Urban Concepts, Jonathan Paul, for a job well done.

Mayor Martin agreed with Vice Mayor Caraballo and added that it would be a great opportunity to work with St. Lucie County. Vice Mayor Caraballo suggested inviting Mr. Paul to the City and County Joint Meeting to present the mobility plan.

There being no further discussion, Vice Mayor Caraballo moved to approve Ordinance 23-42. Councilman Pickett seconded the motion, which passed unanimously by voice vote.

- 10.b** Ordinance 23-43, An Ordinance of the City of Port St. Lucie, Florida, Amending the Comprehensive Plan of the City of Port St. Lucie to Provide a Large-Scale Amendment Consisting of Text Amendments to the Future Land Use Element by Amending Figure 1-6 as Requested by ACR Acquisition, LLC (P21-128)

[2023-554](#)

The City Clerk read Ordinance 23-43 aloud by title only.

Mayor Martin asked the City Council if they wished to move forward with this Item as the presenters failed to provide their presentation in a timely

manner as requested by the City Attorney's Office. She expressed concern over the Council not having sufficient time to review the presentation. Mayor Martin asked for input from all City Council Members to confirm if they were comfortable with moving forward.

Councilman Bonna stated he had questions prior to providing an answer. He stated his first question was for Staff, he inquired if there was new material evidence received that required additional review. Councilman Bonna's second question was for the Applicant, he asked if they would be open to tabling this item. His final question was for the intervening party, he inquired about the same, if they would be open to tabling this item.

Councilwoman Morgan stated she would prefer to hear the item today and added that she was perplexed at having an intervenor on a legislative matter. She questioned the order of the hearing.

Councilman Pickett asked if there would be new presentations every time they come before City Council. Who stated he did not see the presentations until 5:30 this afternoon but would still agree to move forward.

Mary Savage-Dunham, Planning and Zoning Director, advised Staff also received the revised presentations in the afternoon and had not fully had an opportunity to review but would leave it to the City Council as to how they would like to proceed.

Vice Mayor Caraballo agreed to move forward.

Mayor Martin stated she would allow 15 minutes for each presentation and a 5-minute rebuttal as there were additional items on the agenda.

Director Savage-Dunham provided a PowerPoint Presentation to the City Council and explained the process for Amending the Comprehensive Plan. She advised the City Council of the Applicant's request to Amend the City's Comprehensive Plan by amending Figure 1-6. Director Savage-Dunham provided the aerial of the future land use. She provided the project background for the Wilson Groves and reported that the project accounts for 2,499 acres and approved for 7,700 residential units, 7,065 square feet of retail use, 1,583,250 square feet of office use, 1,361,250 square feet of light industrial use, 382,327 square feet of institutional/civic use, two k-8 school sites, and 90 acres for parks. In addition to these, Wilson Grove would also be required to dedicate a 50-acre civic sight per the fourth amendment to the Southwest Annexation Agreement. She stated each DRI (Development of Regional Impact) would be responsible

for the construction and/or widening of portions of the roadway network as set forth in the Development Order conditions. Director Savage-Dunham explained that Policy 1.2.11.2 identifies the three land uses for Wilson Grove as 57-acres of neighborhood village commercial, 566-acres of mixed use, and 1,876-acres of residential use. She advised that the application did not change the land uses or the approved acreage and confirmed it would change the conceptual land-use map to relocate the 566-acres of the mixed use land use to the southside of Becker Road, north of the C-23 canal and east and west of the FPL right of way in the area designated as Parcel D. Director Savage-Dunham stated that the residential development would be still located in Parcels A, B, C, E and F. She advised that the Commercial Land Use would primarily be located at the intersection of Becker Road and North/South A. Director Savage-Dunham mentioned the change would concentrate all non-residential uses on to Becker Road. She added that Wilson Grove was an approved DRI and the Applicant could move forward with development with what was originally approved in the original DRI. Director Savage-Dunham provided the City Council with an illustration of the Southwest Annexation Area Roadway Plan. She advised the City Council previously approved construction agreements with all three developers of the Southwest Annexation Area and added the project had received preliminary subdivision plat approval with construction plans for the Becker Road construction of a two-lane roadway. Director Savage-Dunham advised that Becker Road was currently under construction by all three developers and once completed it would provide access to the Wilson Grove DRI. She provided the City Council with an illustration of the current Figure 1-6 and Exhibit B, along with the proposed conceptual plan. Director Savage-Dunham provided the history for this project.

Colt Schwerdt, Assistant Director for Public Works, and City Engineer provided the City Council an overview of the Traffic Impact Analysis. He reported that the study mentioned that at build-out the Roadway Network could potentially work and expressed that getting the area to build-out is the concern. Assistant Director Schwerdt stated the current DRI unit threshold was 2,200 dwelling units or 2,573 p.m. peak hour trips, whichever comes last. He added that currently the new proposal would add approximately 9,781 daily trips to Becker Road and 1,434 peak hour trips to Becker Road, which per the Applicant's analysis would be over capacity on Becker Road and would require widening. Assistant Director Schwerdt advised the Development Orders are not associated with the widening, and therefore they would not be widening the roadway. He showed the City Council a table demonstrating the existing Development Order thresholds. Assistant Director Schwerdt advised that until additional roads are constructed the totality of the trips in Wilson Grove will be on

Becker Road and will overburden the roadway. He stated that even in the previous map the totality would eventually travel onto Becker Road; however, once it is built out it would distribute the traffic throughout all the roadways instead of concentrating the traffic into one. Assistant Director Schwerdt advised the third-party consultant was present, Walter Keller.

