



City of Stuart

## **AGENDA**

### **REGULAR MEETING OF THE STUART CITY COMMISSION**

**JANUARY 23, 2023**

**AT 5:30 PM**

**COMMISSION CHAMBERS**

**121 SW FLAGLER AVE.**

**STUART, FLORIDA 34994**

### **CITY COMMISSION**

**Mayor Troy McDonald**

**Vice Mayor 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**

## **COMMENTS BY CITY COMMISSIONERS**

## **COMMENTS BY CITY MANAGER**

## **APPROVAL OF AGENDA**

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

## **CONSENT CALENDAR**

1. APPROVAL OF 01/05/2023 SCM - ZIP WORKSHOP & 01/09/2023 CCM MINUTES (RC)
2. AWARD RFP# 2023-200, PROFESSIONAL ENVIRONMENTAL SERVICES (RC):

RESOLUTION No. 03-2023; A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF STUART, FLORIDA APPROVES THE AWARD OF RFP #2023-200, PROFESSIONAL ENVIRONMENTAL SERVICES TO TERRACON CONSULTANTS, INC. OF WEST PALM BEACH, FLORIDA, GFA INTERNATIONAL, INC OF PORT SAINT LUCIE, FLORIDA, EW CONSULTING, INC., OF STUART, FLORIDA ON AN AS NEEDED BASIS, PROVIDING AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

3. AWARD RFQL#2022-400, PROFESSIONAL ENGINEERING SERVICES (RC):

RESOLUTION No. 05-2023; A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF STUART, FLORIDA TO APPROVE THE AWARD RFQL# 2022-400, PROFESSIONAL ENGINEERING SERVICES TO THE SIX MOST QUALIFIED FIRMS, PROVIDING AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

4. AUTHORIZATION TO APPLY FOR THE FDOT TRANSPORTATION ALTERNATIVE PROGRAM (TAP) APPLICATION (RC):

RESOLUTION No. 06-2023; A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF STUART, FLORIDA AUTHORIZING THE CITY MANAGER TO APPLY FOR A FLORIDA DEPARTMENT OF TRANSPORTATION (FDOT) TRANSPORTATION ALTERNATIVES PROGRAM (TAP) APPLICATION FOR DIXIE HIGHWAY STREETScape IMPROVEMENTS (SW JOAN JEFFERSON WAY TO S COLORADO AVENUE); PROVIDING AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

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

#### **COMMISSION ACTION**

5. INTENTION TO ABANDON A PORTION OF S.E. OCEAN AVENUE RIGHT-OF-WAY(ROW) (RC):

RESOLUTION No. 08-2023, A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF STUART, FLORIDA DECLARING PURSUANT TO CHAPTER 36 CODE OF ORDINANCES OF THE CITY STUART, FLORIDA, THE INTENTION OF THE COMMISSION TO ABANDON AND TO SET PUBLIC HEARINGS ON FEBRUARY 27, 2023, AND MARCH 27, 2023, AT 5:30 P.M. IN THE CITY COMMISSION CHAMBERS TO CONSIDER THE ABANDONMENT OF A 30' WIDE PUBLIC RIGHT-OF-WAY WITHIN THE CITY, BEING THE PORTION OF S.E. OCEAN AVENUE. MORE CLEARLY DESCRIBED IN EXHIBIT "A" ATTACHED, AND FOR OTHER PURPOSES.

#### **ORDINANCE SECOND READING**

6. ADDING INVOCATIONS TO THE COMMISSION MEETING AGENDA (RC):

ORDINANCE No. 2509-2023; AN ORDINANCE OF THE CITY OF STUART, FLORIDA AMENDING THE STUART CITY CODE, CHAPTER 2, ADMINISTRATION AMENDING ARTICLE II DIVISION 2; PROVIDING FOR SEVERABILITY OF THE PARTS HEREOF; PROVIDING FOR READING BY TITLE ONLY; AND PROVIDING FOR AN EFFECTIVE DATE.

RESOLUTION No. 07-2023; A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF STUART, FLORIDA ADOPTING A POLICY REGARDING INVOCATIONS AT THE OPENING OF ITS MEETINGS; MAKING FINDINGS; AND PROVIDING AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

#### **ORDINANCE FIRST READING**

7. SAILFISH CAY, 751 SE CENTRAL PARKWAY - SMALL-SCALE FUTURE LAND USE MAP AMENDMENT (QUASI-JUDICIAL) (RC):  
**(CITY INITIATED CONTINUANCE TO A DATE CERTAIN OF FEBRUARY 13, 2023 CCM)**

ORDINANCE No. 2486-2022; AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF STUART, FLORIDA, AMENDING THE FUTURE LAND USE MAP OF THE CITY'S COMPREHENSIVE PLAN THEREBY CHANGING THE FUTURE LAND USE DESIGNATION FROM "COMMERCIAL" TO "MULTI-FAMILY RESIDENTIAL" FOR A 4.88-ACRE PARCEL, LOCATED AT 751 SE CENTRAL PARKWAY, SAID LAND BEING MORE FULLY DESCRIBED IN EXHIBIT "A" ATTACHED; DECLARING THE PLAN TO

BE CONSISTENT WITH THE CITY'S COMPREHENSIVE PLAN; PROVIDING DIRECTIONS TO THE CITY CLERK; PROVIDING FOR REPEAL OF ALL ORDINANCES IN CONFLICT; PROVIDING FOR SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE, AND FOR OTHER PURPOSES.

8. SAILFISH CAY, 751 SE CENTRAL PARKWAY - REZONING FROM COMMERCIAL PLANNED UNIT DEVELOPMENT (CPUD) TO RESIDENTIAL PLANNED UNIT DEVELOPMENT (RPUD) (QUASI-JUDICIAL)(RC):  
(CITY INITIATED CONTINUANCE TO A DATE CERTAIN OF FEBRUARY 13, 2023 CCM)

ORDINANCE No. 2487-2022; AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF STUART, FLORIDA, AMENDING THE CITY'S OFFICIAL ZONING MAP TO REZONE REAL PROPERTY FROM COMMERCIAL PLANNED UNIT DEVELOPMENT "CPUD" TO RESIDENTIAL PLANNED UNIT DEVELOPMENT "RPUD" FOR A 4.88-ACRE PARCEL, LOCATED AT 751 SE CENTRAL PARKWAY; SAID LAND BEING MORE FULLY DESCRIBED IN EXHIBIT "A" ATTACHED; ESTABLISHING THE SAILFISH CAY RPUD CONSISTING OF SIXTY (60) TOWNHOUSE UNITS; APPROVING A MASTER SITE PLAN; PROVIDING FOR DEVELOPMENT CONDITIONS AND A TIMETABLE FOR DEVELOPMENT, DECLARING THE PLAN TO BE CONSISTENT WITH THE CITY'S COMPREHENSIVE PLAN; PROVIDING DIRECTIONS TO THE CITY CLERK; PROVIDING FOR REPEAL OF ALL ORDINANCES IN CONFLICT; PROVIDING FOR SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE, AND FOR OTHER PURPOSES.

#### **DISCUSSION AND DELIBERATION**

#### **ADJOURNMENT**