



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.

**CITY OF STUART, FLORIDA
AGENDA ITEM REQUEST
City Commission**

Meeting Date: 10/9/2023

Prepared by: Nina Mullin

Title of Item:

ARTS MOMENT - NEW DAY DANCE ACADEMY PERFORMANCE

Summary Explanation/Background Information on Agenda Request:

N/A

Funding Source:

N/A

Recommended Action:

Enjoy!

ATTACHMENTS:

**CITY OF STUART, FLORIDA
AGENDA ITEM REQUEST
City Commission**

Meeting Date: 10/9/2023

Prepared by: RYANNE CAVO

Title of Item:

HONORING STUDENT WITH PRESIDENT'S VOLUNTEER SERVICE AWARD

Summary Explanation/Background Information on Agenda Request:

We proudly acknowledge and honor Ashleigh Polhemus, a 15-year-old student of exceptional character and commitment, with *The President's Volunteer Service Award*. United Way of Martin County is pleased to present a certificate of Gold Achievement along with a congratulatory letter from the president of the United States, a Presidents Volunteers Service Medallion and our heartfelt thank you for her accomplishment.

Funding Source:

N/A

Recommended Action:

Issue the Proclamation.

ATTACHMENTS:

1. Honoring Student with President's Volunteer Service Award

**PROCLAMATION
HONORING STUDENT WITH
PRESIDENT’S VOLUNTEER SERVICE AWARD**

WHEREAS, the spirit of volunteerism is the cornerstone of a compassionate and thriving community;
and

WHEREAS, young individuals who actively engage in community service contribute immeasurably to
the betterment of society; and

WHEREAS, it is our profound pleasure to recognize and commend exceptional volunteerism,
exemplified by a remarkable young individual among us.

NOW, THEREFORE, I, TROY MCDONALD, Mayor for the City of Stuart, Florida along with all of the
City of Stuart Commissioners, do hereby issue this Proclamation to celebrate the outstanding achievement
of a dedicated and altruistic young student.

We proudly acknowledge and honor Ashleigh Polhemus, a 15-year-old student of exceptional character
and commitment, with *The President's Volunteer Service Award*. United Way of Martin County is pleased
to present a certificate of Gold Achievement along with a congratulatory letter from the president of the
United States, a Presidents Volunteers Service Medallion and our heartfelt thank you for her
accomplishment.

This award signifies not only her remarkable achievements but also her selflessness, leadership, and the
significant impact had on the lives of Martin County residents. Her commitment to volunteerism sets a
shining example for all, reminding us of the boundless potential within our youth to create a brighter, more
compassionate world.

In recognition of this remarkable accomplishment, we celebrate Ashleigh Polhemus for her exceptional
contributions and unwavering dedication to the values of community, compassion, and service. May her
actions continue to inspire us all to reach higher, give more, and foster a community that thrives on the
principle of creating a future where all have equal access and opportunities for success.

IN WITNESS WHEREOF, I have hereto set my hand and caused the seal of the City of Stuart Florida to
be affixed this 9th day of October, 2023.

TROY MCDONALD
MAYOR

**CITY OF STUART, FLORIDA
AGENDA ITEM REQUEST
City Commission**

Meeting Date: 10/9/2023

Prepared by: RYANNE CAVO

Title of Item:

HELPING PEOPLE SUCCEED - NATIONAL DISABILITY EMPLOYMENT AWARENESS MONTH
(NDEAM) (OCTOBER 2023)

Summary Explanation/Background Information on Agenda Request:

October 2023 marks the 78th anniversary of National Disability Employment Awareness Month which is used to educate the public about disability employment issues and celebrate the many and varied contributions of America's workers with disabilities.

Funding Source:

N/A

Recommended Action:

Issue the Proclamation.