Director Savage-Dunham provided the City Council with an explanation of the April 2, 2023, May 4, 2023, and June 6, 2023 Planning and Zoning Board's submittals and Staff recommendations. She explained the results of the traffic studies conducted by Shubin and Bass on behalf of Riverland/Kennedy II, LLC, Simmons and White on behalf of GL Homes and the City's third-party consultant, Marlin Engineering. Director Savage-Dunham advised the City Council of an overall analysis, Staff findings, Staff's recommendations, and alternate motions.

Councilman Bonna inquired if the developer could currently move forward with the current Map H, to which Director Savage-Dunham responded in the affirmative. He asked if Staff preferred the status quo and if it was aligned with the City's interest in terms of traffic. Councilman Bonna stated the Applicant would be stating that there was no net change. He inquired if Staff's opinion was that there was no net change in land-use that the impact on traffic would be better than what is currently allowed, to which Director Savage-Dunham stated she does not feel that the current proposal is in the best interest of the City as it would concentrate the land-use onto Becker Road. Councilman Bonna asked if the status quo was more aligned with the best interest of the City, to which Assistant Director Schwerdt advised that by distributing the land-uses throughout Wilson Grove, it would distribute the traffic throughout the network.

Mayor Martin asked if it would protect the City through a policy standpoint to make sure the internal roadway network gets completed, previously directed by the City Council at the Winter Workshop in February, to which Assistant Director Schwerdt responded in the affirmative. She stated either way the City had no guarantee that the City Council's direction would be followed.

Councilwoman Morgan inquired about the Winter Workshop decision made by the City Council.

Walter Keller, Marlin Engineering, advised he reviewed the Traffic Studies for the Wilson Grove land use distribution. He stated the land uses were the same but if all the land uses were all in one area, it would result in a lot of intense trips. Mr. Keller noted his observations when moving the land-uses around the development and the trips were more distributed

throughout the network. He explained once the trips were moved down to Becker Road, that would pour a lot of traffic onto Becker Road. Mr. Keller stated the developers would have impacts on Becker Road outside of their development that are serious and expressed concern over these impacts. He explained that by putting all the land uses together the developers could say they do not have to build the other roads. Mr. Keller advised that the connectivity of the network would be extremely important for long term development of the area, and when losing a link of the roadway, it adds traffic to other existing roads. He stated it would be difficult to address and encouraged the City Council to build the two-lane network.

Councilman Bonna inquired at what point did the City expect the additional widening of Becker Road to be triggered, to which Assistant Director Schwerdt advised it would depend on the development pace and added from the traffic analysis a two-lane roadway network would be able to handle 1,080 p.m. peak hour trips.

Councilwoman Morgan mentioned the word "paseo" being reoccurring and advised she did not understand the reason behind removing the word "paseo". She provided the definition of paseo and inquired why it was critical that the developer remove the word "paseo", to which Director Savage-Dunham replied that Staff had previously advised the Applicant throughout the process and noted that the Applicant expressed interest in placing a "paseo" next to Paar Road and they had shown it on the map with this amendment; however, a paseo was not an approved use within their DRI and typically when infrastructure is added, such as multimodal path or roadway segment, there is a cross section or design in the DRI that is reviewed by Staff for its design standards to then later come before City Council for review and approval. She explained that Staff was not taking a position on the paseo and would leave it up to City Council to decide. Director Savage-Dunham advised that the appropriate path would be reviewed as part of the project for developers to place it on their DRI and provide the cross sections and show the engineering Staff where it would go, how it would fit in, and have it go through the review process and come before the City Council for final action. She added that placing the paseo in the Comprehensive Land Use Plan when it has not been approved in the DRI seemed premature.

Councilwoman Morgan inquired if this was a legislative submittal and the City Council will have another opportunity to review, to which Director Savage-Dunham advised this was the only legislative opportunity and advised this was about future land use. Director Savage-Dunham mentioned there was a DRI Amendment submitted for this project and noted that the Applicant could open their DRI.

Mayor Martin noted that an important fact was being omitted regarding the paseo and stated that the Applicant wanted to remove Paar Road and replace it with a paseo. She noted that part of the Winter Workshop the City Council denied the request and asked the developer to remove the paseo. Mayor Martin added that the direction came from City Council in February, and it is now June, and the developer was still contradicting the direction provided by City Council months ago. She commented that it was a complete disregard of their direction. Mayor Martin noted that the first presentation stated that Staff mentioned the paseo was okay and added that it did not matter what Staff mentioned but rather what City Council directed. She reiterated that the City Council said no to the paseo, and they had not been listened to.

Assistant Director Schwerdt reported that City Council had deliberated many times about allowing golf carts in right of ways or paseos. He added that by allowing a paseo, it provides the City Council's blessing to allow golf carts in that right of way. Assistant Director Schwerdt stated that was another reason they wished to have the paseo removed so that it goes through the proper channels if it is allowable or not.

Councilwoman Morgan discussed the previous Comprehensive Plan Amendment submitted to the City Council in 2020.

Mayor Martin asked if Staff mentioned that the paseo was not in the DRI, to which Director Savage-Dunham responded in the affirmative. She added that it was not currently an approved use in the DRI.

