



City of Stuart

AGENDA

REGULAR MEETING OF THE STUART CITY COMMISSION

AUGUST 28, 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

Interim 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

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

PROCLAMATIONS

PRESENTATIONS

1. US-1 AT SW PALM CITY ROAD MULTIMODAL INTERSECTION IMPROVEMENT FEASIBILITY STUDY

COMMENTS BY CITY COMMISSIONERS

COMMENTS BY CITY MANAGER

APPROVAL OF AGENDA

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

CONSENT CALENDAR

2. APPROVAL OF 08/14/2023 SCM - BUDGET WORKSHOP #2 AND 08/14/2023 CCM MINUTES (RC)
3. REVISED MODIFICATION TO CONSENT AGREEMENT NO. SFWMD 94-93-CO-WU WITH THE SFWMD (RC):

RESOLUTION No. 55-2023; A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF STUART, FLORIDA RESCINDING RESOLUTION 22-2023 AND AUTHORIZING THE EXECUTION OF A REVISED CONSENT ORDER WITH THE SOUTH FLORIDA WATER MANAGEMENT DISTRICT; AND PROVIDING AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

4. AUTHORIZATION TO SUBMIT GRANT APPLICATION TO FDLE, TO EXECUTE A GRANT AGREEMENT, AND MINOR AMENDMENTS IF REQUIRED (RC):

RESOLUTION No. 65-2023; A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF STUART, FLORIDA, AUTHORIZING THE POLICE DEPARTMENT TO SUBMIT A FLORIDA DEPARTMENT OF LAW ENFORCEMENT OFFICE OF CRIMINAL JUSTICE GRANT APPLICATION FOR IDENTITY THEFT AND FRAUD PREVENTION; AND AUTHORIZING EXECUTION OF A GRANT AGREEMENT IF AWARDED; AND FURTHER AUTHORIZING ANY MINOR AMENDMENTS TO THE GRANT AGREEMENT TO FACILITATE THE PROGRAM AS APPROPRIATE; PROVIDING AN EFFECTIVE DATE, AND FOR OTHER PURPOSES.

5. BA #15 FOR ENGINEERING SERVICES FOR LONG-TERM WATER SUPPLY OPTIONS (RC):

RESOLUTION No. 66-2023; A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF STUART, FLORIDA, AUTHORIZING BUDGET ADMENDMENT NO. 15 TO THE 2022-2023 BUDGET; APPROPRIATING AND AUTHORIZING THE EXPENDITURE OF FUNDS FOR PROFESSIONAL ENGINEERING SERVICES TO EVALUATE LONG TERM WATER SUPPLY OPTIONS; PROVIDING AN EFFECTIVE DATE, AND FOR OTHER PURPOSES.

6. APPROVE AWARD OF ITB#2023-105, CITY OF STUART COURTESY DOCK REPAIR (RC):

RESOLUTION No. 67-2023; A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF STUART, FLORIDA APPROVES THE AWARD OF ITB #2023-105, CITY OF STUART COURTESY DOCK REPAIR WITH A TOTAL UNIT PRICE OF \$110,550.00 TO EDENS BENTON, INC. OF STUART, FLORIDA PROVIDING AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

7. APPROVE AWARD OF ITB #2023-108: SE ILLINOIS AVENUE LIVING SHORELINE PROJECT (RC):

RESOLUTION No. 68-2023; A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF STUART, FLORIDA APPROVES THE AWARD OF ITB #2023-108, SE ILLINOIS AVENUE LIVINGSHORE LINE PROJECT TO THE LOWEST, RESPONSIVE, AND RESPONSIBLE BIDDER WITH A TOTAL UNIT PRICE OF \$207,472.22 TO EDENS BENTON, INC., OF STUART, FLORIDA PROVIDING AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

8. BUDGET AMENDMENT NO. 16 FOR MONTEREY ROAD WATER MAIN REPAIRS (RC):

RESOLUTION No. 77-2023; A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF STUART, FLORIDA, AUTHORIZING BUDGET ADMENDMENT NO. 16 TO THE 2022-2023 BUDGET; APPROPRIATING AND AUTHORIZING THE EXPENDITURE OF FUNDS FOR MONTEREY ROAD WATER MAIN REPAIRS AT THE INTERSECTION OF MONTEREY ROAD AND KANNER HIGHWAY; PROVIDING AN EFFECTIVE DATE, AND FOR OTHER PURPOSES.

