



City of Stuart

A G E N D A

**REGULAR MEETING OF THE STUART CITY COMMISSION
TO BE HELD December 14, 2020
AT 4:00 PM Commission Chambers
121 SW FLAGLER AVE.
STUART, FLORIDA 34994**

CITY COMMISSION

**Mayor Michael J. Meier
Vice Mayor Eula R. Clarke
Commissioner Becky Bruner
Commissioner Merritt Matheson
Commissioner Troy McDonald**

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

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.

THIS MEETING WILL BE AVAILABLE LIVE VIA ZOOM:

Zoom links and ID information can be found at www.cityofstuart.us/meetings

ROLL CALL

PLEDGE OF ALLEGIANCE

1. ARTS MOMENT - ACOUSTIC INSTRUMENTAL MUSIC PERFORMANCE BY FLYNN.
2. SELECTION OF MAYOR AND VICE MAYOR

PROCLAMATIONS

PRESENTATIONS

3. [SERVICE AWARDS - DECEMBER 2020](#)
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4. [EMPLOYEE OF THE MONTH - DECEMBER 2020](#)
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5. [2021 CALENDAR PHOTO CONTEST WINNERS](#)
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6. [COVID UPDATE PRESENTED BY THE MARTIN COUNTY HEALTH DEPARTMENT](#)
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7. [U.S. ARMY CORPS OF ENGINEERS PRESENTATION ON LAKE OKEECHOBEE RELEASE SCHEDULE \(Time Certain 5:30\)](#)
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COMMENTS BY CITY COMMISSIONERS

COMMENTS BY CITY MANAGER

APPROVAL OF AGENDA

COMMENTS FROM THE PUBLIC (3 Minutes Max.)

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

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.*

8. [APPROVAL OF 11/23/2020 SCM ATTORNEY-CLIENT and 11/23/2020 CCM MINUTES \(RC\)](#)

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9. APPROVAL OF 2021 MEETING CALENDAR (RC):

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10. AUTHORIZATION OF THE ASSIGNMENT OF THE AMENDED LEASE FROM NEW URBAN TRIANGLE, LLC TO 201 SW JOAN JEFFERSON WAY, LLC (RC):

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RESOLUTION No. 125-2020; A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF STUART, FLORIDA AUTHORIZING THE ASSIGNMENT OF THE LEASE AGREEMENT PREVIOUSLY ENTERED BETWEEN CITY OF STUART AND NEW URBAN TRIANGLE, LLC FOR LEASE OF THE PROPERTY KNOWN AS THE TRIANGLE PROPERTY TO 201 SW JOAN JEFFERSON WAY, LLC FOR THE BALANCE OF THE LEASE TERM WHICH IS SET TO EXPIRE ON NOVEMBER 2, 2115; PROVIDING AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

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11. EXTENSION #9 OF THE DECLARATION OF THE STATE OF LOCAL EMERGENCY PERTAINING TO COVID-19 (RC):

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RESOLUTION No. 138-2020; A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF STUART, FLORIDA, EXTENDING THE DECLARATION OF A STATE OF LOCAL EMERGENCY PERTAINING TO COVID-19; PROVIDING AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

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12. ACCEPT A DONATION FROM FLORIDA POWER & LIGHT TO THE COMMUNITY SERVICES DEPARTMENT (RC):

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RESOLUTION No. 141-2020; A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF STUART, FLORIDA, AUTHORIZING BUDGET AMENDMENT No. #2 TO THE 2021 OPERATING BUDGET; AUTHORIZING RECEIPT AND APPROPRIATION OF A DONATION FROM FLORIDA POWER & LIGHT; AUTHORIZING THE EXPENDITURE OF FUNDS FOR MUSICAL ENTERTAINMENT AT 'SANTA'S CITY LIGHTS' HOLIDAY EVENT AT MEMORIAL PARK; AND PROVIDING FOR AN EFFECTIVE DATE, AND FOR OTHER PURPOSES.

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13. PBA COLLECTIVE BARGAINING AGREEMENT (RC):

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RESOLUTION No. 142-2020; A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF STUART, FLORIDA RATIFYING THE THIRD-YEAR REOPENER OF THE THREE-YEAR COLLECTIVE BARGAINING AGREEMENT BETWEEN THE CITY AND THE PALM BEACH COUNTY POLICE BENEVOLENT ASSOCIATION, INC. (PBA), EFFECTIVE OCTOBER 1, 2020 THROUGH SEPTEMBER 30, 2021; PROVIDING AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

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14. BUDGET AMENDMENT #3 FOR FISCAL YEAR 2021 FOR A/C REPLACEMENT AND INSTALLATION AT COURTHOUSE COMMONS (RC):

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RESOLUTION No. 143-2020; A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF STUART, FLORIDA, AUTHORIZING BUDGET AMENDMENT #3 TO THE 2021 OPERATING BUDGET FOR THE PURCHASE AND INSTALLATION OF AIR CONDITIONING SYSTEMS FOR THE "COURTHOUSE COMMONS" PROPERTY AT 301 SE OCEAN; AND PROVIDING FOR AN EFFECTIVE DATE, AND FOR OTHER PURPOSES.

