

City of Port St. Lucie

City Council

Meeting Minutes

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

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

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

Monday, March 14, 2022

6:30 PM

Council Chambers, City Hall

Updated Item 8a

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 March 14, 2022, 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:

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

3. Invocation & Pledge of Allegiance

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

4. Proclamations and Special Presentations

4.a Proclamation: Procurement Month

[2022-245](#)

(Clerk's Note: This item was heard after Item 4.b.)

Mayor Martin read the proclamation for Procurement Month into the record and presented it to Caroline Sturgis, Budget Director, OMB.

4.b Discuss the 2022 State Legislative Update - Weeks 7-8[2022-242](#)

(Clerk's Note: This item was heard before Item 4.a.)

Ella Gilbert, Senior Deputy City Attorney, provided an update on Weeks 7 and 8 of the 2022 Florida State Legislature. She noted they passed a record \$112.1 billion budget for the fiscal year that starts July 1st and that the Southern Grove Water Main Project as well as area 7A for McCarty Ranch were funded at the full amount. Ms. Gilbert also reviewed some bills moving through the legislative process that would impact the City of Port St. Lucie.

Regarding the local business damages bill, Vice Mayor Caraballo suggested the City Manager look at any potential issues to a business when adopting an ordinance. With respect to the sovereign immunity bill, Vice Mayor Caraballo stated she would like to see a member serve on Land Use and Economic Development next year. Councilman Bonna agreed that the sovereign immunity issue needed to be followed, as it is definitely coming back next year.

Ms. Gilbert, Mayor Martin, and other members of the Council thanked everyone involved in getting the appropriation requests funded.

5. Public to be Heard

Mayor Martin opened Public to be Heard.

1. Steven Carroll, 3421 NW Bolin Street, spoke to the handicap parking and signage problem, golf course expenses and other possible uses, as well as Charter revisions and salaries for elected officials.
2. Jorge Torres, 606 SW Bradshaw Circle, commented on the construction behind his house, as the foundation is as high as his fence and he is losing his privacy and property value.
3. Frank Marcos, 537 SW Nagle Place, stated he had the same issue as Mr. Torres. He mentioned potential drainage issues and that a few months back the construction was stopped.
4. Ruben Fleurinor, 610 SW Bradshaw Circle, stated he had the same issue as Mr. Torres.
5. Samuel Moreno, 595 SW Bradshaw Circle, stated he had the same issue as Mr. Torres. He asked that someone look at the traffic flow to the turnpike entrance

going south.

There being no further comments, Mayor Martin closed Public to be Heard.

Russ Blackburn, City Manager, explained there will be more complaints as the floodplain is causing homes to be built to a higher elevation near the intersection of Becker Road. He stated Jesus Merejo, Chief Assistant City Manager, looked at the property and it was determined the grading could be done so the water channels back toward the stormwater facility. Mr. Blackburn indicated the City does not have the right to intercede, as it is private property and the developer has the right to build on it. Mayor Martin asked that the Building Department confirm with the contractor that the grading will be done correctly.

Vice Mayor Caraballo inquired who determined the floodplain and the height of the foundation, to which Mr. Blackburn explained the federal government provides new flood maps through FEMA every five years or so. Vice Mayor also inquired about the use of landscaping to create a buffer, but it was determined that could not be done.

6. Additions or Deletions to Agenda and Approval of Agenda

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

7. Approval of Consent Agenda

Vice Mayor Caraballo moved to approve the Consent Agenda with the removal of Item 7.h for discussion. Councilman Pickett seconded the motion, which passed unanimously by voice vote.

7.a July 22, 2021 Summer Retreat Meeting Minutes, December 13, 2021 Special City Council Meeting Minutes, December 13, 2021 Regular City Council Meeting Minutes, February 23, 2022 Winter Retreat Meeting Minutes, February 24, 2022 Winter Retreat Meeting Minutes, February 25, 2022 Winter Retreat Meeting Minutes [2022-232](#)

This Consent item was Approved the Consent Agenda.

7.b Approve Amendments #1 - 4 to Contract #20200116 for the Replacement of the Emergency Generator at City Hall. [2022-212](#)

This Consent item was Approved the Consent Agenda.

