



# **BOARD OF COUNTY COMMISSIONERS AGENDA**

**ST. LUCIE COUNTY**

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## **Regular Meeting**

**Tuesday, December 5, 2023  
6:00 PM**

St. Lucie County Commission Chambers  
2300 Virginia Avenue  
3rd Floor of Roger Poitras Building  
Fort Pierce, FL 34982

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## **BOARD MEMBERS**

**District No. 5, Chair**  
CATHY TOWNSEND

**District No. 1, Vice-Chair**  
CHRIS DZADOVSKY

**District No. 2**  
LARRY LEET

**District No. 3**  
LINDA BARTZ

**District No. 4**  
JAMIE FOWLER

## **Mission Statement**

*St. Lucie Works to deliver superior service that enhances our quality of life*

**\*Final on 11/29**

WELCOME

All meetings are televised.

All meetings provided with wireless internet access for public convenience.

Please turn off all cell phones and pagers prior to entering the commission chambers.

Please mute the volume on all laptops and PDAs while in use in the commission chambers.

GENERAL RULES AND PROCEDURES – Attached is the agenda, which will determine the order of business conducted at today's Board meeting.

INVOCATION-PLEDGE – To bring order and decorum to its meeting, the Board begins its meetings with an invocation followed by the Pledge of Allegiance. Participation is voluntary.

CONSENT AGENDA – These items are considered routine and are enacted by one motion. There will be no separate discussion of these items unless a Commissioner so requests.

REGULAR AGENDA – Proclamations, Presentations, Public Hearings, and Department requests are items, which the Commission will discuss individually, usually in the order listed on the agenda.

PUBLIC HEARINGS – These items are usually heard on the first Tuesdays at 6 p.m. or as soon thereafter as possible. However, if a public hearing is scheduled for a meeting on the third Tuesday, which begins at 9 a.m., then public hearings will be heard at 9 a.m. or as soon thereafter as possible. These time designations are intended to indicate that an item will not be addressed prior to the listed time. The Chair will open each public hearing and asks anyone wishing to speak to come forward, one at a time. Comments will be limited to five minutes, and must be pertinent to the agenda item being considered by the Board.

As a general rule, when issues are scheduled before the Commission under department request or public hearing, the order of presentation is: (1) County staff presents the details of the Board item (2) Commissioners comment (3) if a public hearing, the Chair will ask for public comment, (4) further discussion and action by the Board.

ADDRESSING THE COMMISSION – Please state your name and address, speaking clearly into the microphone. If you have backup material, please have eight copies ready for distribution.

NON-AGENDA ITEMS – These items are presented by an individual Commissioner or staff as necessary at the conclusion of the printed agenda.

PUBLIC COMMENT – Time is allotted at the beginning of each meeting for general public comment. Please limit comments to three minutes. Comments may pertain to any matter related to the Board's duties as the County's governing body. Comments in support or opposition to candidates for public office are not pertinent to the Board's duties. This includes any speaker identifying himself or herself as a candidate for public office.

DECORUM – Please be respectful of others' opinions.

MEETINGS – All Board meetings are open to the public and are held on the first Tuesdays of each month at 6 p.m. and on the third Tuesdays at 9 a.m., unless otherwise advertised. Meetings are held in the County Commission Chambers in the Roger Poitras Administration Annex at 2300 Virginia Ave., Fort Pierce, Fla. 34982. The Board schedules additional workshops throughout the year necessary to accomplish their goals and commitments. Notice is provided of these workshops. Anyone with a disability requiring accommodation to attend this meeting should contact the Human Resources Department at 772-462-1456, [HumanResources@stlucieco.org](mailto:HumanResources@stlucieco.org) or TDD 772-462-1428 at least 48 hours prior to the meeting.

**1. CALL TO ORDER**

**2. INVOCATION**

**3. PLEDGE OF ALLEGIANCE**

**4. RECESS FOR SPECIAL DISTRICT MEETING**

**5. APPROVAL OF AGENDA - ADDITIONS, DELETIONS, REVISIONS**

**6. PRESENTATIONS**

There are no items scheduled.

**7. PUBLIC COMMENT (excluding Public Hearing Items)**

**8. PROCLAMATIONS APPROVAL**

There are no items scheduled.

**9. APPROVAL OF MINUTES**

- A. Board of County Commissioners minutes for the BOCC 4-County Meeting of October 27, 2023.
- B. Board of County Commissioners minutes for the BOCC Regular Meeting of October 17, 2023.
- C. Board of County Commissioners minutes for the BOCC Special Meeting of October 12, 2023.
- D. Board of County Commissioners minutes for the BOCC Reorganization Meeting of November 14, 2023.

**10. CONSENT AGENDA**

**A. WARRANTS**

- 1. Warrant Lists  
Old Year: 56-57  
New Year: 4, 5, 7, 8

**B. ADMINISTRATION**

## 1. 2024 Federal Program

Staff recommends approval of the 2024 Federal Program, and edits to the document as approved by the County Attorney.

## 2. Ratification and Extension of At-Large Members of Current Advisory Board Terms through January 2024

Staff recommends Board approval to ratify the current advisory board members and extend any expiring terms of at-large members of current Advisory Boards through January 2024.

