



City of Stuart

AGENDA

REGULAR MEETING OF THE STUART CITY COMMISSION

OCTOBER 9, 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

City Attorney, Lee J. Baggett

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

1. ARTS MOMENT - NEW DAY DANCE ACADEMY PERFORMANCE

PROCLAMATIONS

2. HONORING STUDENT WITH PRESIDENT'S VOLUNTEER SERVICE AWARD
3. HELPING PEOPLE SUCCEED - NATIONAL DISABILITY EMPLOYMENT AWARENESS MONTH (NDEAM) (OCTOBER 2023)
4. DOMESTIC VIOLENCE AWARENESS MONTH (OCTOBER 2023)
5. FIRE PREVENTION WEEK (OCTOBER 8-14, 2023)
6. E-WASTE DAY (OCTOBER 14, 2023)
7. FLORIDA CITY GOVERNMENT WEEK (OCTOBER 16-22, 2023)
8. LIGHTS ON AFTERSCHOOL DAY (OCTOBER 26, 2023)
9. HOSPICE AND PALLIATIVE CARE MONTH (NOVEMBER 2023)

PRESENTATIONS

10. OATH OF OFFICE FOR CITY ATTORNEY LEE J. BAGGETT
11. SERVICE AWARDS - OCTOBER 2023
12. 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

13. APPROVAL OF 09/25/2023 CCM MINUTES AND 09/25/2023 SCM FINAL BUDGET MINUTES (RC)
14. AWARD OF ITB #2023-109: CITY OF STUART VETERANS MEMORIAL PARK PHASE 4 AMPHITHEATRE (RC):

RESOLUTION No. 83-2023; A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF STUART, FLORIDA APPROVES THE AWARD OF ITB #2023-109, CITY OF STUART VETERANS MEMORIAL PARK PHASE -4 AMPHITHEATRE TO THE LOWEST, RESPONSIVE, AND RESPONSIBLE BIDDER WITH A TOTAL UNIT PRICE OF \$2,077,700.00 TO DI POMPEO CONSTRUCTION CORPORATION OF POMPANO BEACH, FLORIDA PROVIDING AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

- 15. BUDGET AMENDMENT #1 - CHILDRENS SERVICES COUNCIL OF MARTIN COUNTY (RC):**

RESOLUTION No 86-2023, A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF STUART, AUTHORIZING BUDGET AMENDMENT No. 1 TO THE FISCAL YEAR 2024 OPERATING BUDGET; AUTHORIZING RECEIPT AND APPROPRIATION AND ACCEPTING AN INCREASE CONTRIBUTION IN THE AMOUNT OF \$ 9,419 FROM THE CHILDREN'S SERVICES COUNCIL OF MARTIN COUNTY FOR THE EAST STUART YOUTH INITIATIVE GRANT; AUTHORIZING THE EXPENDITURE OF THE NEW GRANT CONTRIBUTION IN ACCORDANCE WITH THE TERMS OF THE GRANT AGREEMENT; PROVIDING AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

- 16. AUTHORIZING AWARD OF ARPA SUBRECIPIENT AGREEMENTS TO ELIGIBLE NONPROFITS (RC):**

RESOLUTION No. 87-2023; A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF STUART, FLORIDA, AUTHORIZING THE AWARD OF SUBRECIPIENT AGREEMENTS TO ELIGIBLE NONPROFITS. FOR SUPPORT OF RESPONSE TO MITIGATE THE IMPACTS OF THE COVID-19 PANDEMIC AT A TOTAL AMOUNT NOT TO EXCEED \$500,000; AUTHORIZING THE CITY MANAGER OR HIS DESIGNEE TO EXECUTE ALL DOCUMENTS NECESSARY TO EXECUTE THESE TRANSACTIONS; APPROVING A SUPPLEMENTAL APPROPRIATION IN THE AMOUNT OF \$500,000 FROM THE UNAPPROPRIATED BALANCE OF THE AMERICAN RESCUE PLAN ACT FUND TO PROVIDE SUPPORTING ELIGIBLE PROJECTS TO DIRECTLY BENEFIT RESIDENTS OF STUART, FLORIDA AND PROVIDING AN EFFECTIVE DATE, AND FOR OTHER PURPOSES.