7.c Approve Change Order 002 - Motorola Solutions Agreement / Contract FLP20I233A [2022-229](#)

This Consent item was Approved the Consent Agenda.

-
- 7.d** Award Contract #20220022 for Pavement Condition & Right-of-Way Asset Surveys with TransMap Corporation. [2022-201](#)
- This Consent item was Approved the Consent Agenda.
- 7.e** Approve City Participation in the 2022 Earth Day Festival [2022-243](#)
- This Consent item was Approved the Consent Agenda.
- 7.f** Approval to Participate in the Sheriff of Broward County's Contract for Installation and/or Repair of Vehicle Emergency Equipment for Public Safety Vehicles with Strobes-R-U's, Inc., and Spartan Upfit Services, Inc. [2022-203](#)
- This Consent item was Approved the Consent Agenda.
- 7.g** Award Contract # 20210107 for Design & Permitting of Class I Deep Injection Well at Prineville Water Treatment Facility to McNabb Hydrogeologic. [2022-219](#)
- This Consent item was Approved the Consent Agenda.
- 7.h** SLW-Cashmere Ventures - Office/Retail Major Site Plan (P21-277) [2022-222](#)

(Clerk's Note: This item was removed from the Consent Agenda for discussion.)

Councilwoman Morgan stated she was concerned with the traffic on Cashmere Boulevard when turning south on Cashmere from St. Lucie West Boulevard. She inquired how the left turn was going to be treated and if there will be a turn lane into this project. Colt Schwerdt, Assistant Public Works Director, responded and explained that a southbound right turn lane is not warranted because of trip generation and that a northbound left turn lane into the project can be required as it is a two-lane roadway.

Vice Mayor Caraballo stated she would like to see this item tabled and brought forward with a plan from Public Works for this particular intersection. She indicated she was willing to take it a step further and, at a minimum, approve the item with a turn lane request. Mayor Martin suggested keeping the application separate from anything the City does with the intersection.

Stephen Cooper, S.E., P.E., stated via Zoom that he prepared the site plan and traffic statement. He discussed the north and south accesses as well as the left turn into the site. He said he would work with Public

Works on any issues. Councilwoman Morgan inquired if there would be a right turn in only lane for the northern entrance, to which Mr. Cooper responded in the negative. Councilwoman Morgan indicated she would like to hold off until Public Works looks at it. Mayor Martin suggested tabling the item, so that staff and the applicant can work on it and bring it back.

There being no further discussion, Councilwoman Morgan moved to table the SLW-Cashmere Ventures - Office/Retail Major Site Plan to the March 28, 2022, City Council Meeting. Councilman Pickett seconded the motion, which passed unanimously by voice vote.

- 7.i** Award Contract #20220004 for Swale Liner Maintenance - [2022-047](#)
Area B to Aero Groundtek, LLC.

This Consent item was Approved the Consent Agenda.

8. Second Reading of Ordinances, Public Hearings

- 8.a** Ordinance 22-18, Public Hearing, An Ordinance Approving [2022-244](#)
the Second Amendment to the Becker Road Overlay District
Design Standards (P21-202).

The City Clerk read Ordinance 22-18 aloud by title only.

Mayor Martin opened the Public Hearing. She stated the Council had discussed this item extensively at the First Reading and inquired if they would like another presentation, to which the Council responded in the negative. Mayor Martin asked that the presentation from First Reading be incorporated into the record. She noted she would not be supporting any special exceptions regarding access using residential streets for this project.

David Baggett, EDC, 10250 SW Village Parkway, stated he was representing WaWa. He showed Council the latest iteration of the site plan for the corner of Becker Road and Port St. Lucie Boulevard. He discussed the driveway, buffering, and sidewalks. Mayor Martin reminded Mr. Baggett that their site plan needed to coordinate with the City's plan.

Dan Sorrow, Cotleur & Hearing, indicated via Zoom that he was okay with the revisions to the overlay district.

Mayor Martin closed the Public Hearing.

Councilwoman Morgan moved to approved Ordinance 22-18 and Councilman Bonna seconded the motion.

Under discussion, Councilman Bonna thanked staff for implementing everything discussed last week and stated that his thoughts are in line with the Mayor's regarding special exceptions.