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END OF CONSENT CALENDAR

COMMISSION ACTION

15. COMMISSION LIAISON AND AT LARGE APPOINTMENTS / RE-APPOINTMENTS TO ADVISORY BOARDS OF THE CITY

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16. APPOINTMENTS OF CITY COMMISSIONERS TO COMMUNITY BOARDS

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17. LUCIDO COTTAGE HOME - MUCCA (RC):

RESOLUTION No. 127-2020; A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF STUART, FLORIDA, GRANTING A MAJOR URBAN CODE CONDITIONAL USE APPROVAL TO LUCIDO INVESTMENT PROPERTIES LLC, OWNER OF THE PROPERTY LOCATED AT THE SOUTH WEST CORNER OF SE OSCEOLA STREET AND SE GEORGIA AVENUE AS DESCRIBED WITHIN THE ATTACHED LEGAL DESCRIPTION; GRANTING APPROVAL FOR A SINGLE FAMILY HOME IN THE URBAN GENERAL ZONING DISTRICT; TO ALLOW THE REAR SETBACK TO BE LESS THAN FIFTEEN (15) FEET AND FOR PARKING TO BE LOCATED AT THE FRONT OF THE BUILDING; PROVIDING AN EFFECTIVE DATE; PROVIDING FOR A TIMETABLE OF DEVELOPMENT; PROVIDING FOR CONDITIONS OF APPROVAL; AND FOR OTHER PURPOSES.

18. SAVANNA PLACE APARTMENTS RPUD - MINOR AMENDMENT (QUASI-JUDICIAL) (RC):

RESOLUTION No. 128-2020; A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF STUART, FLORIDA APPROVING A MINOR AMENDMENT TO THE SAVANNAH PLACE APARTMENTS RESIDENTIAL PLANNED UNIT DEVELOPMENT (RPUD) ON PROPERTY LOCATED ON THE NORTH SIDE OF THE INTERSECTION OF N.E. SAVANNAH ROAD AND N.E. BAKER ROAD., WEST OF THE HOPE CENTER FOR AUTISM AND SOUTH OF JENSEN PARK ESTATES BOTH IN UNINCORPORATED MARTIN COUNTY, THEREBY AMENDING THE DEVELOPMENT CONDITIONS; PROVIDING AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

ORDINANCE SECOND READING

19. UPDATE COMMUNITY INVESTMENT PROGRAM (CIP) (RC):

ORDINANCE No. 2458-2020; AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF STUART, FLORIDA, AMENDING THE CITY'S COMPREHENSIVE PLAN TO UPDATE THE FIVE YEAR COMMUNITY INVESTMENT PROGRAM INCLUDED WITHIN THE CAPITAL IMPROVEMENTS ELEMENT OF THE COMPREHENSIVE PLAN; PROVIDING FOR THE REPEAL OF LAWS IN CONFLICT; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

20. EVALUATION AND APPRAISAL REPORT (EAR) (RC):

ORDINANCE No. 2442-2020; AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF STUART, FLORIDA, ADOPTING THE EVALUATION AND APPRAISAL REPORT (EAR) FOR THE COMPREHENSIVE PLAN OF THE CITY OF STUART; STATING THE INTENT OF THE CITY COMMISSION TO AMEND THE COMPREHENSIVE PLAN BASED UPON RECOMMENDATIONS CONTAINED IN THE REPORT; AND APPROVING TRANSMITTAL OF THE EVALUATION AND APPRAISAL REPORT TO THE DEPARTMENT OF ECONOMIC OPPORTUNITY AND ANY OTHER INTERESTED GOVERNMENTAL ENTITY; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; PROVIDING FOR EFFECTIVE DATE; AND FOR OTHER PURPOSES.

21. WRECKERS AND VEHICLE / VESSEL TOWING AMENDMENT (RC):

ORDINANCE No. 2456-2020; AN ORDINANCE OF THE CITY OF STUART, FLORIDA AMENDING THE STUART CODE OF ORDINANCES, CHAPTER 12 – BUSINESS, ARTICLE VI. WRECKERS AND VEHICLE TOWING, TO BE IN ACCORDANCE WITH FLORIDA STATE STATUTE; FOR REPEAL OF CONFLICTING ORDINANCES; PROVIDING FOR SEVERABILITY; PROVIDING FOR CODIFICATION; AND PROVIDING FOR AN EFFECTIVE DATE, AND FOR OTHER PURPOSES.

ORDINANCE FIRST READING

22. (REQUEST TO CONTINUE TO DATE CERTAIN OF JANUARY 11, 2021 CCM) HIDDEN KEY RPUD REZONING (QUASI-JUDICIAL) (RC):

ORDINANCE No. 2457-2020; AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF STUART, FLORIDA, REZONING THE 1.36 ACRE PARCEL FROM RESIDENTIAL MULTI-FAMILY/OFFICE (R-3) TO RESIDENTIAL PLANNED UNIT DEVELOPMENT (RPUD), LOCATED

NORTH OF THE ARC OF MARTIN COUNTY AND SOUTH OF THE ESTATES OF STUART, EAST OF KANNER HIGHWAY, SAID LAND BEING MORE FULLY DESCRIBED IN EXHIBIT "A" ATTACHED; ESTABLISHING THE HIDDEN KEY RPUD CONSISTING OF TWENTY-EIGHT (28) MULTI-FAMILY UNITS WITHIN TWO TWO-STORY APARTMENT BUILDINGS; APPROVING A DEVELOPMENT 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.

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.*

DISCUSSION AND DELIBERATION

ADJOURNMENT