



City of Stuart

## AGENDA

**REGULAR MEETING OF THE STUART CITY COMMISSION  
SEPTEMBER 26, 2022  
AT 5:30 PM  
COMMISSION CHAMBERS  
121 SW FLAGLER AVE.  
STUART, FLORIDA 34994**

### CITY COMMISSION

**Mayor Troy McDonald  
Commissioner Becky Bruner  
Commissioner Eula R. Clarke  
Commissioner Christopher Collins  
Commissioner Campbell Rich**

### ADMINISTRATIVE

**City Manager, David Dyess  
City Attorney, Michael J. Mortell  
City Clerk, Mary R. Kindel**

Agenda items are available on our website at <http://www.cityofstuart.us>  
Phone: (772) 288-5306. Fax: (772) 288-5305. E-mail: [mkindel@ci.stuart.fl.us](mailto:mkindel@ci.stuart.fl.us)

In compliance with the Americans with Disabilities Act (ADA), anyone who needs a special accommodation to attend this meeting should contact the City's ADA coordinator at 772-288-5306 at least 48 hours in advance of the meeting, excluding Saturday and Sunday.

If a person decides to appeal any decision made by the Board with respect to any matter considered at this meeting, he will need a record of the proceeding, and that for such purpose he may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based.

**(RC)** next to an item denotes there is a City Code requirement for a Roll Call vote.  
**(QJ)** next to an item denotes that it is a quasi-judicial matter or public hearing.

**WHAT IS CIVILITY?** Civility is caring about one's identity, needs and beliefs without degrading someone else's in the process. Civility is more than merely being polite. Civility requires staying "present" even with those persons with whom we have deep-rooted and perhaps strong disagreements. It is about constantly being open to hear, learn, teach and change. It seeks common ground as a beginning point for dialogue. It is patience, grace, and strength of character. Civility is practiced in our City Hall.

**PUBLIC COMMENT:** If a member of the public wishes to comment upon ANY subject matter, including quasi-judicial matters, please submit a Request to Speak form. These forms are available in the back of the Commission Chambers, and should be given to the City Clerk prior to introduction of the item number you would like to address.

**CONSENT CALENDAR:** Those matters included under the Consent Calendar are self-explanatory, non-controversial, and are not expected to require review or discussion. All items will be enacted by one motion. If discussion on an item is desired by any City Commissioner that item may be removed by a City Commissioner from the Consent Calendar and considered separately. If an item is quasi-judicial it may be removed by a Commissioner or any member of the public from the Consent Calendar and considered separately.

**QUASI-JUDICIAL HEARINGS:** Some of the matters on the Agenda may be "quasi-judicial" in nature. City Commissioners will disclose all ex-parte communications, and may be subject to voir dire by any interested party regarding those communications. All witnesses testifying will be "sworn" prior to their testimony. However, the public is permitted to comment without being sworn. Unsworn testimony will be given appropriate weight and credibility by the City Commission.

## **ROLL CALL**

## **PLEDGE OF ALLEGIANCE**

## **PRESENTATIONS**

1. PROPOSED FORM BASED CODE FOR THE EAST STUART NEIGHBORHOOD AND THE CREEK DISTRICT, PRESENTED BY THE TREASURE COAST REGIONAL PLANNING COUNCIL

## **COMMENTS BY CITY COMMISSIONERS**

## **COMMENTS BY CITY MANAGER**

## **APPROVAL OF AGENDA**

## **COMMENTS FROM THE PUBLIC (3 Minutes Max.)**

## **CONSENT CALENDAR**

2. APPROVAL OF 09/12/2022 CCM AND 09/14/2022 SCM - UTILITY RATE HEARING MEETING MINUTES (RC)
3. AUTHORIZATION TO NEGOTIATE RFP# 2022-207: DOWNTOWN VALET PARKING SERVICES (RC):

RESOLUTION No. 78-2022; A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF STUART, FLORIDA REQUESTS AUTHORIZATION TO NEGOTIATE FOR RFP #2022-207, DOWNTOWN VALET PARKING SERVICES PROGRAM TO THE ONLY SUBMITTING FIRM, THE PARKING SOLUTION OF BOYNTON BEACH, FLORIDA PROVIDING AN EFFECTIVE DATE, AND FOR OTHER PURPOSES.