Mayor Martin clarified that this ordinance was not approving individual projects, WaWa, or any other individual site plan or application, as it was for the overall district.

Vice Mayor Caraballo stated there should be further discussion, so when the site plan comes forward everyone understands where the sidewalk goes and how it links to their connectivity.

There being no further discussion, the City Clerk restated the motion as follows: to approve Ordinance 22-18. The motion passed unanimously by roll call vote.

- 8.b** Ordinance 22-19, Public Hearing, Authorizing the Release of Any and All Interest Reserved unto the City of Port St. Lucie under Section 270.11, Florida Statutes, for Phosphate, Minerals, Metals and Petroleum that is or may be in, on, or under Lands conveyed to the Port St. Lucie Governmental Finance Corporation via Quit Claim Deeds recorded in Official Records Book 4596, Page 1259, and Official Records Book 4378, Page 1656, of the Public Records of St. Lucie County, Florida.

[2022-226](#)

The City Clerk read Ordinance 22-19 aloud by title only.

Mayor Martin opened the Public Hearing. She stated the Council received a brief description of this ordinance at First Reading and inquired if they needed another presentation, to which the Council responded in the negative.

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

There being no discussion, Vice Mayor Caraballo moved to approve Ordinance 22-19. Councilman Pickett seconded the motion. The City Clerk restated the motion as follows: to approve Ordinance 22-19. The motion passed unanimously by roll call vote.

9. Other Public Hearings

Nothing was heard under this item.

10. First Reading of Ordinances

- 10.a** Ordinance 22-21, An Ordinance Approving the Eighth Amendment to the Veranda Planned Unit Development (P20-223). [2022-240](#)

The City Clerk read Ordinance 22-21 aloud by title only.

There being no discussion, Vice Mayor Caraballo moved to approved Ordinance 22-21 and Councilman Bonna seconded the motion.

Under discussion, Mayor Martin read into the record a comment card received online from Brian Lubinski, 157 SE Courances Drive, asking that Exhibit 1, Page 220, be updated to show four roundabouts.

Laura Dodd with Planning and Zoning stated she would look into it, but she believed it was in alignment with the amended Becker Road Plan, which includes four roundabouts.

Mr. Murphy stated he was representing the petitioners and explained that they were committed to the four roundabouts. He requested a copy of the comment card.

There being no further discussion, the Council voted and the motion passed unanimously by voice vote.

11. Resolutions

- 11.a** Resolution 22-R36, A Resolution Approving the Final Subdivision Plat with Construction Plans for Esplanade at Tradition II, Phase 1 (P21-043). [2022-133](#)

The City Clerk read Resolution 22-R36 aloud by title only.

There being no discussion, Councilman Bonna moved to approve Resolution 22-R36. Councilwoman Morgan seconded the motion. The City Clerk restated the motion as follows: to approve Resolution 22-R36. The motion passed unanimously by roll call vote.

- 11.b** Resolution 22-R37, Florida Inland Navigation District Waterways Assistance Grant 2022-2023 [2022-239](#)

The City Clerk read Resolution 22-R37 aloud by title only.

Andrina Nobili, Program Coordinator with the Parks and Recreation Department, provided a brief PowerPoint presentation on the resolution for the Florida Inland Navigation District Waterways Assistance Grant, which will help fund the project of connecting the boardwalks under the Port St. Lucie Boulevard bridge.

There being no discussion, Vice Mayor Caraballo moved to approve Resolution 22-R37. Councilman Pickett seconded the motion. The City Clerk restated the motion as follows: to approve Resolution 22-R37. The motion passed unanimously by roll call vote.

12. Unfinished Business

Nothing was heard under this item.

13. New Business

- 13.a** Discuss Authorizing the Refunding of the Utility System
Refunding Revenue Bonds, Series 2012.

[2022-249](#)

The City Manager discussed the Council's goal of reducing the City's debt and the status of that effort. He explained the City's financial adviser has identified a callable bond that is at a higher interest rate. He stated the proposal is to refund the bond for the balance of the term with a savings of about \$1.2 million net present value and a savings of around \$200,000 a year to the Utility.

Mayor Martin noted the City will be able to pay off the debt sooner at a lower interest rate and provide that savings to their taxpayers.