Director Savage-Dunham advised that the Comprehensive Plan Amendment that she referenced was another Large Comprehensive Plan Amendment and that was a text amendment. She added that while it was the same type of change, there were differences. Director Savage-Dunham commented that Wilson Grove was 2,499 acres and that they are relocating 566-acres of mixed use concentrating it on a road. She stated they would be relocating 22.6% of their land use. Director Savage-Dunham advised that the other project referenced from 2020, their DRI was 3,845 acres and they only relocated 89-acres, approximately 2% of their land use. She stated that plan did not concentrate all the mixed use onto one road for that project.

Vice Mayor Caraballo advised there were procedures in place for those type of amendments to transpire within the DRI. She inquired why the DRI has not been brought forward if that is the desire of the Applicant. Vice Mayor Caraballo stated she did not want the City Council to be locked into

a position through the Comprehensive Plan when the DRI had not been brought forward as it should be. She stated she would like to hear from both sides and would like to ask Staff clarifying questions based upon the testimony provided.

Councilman Pickett advised he would reserve his comments until the presentations were completed.

Councilman Bonna agreed with Vice Mayor Caraballo and requested to ask Staff clarifying questions after the presentations were concluded.

Mayor Martin advised she would provide each side with a 15-minute initial presentation and a 5-minute rebuttal.

Tara Duh, Attorney with Lewis, Longman, Walker, LLC, explained that the item before the City Council came from the Planning and Zoning Board's Recommendation of Approval with the Staff's recommended conditions at that time. She apologized for the lateness of her presentation. Attorney Duh stated she wished to amend some of the information provided by Staff. She advised they learned of Staff's complete reversal of position and added that Staff was requesting the City Council to deny the submittal. She stated they learned of this information on Monday and asked for additional time to clarify, as this was not a quasi-judicial proceeding and did not understand the basis for the change of Staff's recommendation. Attorney Duh reported that she was asked to submit her thoughts by 8am on Friday and did not find that to be a fair request of an Applicant. She stated that they did not wish to table and advised the Council this was only a transmittal hearing. She noted this hearing was not an adoption hearing and added that if the City Council denied the transmittal that they would be violating Wilson Grove's vested rights to develop. Attorney Duh advised that they would protect their rights and would like to work with the City. She advised she would let Daniel Sorrow and Susan O'Rourke answer the more substantive questions.

Dan Sorrow, Cotleur & Hearing, LLC, provided a PowerPoint Presentation to the City Council demonstrating the proposed changes. He advised they would be relocating some of the subdistricts so that they work better with the proposed plan. Mr. Sorrow demonstrated the existing Figure 1-6 and the proposed Figure 1-6. He stated there would be no net change in the mix use subdistrict area. Mr. Sorrow indicated it was a myth that Becker Road would fail or need to be widened sooner if they were to change the use. He noted that the only unique characteristic about the mix-use subdistrict in the City's Future Land Use element of the Comprehensive Plan was that it contained three different uses, of which 70% could be

residential. He explained that in Parcel D they have to have a 50-acre regional park, 50-acre civic site, 2 K-8 schools, 10-acre fire station, and at least 10-acres of drainage. He reported that the old plan did not have enough neighborhood village commercial at the intersection and added that they needed about 20-acres to make commercial successful. Mr. Sorrow stated there were a lot of benefits by aggregating the commercial uses in one centralized area. He stated that the primary change in figure 1-6 was moving the high intensity mixed use along North/South A and explained the reason for the request.

Susan O'Rourke, O'Rourke Engineering, discussed the traffic analysis results.

Mr. Sorrow advised he left the word paseo on Figure 1-6 because he did not want to have to amend Figure 1-6 should it receive support in the future with a D.O. (Development Order), Site Plan, or an MPUD Amendment. He requested that the City Council remove the monitoring analysis prior to sending the submittal. Mr. Sorrow added that monitoring was already accounted for in the Wilson Grove Development Order. He also requested that the City Council remove the transportation improvements. Mr. Sorrow reiterated to the City Council that they would not be approving anything at tonight's meeting but noted that they were only voting on to transmit the item to Tallahassee. He added it would come back before the City Council to receive final thoughts. Mr. Sorrow asked what the harm was in sending this item forward if DEO would have to provide comments and provide additional feedback from other state agencies.

Councilman Bonna inquired if it was the Applicant's position that they would not have a significant impact on traffic, to which Attorney Duhy responded in the affirmative and noted that it was also the findings of City Staff members until about a week ago. She advised that the findings from GL Homes did not change because they only say, "there could be impacts to Becker Road". Attorney Duhy commented that no one disagreed with the conclusions in Ms. O'Rourke's traffic study and noted that the only thing that was disagreed upon was if the City could hold the Applicant hostage to the current conditions and change conditions that did not exist when the Applicant's DRI was approved. She advised that nothing about the change in land use allows the City to return to the vested DRI and change those triggers. Attorney Duhy advised they were open to discussion about those triggers.

Councilman Bonna questioned Attorney Duhy and Ms. O'Rourke about the potential traffic changes.

Vice Mayor Caraballo stated the item was a request to amend the City's Comprehensive Plan and discussed the vision of the City and its future. She added that she met with Mr. Akel's son, Alex, and Staff. Vice Mayor Caraballo advised there had been nothing before her to convince her to change the Comprehensive Plan. She reiterated her previous concern regarding the potential overburdening to Becker Road. Vice Mayor Caraballo noted this was the City's Comprehensive Plan and it was the City's vision for the city. She advised she did not want to be pressured in providing a decision that does not feel the best for the City.