4. AUTHORIZATION TO PARTIALLY RELEASE MURPHY DEED NO. 651 (E. OCEAN BLVD.) (RC):

RESOLUTION No. 82-2022; A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF STUART, FLORIDA AUTHORIZING THE PARTIAL RELEASE OF MURPHY ACT ROADWAY RESERVATION, DEED NO. 651 ON STATE ROAD #222, ALSO KNOWN AS EAST OCEAN BOULEVARD; AUTHORIZATION FOR THE PUBLIC WORKS DIRECTOR TO EXECUTE THE APPLICATION FOR RELEASE OF RESERVATIONS TO THE BOARD OF TRUSTEES OF THE INTERNAL IMPROVEMENT TRUST FUND OF THE STATE OF FLORIDA; PROVIDING AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

5. AWARD OF ITB# 2022-112: DIXIE HWY (COUNTY ROAD A1A) UTILITY RELOCATION PROJECT (RC):

RESOLUTION No. 83-2022; A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF STUART, FLORIDA APPROVES THE AWARD OF ITB #2022-112, CITY OF STUART SE DIXIE HWY (COUNTY ROAD A1A) UTILITY RELOCATION PROJECT TO THE LOWEST, RESPONSIVE, AND RESPONSIBLE BIDDER WITH A TOTAL UNIT PRICE OF \$320,000.00 TO UNDERGROUND CONSTRUCTION MANAGEMENT OF STUART, FLORIDA PROVIDING AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

6. FACSIMILE SIGNATURE BANK (RC):

RESOLUTION No. 87-2022; A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF STUART, FLORIDA AUTHORIZING THE USE OF FACSIMILE SIGNATURES ON CHECKS ISSUED BY THE CITY; PROVIDING AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

#### **END OF CONSENT CALENDAR**

#### **COMMISSION ACTION**

7. LICENSE AGREEMENT WITH THE CREEK DISTRICT OF ARTS AND ENTERTAINMENT (RC):

RESOLUTION No. 84-2022; A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF STUART, FLORIDA, AUTHORIZING THE MAYOR TO EXECUTE A LICENSE AGREEMENT WITH "THE CREEK" DISTRICT OF ARTS AND ENTERTAINMENT INC. FOR THE PURPOSE OF PROVIDING A MONTHLY "FIRST FRIDAY ART WALK" TO PROMOTE THE ARTS AND FOR THE ENJOYMENT OF THE PUBLIC; PROVIDING AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

8. APPENDIX A RATE UPDATES INCLUDING UTILITIES (RC):

RESOLUTION 86-2022; A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF STUART, FLORIDA ADOPTING APPENDIX "A" BY AMENDING CHAPTER 36, CHAPTER 34, AND CHAPTER 42 OF THE CITY'S CODE OF ORDINANCES, AND PROVIDING AN EFFECTIVE DATE.

#### **ORDINANCE SECOND READING**

**9. REQUEST TO CONTINUE TO A DATE CERTAIN OF OCTOBER 10, 2022 CCM:  
DOGSWORLD URBAN CODE CONDITIONAL USE (QUASI-JUDICIAL):**

RESOLUTION No. 73-2022; A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF STUART, FLORIDA, CONSIDERING A MAJOR URBAN CODE CONDITIONAL USE APPROVAL TO JUSTIN PHILLIPS, (CONTRACT PURCHASER) FOR THE PROPERTY LOCATED AT 400 SW 7TH STREET, CONSISTING OF APPROXIMATELY 1.62 ACRES; TO ALLOW THE USE OF KENNELS FOR DOGSWORLD; PROVIDING AN EFFECTIVE DATE; PROVIDING FOR A TIMETABLE OF DEVELOPMENT; PROVIDING FOR CONDITIONS OF APPROVAL; AND FOR OTHER PURPOSES.

**ORDINANCE FIRST READING**

**DISCUSSION AND DELIBERATION**

10. LOCATION SELECTION OF EV CHARGING STATION PARKING SPOTS
11. ZONING IN PROGRESS DISCUSSION

**ADJOURNMENT**