There being no further discussion, Councilwoman Morgan moved to approve Authorizing the Refunding of the Utility System Refunding Revenue Bonds, Series 2012. Councilman Bonna seconded the motion, which passed unanimously by voice vote.

The City Manager indicated this bond will go through a local financial institution to reduce costs and fees.

- 13.b** Request for an Attorney/Client Session with the City Council
to Discuss Pending Litigation in the Matter of City of Port St.
Lucie v. Waste Pro of Florida, Inc., Case No. 2021-CA-001628.

[2022-254](#)

James Stokes, City Attorney, explained this request was put on the Agenda when the City was negotiating with Waste Pro. He stated those negotiations have broken down since, but he would like to leave the request in place as he will probably need to speak with the Council

privately as the case moves forward.

There being no discussion, Councilman Bonna moved to approve the Request for an Attorney/Client Session with the City Council to Discuss Pending Litigation in the Matter of City of Port St. Lucie v. Waste Pro of Florida, Inc., Case No. 2021-CA-001628. Councilwoman Morgan seconded the motion, which passed unanimously by voice vote.

14. City Manager's Report

The City Manager reported that two projects recently came through site plan review: St. Lucie Battery & Tire on Gatlin and the Verano maintenance facility. He also thanked Council for their participation and direction at the recent Strategic Planning session.

15. Councilmembers Report on Committee Assignments

Councilwoman Morgan reported she attended the Strategic Planning Session and the Professional Pickleball Association Riverland Open.

Councilman Picket reported he attended the Economic Development Council (EDC) Luncheon, Treasure Coast Council of Local Governments, Port St. Lucie Little League Softball Opening Day at Jessica Clinton Park, Professional Pickleball Association Riverland Open, Care Net Banquet, St. Patrick's Day Event, and Clay Shooting at the OK Corral.

Vice Mayor Caraballo reported she attended the Port St. Lucie Little League Softball Opening Day at Jessica Clinton Park and stated the league is requesting a concession stand there. She wanted Council to discuss this request in the future and add it to the City's budget. Vice Mayor Caraballo also asked for an update on Waste Pro.

Councilman Bonna reported he attended the Professional Pickleball Association Riverland Open, Homelessness Task Force, PSL Opioid Task Force, St. Lucie Cultural Alliance performance, St. Lucie County Chamber of Commerce breakfast sponsored by KPSLB, Port St. Lucie Little League Softball Opening Day at Jessica Clint Park, and Care Net Banquet. He shared that he was doing a fish fry tour of the City's local parishes.

Mayor Martin reported she attended the Economic Development Council (EDC) Luncheon, Port St. Lucie Little League Softball Opening Day at Jessica Clinton Park, Strategic Planning, Girl Scout Graduation Ceremony for Troop 42020, Professional Pickleball Association Riverland Open, and Clay Shooting at the OK Corral. Mayor Martin requested an update on Waste Pro at this time.

The City Manager commented on Waste Pro's poor service and breach of contract. He stated the City received a notice from Waste Pro that the City breached the contract due to nonpayment of administration fees. He said that Waste Pro is still responsible for picking up the garbage, yard waste, and recycling. He indicated Public Works and Code Enforcement were helping out to catch up.

Carmen Capezzuto with the Neighborhood Services Department stated they have reached out to Stuart and Ft. Pierce for weekend assistance, but that has not panned out. He said they are now looking at a contractor and such costs would be deducted from what is owed Waste Pro. He indicated there will be a meeting on March 21st to discuss all the issues.

Vice Mayor Caraballo stated she wants the citizens to be aware of the March 21st meeting and the highlights from the meeting posted for transparency. She also requested a report from the City Attorney on the litigation.

James Stokes, City Attorney, explained the City filed for two different breaches and Waste Pro answered with a counterclaim, to which the City will respond. He said Legal was pursuing all avenues and coordinating with other cities experiencing issues with Waste Pro. He indicated that April 5th is the next court hearing for Southern Grove.

Mayor Martin stated that on March 21st she wants a new contractor to take over, wants numbers and information, and wants everyone to stay open and honest, as she does not want any union issues.

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 discussion, the meeting was adjourned at 7:58 PM.

Sally Walsh, City Clerk

Traci Mehl, Deputy City Clerk