Mayor Martin echoed many of Vice Mayor Caraballo's comments and added that she had been dealing with this issue between Wilson Grove and GL Homes for the entirety of her service on the City Council for the last 12 years. She advised she had spoken to the Applicant, the Intervenor and City Staff on this topic. She added that she did not appreciate receiving a revised presentation threatening to sue the City. Mayor Martin added she was tired of the Applicant always litigating when things do not go their way. She expressed major concern over the changing of the mixed use and noted there would be overburdening on Becker Road if the changes were to be made.

Councilman Bonna inquired if the City was able to change their mind, to which Attorney Duhy responded in the affirmative. She commented that she took significant issue with Mayor Martin's previous comments and advised they have a vested right. Councilman Bonna advised he did not have any objection to receiving the presentation and was happy to take all the information into consideration. He inquired if each Map H was entitled to de novo review, to which Attorney Duhy responded in the affirmative and noted there would be limitations from the Development of Regional Impact Statute. She commented that the amendments must be related to the impacts associated with the requests made.

Vice Mayor Caraballo asked the City Attorney if the Applicant had a vested right for the City to amend its Comprehensive Plan, to which City Attorney Stokes responded in the negative and noted that it was a complex question. She inquired if the City could deny the Comprehensive Plan based on their legislative right, to which City Attorney Stokes responded in the affirmative.

Attorney Duhy provided the City Council with the statutory citation for the City Attorney, to which Mayor Martin and Vice Mayor Caraballo asked Attorney Duhy to please stop as she was speaking out of turn.

Mayor Martin asked that GL Homes provide their 15-minute presentation.

John Shubin, Shubin and Bass, LLC, represented the intervenor, Riverland Kennedy II, LLC, and GL Homes. He stated they supported City Staff's recommendation of denial and requested that any denial be held without prejudice to the Applicant. He asked to have the application remanded back to the Planning and Zoning Board, so that it could be considered with the corresponding amendment to the City's Comprehensive Plan. He discussed the overburdening of Becker Road and its effects to the community.

Ryan Courson, GL Homes, stated actions were louder than words and noted that they had not built out 4,000 homes but rather 2,000. He explained they built the roads adjacent to their projects. Mr. Courson provided the City Council with an explanation of their request.

Attorney Shubin addressed the Applicant's request to City Council asking them to "just transmit". He stated that if the City Council went on to transmit that the approval would be misinterpreted. Attorney Shubin encouraged the Council to follow Staff's recommendations and the data provided to ensure that the roadway network gets built.

Councilman Bonna inquired if GL Homes had an approved Map H, to which Mr. Courson responded in the affirmative. He inquired if GL Homes was committed to build out the entire two-lane network, to which Mr. Courson responded they would as soon as the Applicant committed to it as well. Mr. Courson stated that if the Applicant does not build out their portion of the network, it would further impact the roadway network. Councilman Bonna added that Parcel A through D were approved and Parcel E was currently in process. He asked why it was the current time to fix the issue, to which Mr. Courson stated that the neighboring development was responsible to build roads adjacent to the parcels currently being built. He added that the residents would only have single access. Mr. Courson added that if their neighbor, the Applicant does not build out the roads, it would impact their residents. Councilman Bonna inquired if the Applicant would have to build a certain number of dwelling units to come to an agreement to build out the roadway, to which Mr. Courson explained that there was commitment to build out the roadways upon reaching the trip threshold.

Councilman Pickett inquired why Mr. Courson could not commit to saying yes to building the network, instead of saying, "until the Applicant does". He added that the Applicant just states the same. He asked Mr. Courson to lead by example and just answer yes to the City Council's question. Mr.

Courson responded to Councilman Pickett and added that they did commit to build Becker Road. He added they are committed to building out the roadway network.

Mayor Martin asked Mr. Courson if he previously offered to write the City a check in the event the City decided to take control of Becker Road, to which he responded in the affirmative. She inquired if GL/Riverland had done exactly what the City had asked them to do, while advancing the roads to get things completed that was in the best interest of the City, to which the City Manager responded in the affirmative.

The City Manager noted that while they have had their differences with GL Homes/Riverland, they had always come through.

Mayor Martin questioned why the City Council would approve an item for transmittal if they were not in agreeance.

Attorney Duhy provided the City Council with a 5-minute rebuttal argument.

GL Homes/Riverland did not provide a rebuttal argument.

Vice Mayor Caraballo advised it was Staff's recommendation to deny the amendment and provided the Council with an alternate recommendation. She added that she continued to hear that the City Council cannot make the alternate recommendation provided by Staff but wanted to note that Attorney Duhy never said that the City Council could not deny the amendment. She added that if passed, the State would receive the City's transmittal with the City's approval and questioned what they would be telling the State by submitting the item. Vice Mayor Caraballo advised that by transmitting to the State, they would only be providing their comments and confirming everyone was on the same page. She advised that by doing so and not agreeing the Council would be wasting the State's time. Vice Mayor Caraballo expressed concern over amending the Comprehensive Plan and stated it would be a disservice to the City residents to change it.

Councilman Bonna asked Attorney Duhy for her opinion as to Vice Mayor Caraballo's previous comment about her not advising the Council that they cannot deny the amendment, to which she advised that in her opinion the City Council cannot recommend denial because there was no evidence to support their decision. Councilman Bonna advised he may vote yes to continue the conversation given this was First Reading. He asked the City Attorney if the Council loses anything by voting for transmittal or if they lose any rights, to which the City's Outside Legal Counsel, Susan

Trevarthen responded in the negative. She advised that it was possible for a governing body to vote yes on a transmittal and later reject the plan amendment at the adoption hearing.