9. AUTHORIZATION TO AMEND RESOLUTION 116-2020 TO REQUEST ADDITIONAL FUNDS; TO EXECUTE A GRANT AGREEMENT; AND MAKE MINOR AMENDMENTS, IF REQUIRED (RC):

RESOLUTION No. 78-2023; A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF STUART, FLORIDA, AUTHORIZING THE PUBLIC WORKS DEPARTMENT TO AMEND RESOLUTION 116-2020 TO REQUEST ADDITIONAL GRANT FUNDS THROUGH THE FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION FOR A CITY-WIDE RESILIENCY STUDY AND ADAPTATION PLAN; AND AUTHORIZING EXECUTION OF A GRANT AGREEMENT IF AWARDED; AND FURTHER AUTHORIZING ANY MINOR AMENDMENTS TO THE GRANT AGREEMENT TO FACILITATE THE PROGRAM AS APPROPRIATE; PROVIDING AN EFFECTIVE DATE, AND FOR OTHER PURPOSES.

END OF CONSENT CALENDAR

COMMISSION ACTION

10. ADOPT A MOTION TO APPROVE A CITY ATTORNEY INTERVIEW SCHEDULE AND SELECT ATTORNEYS TO BE INTERVIEWED
11. RELOCATION OF CITY GARAGE SITE AND SANITATION REVENUE SUFFICIENCY STUDY (RC):

RESOLUTION No. 80-2023; A RESOLUTION OF THE CITY COMMISSION OF THE

CITY OF STUART, FLORIDA, RELATING TO THE RELOCATION OF THE CITY GARAGE SITE AND THE SANITATION REVENUE SUFFICIENCY STUDY, PREPARED AND SUBMITTED BY RAFTELIS DATED SEPTEMBER 14, 2022. PROVIDING FOR AN EFFECTIVE DATE AND FOR OTHER PURPOSES.

ORDINANCE SECOND READING

ORDINANCE FIRST READING

12. US-1/FEDERAL HIGHWAY STREET TREE MASTER PLAN/PROGRAM AND LAND DEVELOPMENT CODE AMENDMENTS (RC):

ORDINANCE No. 2520-2023; AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF STUART, FLORIDA, AMENDING AND RESTATING THE CITY'S LAND DEVELOPMENT CODE; MORE SPECIFICALLY AMENDING SECTION 2.04.06 ENTITLED "SUPPLEMENTAL BUILDING SETBACKS ON CERTAIN STREETS" IN CHAPTER II AND SECTION 3.01.03 ENTITLED "URBAN STANDARDS AND REGULATIONS FOR DESIGNATED URBAN SUBDISTRICTS" IN CHAPTER III; AMENDING SECTION 11.01.03 ENTITLED "MINOR DEVELOPMENT PLAN APPLICATION" IN CHAPTER XI; AND CHAPTER XII DEFINITIONS OF THE CITY OF STUART LAND DEVELOPMENT CODE; PROVIDING FOR SEVERABILITY; PROVIDING FOR CONFLICTING PROVISIONS; PROVIDING FOR CODIFICATION; PROVIDING FOR AN EFFECTIVE DATE, AND FOR OTHER PURPOSES.

13. AMENDING CHAPTER 22, FIRE PREVENTION, OF CODE OF ORDINANCES, ADDING A NEW SECTION (RC):

ORDINANCE No. 2522-2023; AN ORDINANCE OF THE CITY OF STUART AMENDING CHAPTER 22; FIRE PREVENTION; OF THE CODE OF ORDINANCES; ADDING A NEW SECTION 22-63; TO REQUIRE ELECTRONIC REPORTING OF ALL FIRE PROTECTION SYSTEM INSPECTION REPORTS; PROVIDING FOR A SEVERABILITY CLAUSE AND A CONFLICTS CLAUSE; PROVIDING FOR AN EFFECTIVE DATE AND FOR OTHER PURPOSES.

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.