**C. COUNTY ATTORNEY**1. Contract for Sale and Purchase - Jean-Larice Despagne and Martine Despagne  
50 parcels off Turnpike Feeder Road

Staff recommends the Board approve the contract for sale and purchase from Mr. and Mrs. Despagne, authorize the Chair to sign the contract, direct staff to proceed with the closing and record the warranty deed in the public records of St. Lucie County, Florida.

## 2. Revocable License Agreement - 390 SE Airoso Boulevard - River Park - Unit 6 - Richard and Florence Hauser - Parcel ID 3419-545-0012-000-6

Mr. and Mrs. Hauser are requesting a Revocable License Agreement to install a 5' chain-link fence with two gates along the north and south sides of the property, within the County's 6' Drainage/Utility Easement and a 5' chain-link fence with a gate along the west side of the property within the County's 20' Drainage/Utility Easement per the Restrictive Covenants recorded in OR Book 38, Page 327. They understand if the County Engineer determines the fence and gates are causing flooding, drainage problems or for other needs in the area, the fence and gates will need to be removed or relocated at their expense.

Engineering, Road & Bridge, Water Quality and the City of Port Saint Lucie have reviewed the revocable license agreement and have no objections.

Staff recommends the Board approve the revocable license agreement, authorize the Chair to sign the agreement and direct Mr. and Mrs. Hauser pay to record the agreement in the public records of St. Lucie County, Florida.

## 3. Job Growth Investment Grant for Treasure Coast Food Bank for Creation of 53 New Jobs

Staff recommends the Board approve the Job Growth Investment Grant Agreement with Treasure Coast Food Bank and authorize the Chair to sign the agreement.

4. Resolution No. 2023-223 - Right-of-Way Donation - 40' of Right-of-Way along Emerson Avenue - Benjamin and Kimberly Goodwin - Parcel ID 1326-321-0002-000-4

Mr. and Mrs. Goodwin submitted a project known as 3130 Emerson Avenue Lot Split to Planning and Development Services. During the review process, it was determined by Public Works that Emerson Avenue is a substandard right-of-way. Public Works requested Mr. and Mrs. Goodwin, convey to St. Lucie County 40' of right-of-way along Emerson Avenue. Mr. and Mrs. Goodwin has requested to dedicate the right-of-way to St. Lucie County prior to lot split approval.

The proposed warranty deed is attached for your review, approval and acceptance.

Staff recommends the Board accept the warranty deed from Mr. and Mrs. Goodwin, authorize the Chair to sign the resolution and direct staff to proceed with the closing and record the documents in the public records of St. Lucie County, Florida.

5. Contract for Sale and Purchase - Chick-A-Dee Bird Seed LLC - Parcel ID 3403-502-0081-140-1

Staff recommends the Board approve the contract for sale and purchase from Chick-A-Dee Bird Seed LLC, authorize the Chair to sign the contract, direct staff to proceed with the closing and record the warranty deed in the public records of St. Lucie County, Florida.

6. Contract for Sale and Purchase - Drainage Easement - Walter and Cheryl Brett - 1612 S. Indian River Drive - Parcel ID 2415-411-0001-020-9

Staff recommends the Board approve the Contract for Sale and Purchase of a Drainage Easement with Walter and Cheryl Brett, authorize the Chair to sign the contract and drainage easement, direct staff to proceed with the closing and record the drainage easement in the public records of St. Lucie County, Florida.

7. Resolution - Adopting a Revised Excessive Force Policy

Staff recommends the Board adopt the proposed resolution as drafted and approved by the County Attorney.

8. Revocable License Agreement - Glades Cut Off Road - TTP PSL, LLC

TTP PSL, LLC is requesting a Revocable License Agreement to install (1) 6" Flex electrical conduit via bore, across the County right-of-way of Glades Cut Off Road. They understand if the County Engineer determines the installation is causing flooding, drainage problems, or for

other needs in the area, the installation will need to be removed or relocated at their expense.

Engineering, Road & Bridge, Water Quality, and the City of Port St. Lucie Utilities have reviewed the revocable license agreement and have no objections.

Staff recommends the Board approve the revocable license agreement, authorize the Chair to sign the agreement and direct TTP PSL, LLC pay to record the agreement in the public records of St. Lucie County, Florida.

#### **D. COMMUNITY SERVICES**

1. FY 2023 HOME Investment Partnerships Program Agreement - Requesting Board Approval to Enter into a Funding Agreement with the U.S. Department of Housing and Urban Development (HUD) in the Amount of \$1,067,599.00

Staff recommends Board approval of the FY2023 HUD HOME funding agreement in the amount of \$1,067,599.00; and permission for the Chair to sign documents as approved by the County Attorney.

#### **E. ENVIRONMENTAL RESOURCES**

1. Piggyback FWC17/18/82 Vegetation Management Continuing Contract with Native Creations, Inc.

Staff recommends the Board approve to piggyback off FWC17/18-82 with Native Creations, LLC and authorize the Chair to sign documents as approved by the County Attorney.