Vice Mayor Caraballo discussed her position on the land use changes. She asked if the requested changes were a reasonable argument to deny the Comprehensive Plan, to which Attorney Trevarthen responded in the affirmative. Attorney Trevarthen added that Staff's PowerPoint Presentation did contain the full language of the Comprehensive Plan Policy. She commented that Policy 1.2.11.4, discusses the vision for the area being of mixed use for the hierarchy of interconnected streets promoting internal trips. Vice Mayor Caraballo stated the vision for the area did not meet her idea for the community. She asked if the City were to infringe on the Applicant's vested rights in the event the Council disagreed to move forward, to which Attorney Trevarthen responded in the negative and added that the Applicant retained their rights.

Mayor Martin advised she did not agree with Staff's alternate recommendation and expressed strong concern if the Council does not set a policy in the Comprehensive Plan to address the future completion of the roadway network. She asked Attorney Trevarthen to provide her opinion regarding her concern, to which she advised the Council to consider folding in the policy into the Comprehensive Plan. Mayor Martin inquired what was the best way to protect the City's interests and noted that she thought it would be best to include the policy into the Comprehensive Plan as it would include everyone involved. Attorney Trevarthen agreed with Mayor Martin.

Vice Mayor Caraballo asked if the Comprehensive Plan amendment to the policy could be done later, to which Attorney Trevarthen advised in the affirmative. Attorney Trevarthen advised the Council that they would need to decide tonight on the item before them. Vice Mayor Caraballo stated she did not agree with moving the mixed land use.

Mayor Martin called a recess at 10:29 PM and returned at 10:39 PM.

Mayor Martin opened the Public Hearing.

Shaun MacKenzie, MacKenzie Engineering & Planning, provided a report on the Southwest Roadway network and advised that additional roads were not necessary.

Richard Lawton, spoke regarding the Comprehensive Plan amendment and encouraged the Council to focus on the amendment rather than the

roads.

Mayor Martin closed the Public Hearing.

Councilwoman Morgan provided her closing remarks and added that the Council was focusing on the roads when it should decide if the Council should transmit to the State or not. She stated she would be voting for the transmittal and did not see the need to delay the process.

Vice Mayor Caraballo explained that though the Applicant presented “no net change” she felt that the use was more intense by placing them in the same area. She inquired if the reason to transmit was to obtain the State’s opinion regarding the land use changes proposed by the Applicant, to which Attorney Trevarthen advised it would allow the State to comment on all aspects of the project as proposed by the Applicant.

Councilman Pickett asked if in the event the item was not transmitted if it passed the favor debatable rule, to which City Attorney Stokes responded in the affirmative.

Councilman Bonna asked Councilman Pickett if he was 1000% sure that he would not be able to support this item at a second reading. He indicated he had unanswered questions, did not wish to waste the State’s time, and added if there were already 3 votes to deny then he did not want to waste anyone’s time.

Councilman Pickett stated that if he voted to get the item transmitted, he would hope that would get GL Homes/Riverland to come to the table and get the roads built.

Mayor Martin clarified the item was about moving all the development down to Becker Road and if the Council believed that was the right thing to do for the area. If so, they would agree to transmit the Comprehensive Plan amendment to the State for comments. She noted that by changing the use, it would lessen the need for the other roads to be built out. Mayor Martin added she did not understand why the City Council kept on going in circles about the subject. She added this was about protecting the interest of the City. Mayor Martin expressed frustration over the Council not following the vision based on previous decisions they had made.

Councilwoman Morgan commented that Commercial would come after the rooftops have been built.

Mayor Martin reiterated that the City Council was the only governing body

that should decide what is in the best interest of the City.

Vice Mayor Caraballo stated she would not be able to change Councilwoman Morgan's mind on the issue and spoke on her thoughts about the City's vision. She warned the City Council to consider the ramifications of approving this Comprehensive Plan transmittal.

Vice Mayor Caraballo moved to deny the item before the City Council.

Councilman Bonna advised he wished to speak and asked if there were 3 members of the City Council that were fully convinced that this item was to be a "no" vote. He added he understood Mayor Martin and Vice Mayor Caraballo were convinced to deny but each Council Member had a right to listen to all the facts. Councilman Bonna asked the public to not misrepresent a vote to transmit and noted that seconding the motion does not indicate the Council Member supports or opposes the motion. He added that a vote to transmit states they would like the State's opinion and would like a second hearing. Councilman Bonna inquired if there were three votes that are 100% in agreeance to deny this request.

Vice Mayor Caraballo moved to deny the item. Mayor Martin called for a second, there was no answer. She passed on the gavel to Mayor pro tem, Councilwoman Morgan. Mayor Martin seconded the motion and added she was disappointed. The City Clerk called a roll call vote with Mayor Martin and Vice Mayor Caraballo voted in favor of the denial of the item and Councilwoman Morgan, Councilman Bonna and Councilman Pickett dissenting. The motion to deny Ordinance 23-43 failed.

Councilwoman Morgan moved to approve Ordinance 23-43. Councilman Bonna seconded the motion. Deputy Director Teresa Lamar-Sarno inquired if the approval included conditions. Mayor Martin encouraged the Board to review the conditions and decide on those conditions.

Councilwoman Morgan asked if by making the motion to submit the transmittal initially if conditions can be added at the second hearing at that time, to which Attorney Trevarthen responded that conditions can be added at adoption but at that point the City Council lost the ability for all the agencies to review those proposed conditions and provide their input. She suggested that the Council state their conditions if they wish to be provided with input from the agencies reviewing the submittal.