- 17. MARTIN COUNTY LAW ENFORCEMENT MUTUAL AID AGREEMENT MCSO CITY OF STUART (RC):**

RESOLUTION No. 94-2023; A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF STUART, FLORIDA AUTHORIZING THE RENEWAL OF THE MARTIN COUNTY LAW ENFORCEMENT ASSISTANCE AND VOLUNTARY COOPERATION MUTUAL AID AGREEMENT; PROVIDING AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

- 18. CONTRIBUTION OF AID TO THE BUSINESS DEVELOPMENT BOARD OF MARTIN COUNTY (RC):**

RESOLUTION No. 96-2023; A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF STUART, FLORIDA, AUTHORIZING THE CONTRIBUTION OF AID TO THE BUSINESS DEVELOPMENT BOARD OF MARTIN COUNTY INC. FOR THE 2024 FISCAL YEAR IN THE AMOUNT OF UP TO TWENTY-FIVE THOUSAND DOLLARS FOR PROGRAMS AND INITIATIVES SERVICING BUSINESSES AND RESIDENTS OF THE CITY OF STUART; PROVIDING FOR AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

- 19. LOBBYING SERVICES WITH THE JORDAN CONNORS GROUP, INC. (RC):**

RESOLUTION No. 98-2023; A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF STUART, FLORIDA, WAIVING A COMPETITIVE SELECTION PROCESS AND AUTHORIZING THE CITY MANAGER TO EXECUTE AN AGREEMENT FOR

LOBBYING SERVICES WITH THE JORDAN CONNORS GROUP, INC. PROVIDING ASSURANCES; PROVIDING FOR CONFLICTS; SEVERABILITY, AND EFFECTIVE DATE.

20. RFP# 2023-206, DOWNTOWN UNDERGROUNDING AND SEMINOLE STREETSCAPE IMPROVEMENTS PROJECT (RC):

RESOLUTION No. 102-2023; A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF STUART, FLORIDA REQUESTS AUTHORIZATION TO NEGOTIATE FOR RFP #2023-206, DOWNTOWN UNDERGROUNDING AND SEMINOLE STREETSCAPE IMPROVEMENTS PROJECT WITH THE ONLY PROPOSER, THE WHITING-TURNER CONTRACTING COMPANY. OF BALTIMORE, MD PROVIDING AN EFFECTIVE DATE, AND FOR OTHER PURPOSES.

21. BUDGET AMENDMENT #2, ARPA SUPPORT FUNDING ALLOCATION (RC):

RESOLUTION No. 103-2023; A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF STUART, FLORIDA, APPROVING BUDGET AMENDMENT NO. 2, A SUPPLEMENTAL APPROPRIATION IN THE AMOUNT OF \$500,000 FROM THE UNAPPROPRIATED BALANCE OF THE AMERICAN RESCUE PLAN ACT FUND TO PROVIDE SUPPORTING ELIGIBLE PROJECTS TO DIRECTLY BENEFIT RESIDENTS OF STUART, FLORIDA AND PROVIDING AN EFFECTIVE DATE, AND FOR OTHER PURPOSES.

END OF CONSENT CALENDAR

COMMISSION ACTION

22. RESOLUTION No. 99-2023; A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF STUART, FLORIDA PROVIDING FOR CONTINUED PARTTIME EMPLOYMENT OF PAUL J. NICOLETTI WITH A NEW TITLE OF SENIOR LEGAL COUNSEL (CITY ATTORNEY EMERITUS) WITHIN THE OFFICE OF THE CITY ATTORNEY; PROVIDING 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.