



City of Stuart

## **AGENDA**

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

**AUGUST 14, 2023**

**AT 4:00 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, Michael J. Mortell**

**Interim City Attorney, Paul J. Nicoletti**

**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.

## **ROLL CALL**

## **INVOCATION**

## **PLEDGE OF ALLEGIANCE**

1. ARTS MOMENT - POETRY BY CHRISTELLA BURNETTE

## **PROCLAMATIONS**

2. CONSTITUTION WEEK - SEPTEMBER 17 – 23, 2023

## **PRESENTATIONS**

3. SERVICE AWARDS - AUGUST 2023
4. LOSOM UPDATE

## **COMMENTS BY CITY COMMISSIONERS**

## **COMMENTS BY CITY MANAGER**

## **APPROVAL OF AGENDA**

## **COMMENTS FROM THE PUBLIC (Non-Agenda Related) (3 Minutes Max.)**

## **CONSENT CALENDAR**

5. APPROVAL OF 07/24/2023 SCM-BUDGET WORKSHOP #1 AND 07/24/2023 CCM MINUTES (RC)
6. AWARD OF ITB# 2023-106, SE MANGO PLACE DRAINAGE IMPROVEMENTS PROJECT (RC):

RESOLUTION No. 59-2023; A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF STUART, FLORIDA APPROVES THE AWARD OF ITB #2023-106, SE MANGO PLACE DRAINAGE IMPROVEMENTS PROJECT TO THE LOWEST, RESPONSIVE, AND RESPONSIBLE BIDDER WITH A TOTAL UNIT PRICE OF \$367,287.20 TO HEAVY CIVIL INC. OF POMPANO BEACH, FLORIDA PROVIDING AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

7. AWARD OF ITB #2023-107, NW DIXIE HWY DITCH IMPROVEMENTS PROJECT (RC):

RESOLUTION No. 60-2023; A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF STUART, FLORIDA APPROVES THE AWARD OF ITB #2023-107, NW DIXIE HIGHWAY DITCH IMPROVEMENT PROJECT TO THE LOWEST, RESPONSIVE, AND RESPONSIBLE BIDDER WITH A TOTAL UNIT PRICE OF \$896,248.93 TO PRP CONSTRUCTION OF INDIANTOWN, FLORIDA PROVIDING AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

8. RATIFICATION OF LOCAL PLANNING AGENCY (LPA) APPOINTMENT (RC):

RESOLUTION No. 61-2023; A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF STUART, FLORIDA RATIFYING THE ADVISORY BOARD APOINTMENT OF

A LOCAL PLANNING AGENCY/PLANNING ADVISORY BOARD (LPA) MEMBER; FULLFILLING A VACANCY ON THE BOARD FOR THE REMAINING CURRENT TERM FROM PRESENT TO DECEMBER 31, 2023; PROVIDING AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

**9. RATIFICATION OF COMMUNITY REDEVELOPMENT BOARD (CRB) APPOINTMENT (RC):**

RESOLUTION No. 64-2023; A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF STUART, FLORIDA RATIFYING THE ADVISORY BOARD APOINTMENT OF A COMMUNITY REDEVELOPMENT BOARD (CRB) MEMBER; FULL-FILLING A VACANCY ON THE BOARD FOR THE REMAINING CURRENT TERM FROM PRESENT TO DECEMBER 31, 2023; PROVIDING AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

**END OF CONSENT CALENDAR**

**COMMISSION ACTION**

**10. APPOINTMENT OF COMMUNITY REDEVELOPMENT BOARD (CRB) "AT LARGE" MEMBER (RC):**

RESOLUTION No. 62-2023; A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF STUART, FLORIDA APPOINTING AN AT-LARGE MEMBER TO THE COMMUNITY REDEVLOPMENT BOARD (CRB); FILLING A VACANCY ON THE BOARD FOR THE REMAINING CURRENT TERM UNITL DECEMBER 31, 2023; PROVIDING AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

**11. ROAD CLOSURE FOR THE 50TH ANNUAL STUART BOAT SHOW (RC):**

RESOLUTION No. 58-2023; A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF STUART, FLORIDA, APPROVING A ROAD CLOSURE FOR THE 50<sup>TH</sup> ANNUAL STUART BOAT SHOW FROM 5:00 A.M. ON TUESDAY, JANUARY 9<sup>TH</sup>, 2024 THOUGH 5:00 P.M. ON MONDAY, JANUARY 15<sup>TH</sup>, 2024, ALONG NW DIXIE HIGHWAY (FORMERLY SR 707) FROM SW ALBANY AVENUE SOUTH OF THE OLD ROOSEVELT BRIDGE TO NW POINSETTIA STREET TO INCLUDE THE FEC RAILROAD CROSSING OF NW FERN STREET AND NW DIXIE HIGHWAY, NORTH OF THE ST. LUCIE RIVER DRAW BRIDGE, SUBJECT TO FLORIDA DEPARTMENT OF TRANSPORTATION APPROVAL; PROVIDING FOR AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

**12. LEGISLATIVE PRIORITIES FOR THE 2024 FLORIDA LEGISLATIVE SESSION (RC):**

RESOLUTION No. 56-2023; A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF STUART, FLORIDA, AUTHORIZING THE ADOPTION OF LEGISLATIVE PRIORITIES FOR THE 2024 LEGISLATIVE SESSION; PROVIDING FOR AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

**ORDINANCE SECOND READING**

**ORDINANCE FIRST READING**

**DISCUSSION AND DELIBERATION**

**ADJOURNMENT**

**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.

**INVOCATION:** Any invocation that may be offered at the opening of the Commission meeting shall be the voluntary offering of a private citizen, to and for the benefit of the Commission. The views or beliefs expressed by the invocation speaker have not been previously reviewed or approved by the Commission, and the Commission is not allowed by law to endorse the religious beliefs or views of this, or any other speaker.