Councilwoman Morgan added that due to the discussions had by the Council they did not have an opportunity to review the conditions. Mayor Martin noted that Staff did make recommendations and that the Planning

and Zoning Board approved those conditions.

Councilman Bonna added that his understand was that the Applicant was comfortable with the conditions reviewed during the Planning and Zoning Board Meeting for this item. He stated he would be supportive of approving the transmittal with the previous conditions set forth at the Planning and Zoning Board Meeting.

Vice Mayor Caraballo cautioned the City Council that the City was not properly protected with the set of conditions previously approved. She asked Councilman Bonna if he was going to approve based on what the Applicant wanted rather than taking Staff's advice, to which Councilman Bonna asked Vice Mayor Caraballo if she had ever voted against Staff's recommendation. Mayor Martin requested that the City Council focus on the matter at hand and agree on the conditions. Councilman Bonna stated Vice Mayor Caraballo asked him a direct question and noted he would like an opportunity to answer. Vice Mayor Caraballo stated Councilman Bonna did not answer her question, he only asked her another question. She added she had dealt with this issue in the past and had prior knowledge of the issue at hand. Vice Mayor Caraballo asked Councilman Bonna to take a pause and reconsider his decision. She added that the Applicant's needs do not play into her decision. Councilman Bonna explained he would like to continue the conversation and was not 100% convinced either way. He noted conditions can be added. Councilman Bonna stated just because he was not in agreeance with Vice Mayor Caraballo, it did not make him deficient. Vice Mayor Caraballo advised that was not what she stated and only mentioned her time on the Board was because she has attended many Attorney-Client sessions. Vice Mayor Caraballo requested that Mayor Martin call for a recess for the Council Members to review the conditions and set up parameters to protect the City. She stated she would be willing to support a motion to submit if conditions are placed to protect the City.

Mayor Martin called for recess at 11:26 PM and returned at 11:38 PM.

The City Manager recommended that the City Council table the item to allow Staff to review the conditions and work with the City Council to add conditions. The City Attorney agreed with the City Manager.

Mayor Martin requested that Councilwoman Morgan rescind the previous motion. Councilwoman Morgan stated she would be willing to amend her motion and for it to include the conditions previously submitted by the Planning and Zoning Board. Councilman Bonna stated he needed more time to review the information. He withdrew his second to the previously

made motion to approve Ordinance 23-43.

Mayor Martin inquired if there was someone willing to second Councilwoman Morgan's previous motion to approve Ordinance 23-43. There being no seconder, the motion failed for lack of a second.

Mayor Martin inquired if there was a motion to table this item to allow time for Council and Staff to work together to address conditions to properly move this item forward. Councilman Bonna moved to table this item for 30 days. Vice Mayor Caraballo seconded the motion. Director Savage-Dunham asked the City Council if they wished to have a Special Meeting or a Regular Meeting, to which Mayor Martin indicated she would like a Special Meeting for this item. Director Savage-Dunham advised that 30 days would put them to July 26th and asked if July 31st would work. Vice Mayor Caraballo indicated she would not be available on July 31st. Director Savage-Dunham asked about Monday, August 7, 2023, to which, Mayor Martin and Vice Mayor Caraballo indicated that date would work. Councilwoman Morgan asked about the July dates for the City Council Meetings, to which Director Savage-Dunham indicated they were set for July 10th and July 24th. She inquired why the July 24th Council Meeting would not work, to which Vice Mayor Caraballo indicated she was not going to be present. Mayor Martin stated they required a full City Council to be present.

Councilman Bonna stated he wished to set a date certain and asked for it to be added to the Special City Council meeting of the 17th of July, to which Mayor Martin responded there was no Special Meeting scheduled for July due to the upcoming workshop.

The City Clerk advised it would be possible to hold a meeting on July 19th through 21st since the workshop would likely be rescheduled. Director Savage-Dunham advised that Planner Keen would not be available until July 24th.

Director Savage-Dunham asked about the due date for backup information if the meeting were to be held on the 17th of July, to which the City Clerk advised it would need to be submitted by July 5th.

Mayor Martin proposed that the City Council postpone the item no later than August 7th, 2023. Councilman Bonna and Vice Mayor Caraballo amended their motion to table the item to a date no later than August 7th, 2023 to allow the City Council to discuss condition recommendations. The City Clerk called a roll call vote with Mayor Martin, Vice Mayor Caraballo, Councilman Bonna and Councilman Pickett voting in favor of tabling the

item and Councilwoman Morgan dissented.

Vice Mayor Caraballo moved to extend the City Council Meeting time to allow City Council to finish the Agenda. Councilman Bonna seconded the motion, which passed unanimously by voice vote.

- 10.c** Ordinance 23-44, Authorizing the Conveyance of [2022-1080](#)
Non-Exclusive Easements to Florida Power & Light Company
Benefiting the McCarty Ranch Preserve and Extension.

(Clerk's Note: This Item was tabled during Section 6. Additions and Deletions to the Agenda and Approval of the Agenda.)

- 10.d** Ordinance 23-45, An Ordinance of the City of Port St. Lucie, [2023-531](#)
Florida, Amending Chapter 32 Article VII Planning and Zoning
Board; Chapter 150 Building Regulations; and Chapter 162
Art In Public Places; Providing for Codification; Providing for
Conflict; Providing for Severability; Providing an Effective
Date.

(Clerk's Note: This Item was tabled during Section 6. Additions and Deletions to the Agenda and Approval of the Agenda.)