#### **F. INFORMATION TECHNOLOGY**

1. Governmental Management System Hosted Application Service and License Agreement with Sarasota County

Staff recommends Board approval for the governmental management hosting application service agreement thru Sarasota County, known as Govmax, for a term of three years in the amount of \$207,653.99 and authorization for the Chair to sign documents as approved by the County Attorney.

#### **G. PLANNING & DEVELOPMENT SERVICES**

1. Pineapple Kelly Plat - Proposed Plat to Subdivide a +/- 194.93 Acre Property into a Five (5) Lot Residential Subdivision

Staff recommends the Board approve the Pineapple Kelly Plat, authorizing the Chair to sign the plat as approved by the County Attorney.

#### H. PUBLIC UTILITIES

1. Grant Modification Acceptance - FEMA Project Grant for Emergency Generator through the Florida Division of Emergency Management (FDEM), Mitigation Bureau, Hazard Mitigation Grant Program

Staff recommends Board approval of the attached grant agreement modification in the amount of \$63,265.50 between St. Lucie County and Florida Division of Emergency Management (FDEM) for the purchase and installation of a permanent stand-by generator at the HEW Water Treatment Plant and authorize the Chair to sign documents as approved by the County Attorney.

#### I. PUBLIC WORKS

1. Award contract to Johnson, Mirmiran & Thompson, Inc. in the amount of \$196,594.00 for the Construction Monitoring (CEI) and Materials Testing Services for the Melville Road Drainage Improvements Phase II Project - **THIS ITEM IS RELATED TO THE AMERICAN RESCUE PLAN**

Staff recommends Board approval to award a contract to Johnson, Mirmiran & Thompson, Inc. in the amount of \$196,594.00 for the CEI and GEO Services for the Melville Road Drainage Improvements Phase II project; and authorization for the Chair to sign documents as approved by the County Attorney.

2. Request to amend WA #5 to increase the compensation to Culpepper and Terpening, Inc. for Construction Monitoring on the Oleander Avenue Sidewalk from Midway Road to South Market Avenue Project in the amount of \$48,150.00 - **THIS PROJECT IS FUNDED BY THE INFRASTRUCTURE SALES TAX**

Staff recommends the Board approve the 5th amendment to work authorization no. 05 and the attached scope and fee proposal from Culpepper & Terpening, Inc in the amount of \$48,150.00 and extend the completion date until June 30, 2024.

#### J. TRANSIT

1. MV Transportation - Fourth Amendment to the Master Contract to Provide for Extended Service Hours for Microtransit to Accommodate Transportation to and from the Port St. Lucie Express Service, which is scheduled to begin in early 2024.

Staff recommends the Board approve the contract amendment as specified in the attached document and authorize the Chair to sign applicable documents as approved by the County Attorney.

## 11. PUBLIC HEARINGS

### A. COUNTY ATTORNEY

1. Resolution No. 2023-222 - Public Hearing to Abandon a portion of Sandridge Road, a County-Owned and Maintained Right-of-Way

Staff recommends that the Board approve Resolution No. 2023-222, authorize the Chair to sign the resolution and easements in favor of Fort Pierce Utilities Authority, instruct staff to publish the final notice of abandonment and record the resolution and the proofs of publication and Easements in the public records of St. Lucie County, Florida.

### B. PLANNING & DEVELOPMENT SERVICES

1. Hutchinson Island - Building Height Zone - Ordinance No. 24-XXXXA and 24-XXXXB - **THIS ITEM WAS CONTINUED FROM 11/7/23**

Staff recommends the Board accept the input provided by the Planning and Zoning Commission, as well as staff's presentation and public comments and vote to schedule either Draft Ordinance 23-XXXXA or 23-XXXXB for an adoption hearing at the regularly scheduled Board of County Commissioners meeting on January 9, 2023, beginning at 6:00 PM or as soon thereafter as may be heard.

2. County Initiated Land Development Code Text Amendment to Backyard Chickens

Staff recommends the Board vote to approve Ordinance No. 2023-17 and have the Chair sign documents as approved by the County Attorney.

3. A County Initiated Land Development Code Text Amendment for the Allowance for Additional Height of Non-habitable Accessory Features and Mechanical Equipment, and to Allow the Height of Certain Accessory Structures within Residential and Agricultural Zoning Districts to Extend over the Maximum Height of the Primary Structure when Certain Provisions are met

Staff recommends the Board pass a motion to schedule the adoption hearing for the proposed amendment at the January 9, 2024 regularly scheduled meeting beginning at 6:00PM or as soon thereafter as may be heard.



## **12. REGULAR AGENDA**

There are no items scheduled.

## **13. ANNOUNCEMENTS**

- A. The Board of County Commissioners will hold an Informal meeting on Tuesday, December 12, 2023 at 9am in the Commission Chambers of the Roger Poitras Administration Annex located at 2300 Virginia Avenue, Fort Pierce, FL.
- B. The Board of County Commissioners will hold a Regular meeting on Tuesday, December 12, 2023 at 1pm in the Commission Chambers of the Roger Poitras Administration Annex located at 2300 Virginia Avenue, Fort Pierce, FL.

## **14. MOTION TO ADJOURN**