- 10.e** Ordinance 23-46, Conveying an Easement to Florida Power & [2023-521](#)
Light for Electrical Service to MIDFLORIDA Event Center
Signage.

The City Clerk read Ordinance 23-46 aloud by title only.

There being no discussion, Vice Mayor Caraballo moved to approve Ordinance 23-46. Councilman Pickett seconded the motion, which passed unanimously by voice vote.

- 10.f** Ordinance 23-47, An Ordinance Providing for the Second [2023-558](#)
Amendment to the Planned Unit Development Regulation
Book and Conceptual Plan for the Prima Vista Shops Planned
Unit Development (P22-349) Located on the North Side of
NW Prima Vista Boulevard and East of NW Friar Street,
Legally Described as All of the Property within Prima Vista
Commercial Center Plat No. 2; Providing for Conflicts;
Providing for Severability; and Providing an Effective Date.

The City Clerk read Ordinance 23-47 aloud by title only.

There being no discussion, Councilman Pickett moved to approve Ordinance 23-47. Vice Mayor Caraballo seconded the motion, which

passed unanimously by voice vote.

- 10.g** Ordinance 23-48, An Ordinance Amending Section 32.08(A) Purpose, Scope, and Applicability; Amending Section 32.80(B) Definitions; and Amending Section 32.80(E) Conduct of Public Hearing of the Code of Ordinances of the City of Port St. Lucie, Florida; Providing for Codification; Providing for Conflict; Providing for Severability; Providing an Effective Date.

[2023-566](#)

(Clerk's Note: This Item was tabled during Section 6. Additions and Deletions to the Agenda and Approval of the Agenda.)

11. Resolutions

- 11.a** Resolution 23-R60, Quasi-Judicial, Public Hearing, A Resolution Granting A Special Exception Use to Allow a Car Wash in the General Commercial (CG) Zoning District per Section 158.124(C)(4) of the Code of Ordinances (P22-155).

[2023-557](#)

The City Clerk read Resolution 23-R60 aloud by title only.

The City Attorney read the Quasi-Judicial Procedures into the record for Item 11.a. The City Clerk administered the Oath of Testimony to staff and other interested parties.

Mayor Martin inquired if there were any ex-parte communications, to which all City Council Members responded in the negative.

Bethany Grubbs, Planner III, Planning and Zoning presented a PowerPoint Presentation to the City Council and provided a summary of the Special Exception Use. She stated that the site did not abut to any single-family residences therefore the 8-foot masonry wall the Applicant was proposing was requested by Staff to mitigate any potential noise on the residences beyond the stormwater pond. Planner Grubbs advised that the Applicant accepted the request made by Staff.

Planner Grubbs explained the recommended conditions of approval to the City Council and added that the Applicant must perform a Sound Study.

Councilwoman Morgan inquired if the Applicant agreed to the conditions set forth, to which Planner Grubbs responded in the affirmative.

Mayor Martin stated the Applicant was not required to build a wall, but Staff asked them to build a wall when they are 540 feet away from the nearest home. She expressed concern over the Applicant having to provide a

Sound Study if they already agreed to build a wall.

Councilman Pickett advised he did not find it necessary to have the Applicant provide a sound study if they were already providing the 8-foot masonry wall.

Planner Grubbs stated that the sample sound study to be provided was for noise emanating on the western boundary that exceeded the sound levels of the City Code and would therefore not be able to operate in the evening hours due to the 65-decibel limit.

Mayor Martin inquired if the 8-foot wall would mitigate the noise, when there were previous conversations that stated that adding a wall on Crosstown Parkway would not mitigate the noise. She stated she found the decision hypocritical to make the Applicant perform a noise study when the Applicant had previously agreed to install the 8-foot wall. Mayor Martin stated she was not in favor of having the Applicant install an 8-foot wall when it will not mitigate the noise.

Vice Mayor Caraballo stated she was in favor of the 8-foot wall because there were two stormwater ponds and expressed concern over the openness of the stormwater ponds. She explained that while it may not buffer the noise, but it may buffer the view. Vice Mayor Caraballo stated that in a previous noise study for a different car wash the study came back resulting in the traffic from Port Saint Lucie Boulevard being louder than the actual car wash.

Councilwoman Morgan asked about the projected hours of operation for the car wash to which Andrew Barclay, representative of Take 5 Oil Change and Car Wash, explained hours of operation are typically 8am to 8pm or 7am to 6pm and vary on the area and community. He stated the most noise would be at the end of the tunnel facing Import Road.

Director Savage-Dunham advised that if the Applicant did not adhere to the Special Exception Use or Conditional Use Permit, they would be in violation and would prompt them to mitigate the noise.

There being no further discussion, Vice Mayor Caraballo moved to approve Resolution 23-R60. Councilman Pickett seconded the motion and asked the Applicant about exiting the establishment. The Applicant confirmed you would have to exit the establishment through the west side of Gatlin Boulevard.

Vice Mayor Caraballo amended her previous motion to approve Resolution

23-R60 to include the conditions. Councilman Pickett amended his previous second to the motion. Mayor Martin opened the Public Hearing. There being no one, Mayor Martin moved to close the Public Hearing.

Mayor Martin instructed Council Members to ask for permission to speak and allow her to run the meeting.

There being no further discussion, The City Clerk restated the motion, which passed unanimously by roll call vote. Mayor Martin noted she was disappointed in forcing the Applicant to comply for no valid reason.

- 11.b** Resolution 23-R61, Finding that the Acquisition of a Portion of Real Property Described as Lot 35, Block 401, Port St. Lucie Section Six, According to the Plat thereof, as Recorded in Plat Book 12, Page 36, of the Public Records of St. Lucie County, Florida, through Negotiated Conveyance or the City's Eminent Domain Powers, Serves a Public Purpose and is Necessary for the Floresta Drive Improvement Project, and; Authorizing the City Manager and City Attorney, or their Designees, to Acquire via Negotiated Conveyance or Eminent Domain the Subject Parcel and to take All Actions that They Determine are Reasonably Necessary including, but not limited to, Engaging Expert Witnesses and Consultants, to Acquire the Subject Parcel in Fee Simple.

[2023-536](#)

The City Clerk read Resolution 23-R61 aloud by title only.

There being no discussion, Councilman Pickett moved to approve Resolution 23-R61. Councilman Bonna seconded the motion, which passed unanimously by voice vote.

- 11.c** Resolution 23-R62, A Resolution of the City of Port St. Lucie, Florida, Authorizing the City Manager, or His Designee, to Enter into and Execute a State Highway Traffic Signal, Maintenance, and Compensation Agreement with the State of Florida Department of Transportation (FDOT) for the Maintenance of Traffic Signals at Intersections Located on State-Owned Roadways Within the City Limits of Port St. Lucie.

[2023-444](#)

The City Clerk read Resolution 23-R62 aloud by title only.

There being no discussion, Councilman Pickett moved to approve Resolution 23-R62. Councilwoman Morgan seconded the motion, which

passed unanimously by voice vote.

- 11.d** Resolution 23-R63, A Resolution Approving the Preliminary and Final Plat with Construction Plans for Verano North-South "A" Roadway Plat (P22-023). [2023-292](#)

The City Clerk read Resolution 23-R63 aloud by title only.

There being no discussion, Vice Mayor Caraballo moved to approve Resolution 23-R63. Councilman Pickett seconded the motion, which passed unanimously by voice vote.

- 11.e** Resolution 23-R64, A Resolution Approving the Preliminary and Final Plat with Construction Plans for Riverland Boulevard at Riverland Parcel D Plat (P22-210) [2023-520](#)

The City Clerk read Resolution 23-R64 aloud by title only.

There being no discussion, Councilman Bonna moved to approve Resolution 23-R64. Vice Mayor Caraballo seconded the motion, which passed unanimously by voice vote.

- 11.f** Resolution 23-R65, Authorizing the City Manager or His Designee to Enter into and Execute a True-Up Agreement for Road Impact Fee Credits between the City of Port St. Lucie and ACR Acquisition, LLC. [2023-538](#)

The City Clerk read Resolution 23-R65 aloud by title only.

Mayor Martin inquired if the Council would like a presentation for the item, to which the City Council agreed to move forward without the presentation.

There being no further discussion, Vice Mayor Caraballo moved to approve Resolution 23-R65. Councilman Pickett seconded the motion, which passed unanimously by voice vote.

- 11.g** Resolution 23-R66, Authorizing the City Manager or His Designee to Enter into and Execute a True-Up Agreement for Road Impact Fee Credits between the City of Port St. Lucie and Verano Development, LLC. [2023-539](#)

The City Clerk read Resolution 23-R66 aloud by title only.

There being no discussion, Councilman Pickett moved to approve Resolution 23-R66. Councilwoman Morgan seconded the motion, which passed unanimously by voice vote.

- 11.h** Resolution 23-R67, Authorizing the City Manager or His [2023-496](#)

Designee to Enter into and Execute a True-Up Agreement for Road Impact Fee Credits between the City of Port St. Lucie and Riverland/Kennedy II, LLC.

The City Clerk read Resolution 23-R67 aloud by title only.

There being no discussion, Councilman Pickett moved to approve Resolution 23-R67. Vice Mayor Caraballo seconded the motion, which passed unanimously by voice vote.

- 11.i** Resolution 23-R68, A Resolution of the City of Port St. Lucie, Florida, Approving the Auditor Selection Committee's Recommendation of Award in RFP #20230026 for Auditing Services, Selecting the Highest-Ranked Qualified Firm, and Designating the City Manager, and/or His Designees to Negotiate a Contract with Said Firm in Accordance with Section 218.391, Florida Statutes.

[2023-559](#)

The City Clerk read Resolution 23-R68 aloud by title only.

There being no discussion, Vice Mayor Caraballo moved to approve Resolution 23-R68. Councilman Pickett seconded the motion, which passed unanimously by voice vote.

12. Unfinished Business

(Clerk's Note: There was nothing scheduled for this item.)

13. New Business

- 13.a** Approve Staff's Recommended Speed Limit Changes on two (2) Sections of SW Paar Drive

[2023-553](#)

Heath Stocton, Public Works Director, advised he did not have a presentation for the City Council and explained the recommended speed limit changes.

Councilman Bonna thanked Mr. Stocton. There being no further discussion, Councilman Bonna moved to approve Staff's Recommended Speed Limit Changes. Councilman Pickett seconded the motion, which passed unanimously by voice vote.

14. City Manager's Report

The City Manager advised he did not have an update.

15. Councilmembers Report on Committee Assignments

All City Council Members indicated they did not have a report.

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

(Clerk's Note: No one signed up to speak under this Item.)

- 17. Adjourn

There being no further business, the meeting was adjourned at 12:15 AM.

Daisy Ruiz, Deputy City Clerk

Sally Walsh, City Clerk