ATTACHMENTS:

1. National Disability Employment Awareness Month (NDEAM) - Oct. 2023

**PROCLAMATION
HELPING PEOPLE SUCCEED
NATIONAL DISABILITY EMPLOYMENT AWARENESS MONTH (NDEAM)
OCTOBER 2023**

- WHEREAS,** October 2023 marks the 78th anniversary of National Disability Employment Awareness Month which is used to educate the public about disability employment issues and celebrate the many and varied contributions of America’s workers with disabilities; and
- WHEREAS,** the history of NDEAM dates to 1945 when Congress enacted a law declaring the first week in October each year “National Employ the Physically Handicapped Week.” In 1962, the word “physically” was removed to acknowledge the employment needs and contributions of individuals with all types of disabilities and in 1988, Congress expanded the week to a month and changed the name to National Disability Employment Awareness Month; and
- WHEREAS,** workplaces welcoming of the talents of all people, including people with disabilities, are a critical part of our efforts to build an inclusive community and strong economy; and
- WHEREAS,** Helping People Succeed is wholly committed to maximizing employment opportunities for individuals with disabilities through education, training, collaboration, and awareness; and
- WHEREAS,** activities during this month will reinforce the value and talent people with disabilities add to our workplaces and communities and affirm Stuart’s commitment to an inclusive community that increases access and opportunities to all, including individuals with disabilities.

NOW, THEREFORE, I, TROY MCDONALD, Mayor for the City of Stuart, Florida do hereby proclaim October 2023 as: **NATIONAL DISABILITY EMPLOYMENT AWARENESS MONTH** in the City of Stuart and urge all citizens to recognize this month by bringing together businesses and partners to break down the barriers faced by individuals with disabilities who are working or seeking employment dedicating ourselves to the task of improving the quality of life for all children and families.

IN WITNESS WHEREOF, I have hereto set my hand and caused the seal of the City of Stuart Florida to be affixed this 9th day of October, 2023.

TROY MCDONALD
MAYOR

**CITY OF STUART, FLORIDA
AGENDA ITEM REQUEST
City Commission**

Meeting Date: 10/9/2023

Prepared by: RYANNE CAVO

Title of Item:

DOMESTIC VIOLENCE AWARENESS MONTH (OCTOBER 2023)

Summary Explanation/Background Information on Agenda Request:

Our prosecutors, law enforcement officers and victim advocates have worked together with SafeSpace to provide awareness and education, reduce domestic violence in our county and assist victims and their families. Public action awareness creates a society that promotes strong values, fosters a safe and loving home environment for every family and a society that refuses to tolerate domestic violence in any form.

Funding Source:

N/A

Recommended Action:

Issue the Proclamation.

ATTACHMENTS:

1. Domestic Violence Awareness Month - Oct 2023

**PROCLAMATION
DOMESTIC VIOLENCE AWARENESS MONTH
OCTOBER 2023**

- WHEREAS,** domestic violence transcends all ethnic, racial, and socioeconomic boundaries. Its perpetrators abuse their victims physically, mentally, emotionally, and economically and the effects of their attacks are far-reaching; and
- WHEREAS,** domestic violence is particularly devastating because it so often occurs in the privacy of the home, a place meant to represent shelter and security. For this reason, Americans may not realize how widespread it is right here in our own county. The cost of domestic violence to Martin County has been estimated at over \$14.6 million per year; and
- WHEREAS,** during the month of October, Americans should contemplate the scars that domestic violence leaves on our society and what each of us can do to prevent it; and
- WHEREAS,** each year in the United States, more than 10 million women and men experience physical abuse by their intimate partners, with many experiencing repeat abuse over the course of a year. And 90% of children of domestic violence victims are eyewitnesses to these attacks, which may be a major precursor to fatalities from child abuse and neglect in the U.S.; and
- WHEREAS,** our prosecutors, law enforcement officers and victim advocates have worked together with SafeSpace to provide awareness and education, reduce domestic violence in our county and assist victims and their families. Public action awareness creates a society that promotes strong values, fosters a safe and loving home environment for every family and a society that refuses to tolerate domestic violence in any form.

NOW THEREFORE, I, TROY MCDONALD, Mayor of the City of Stuart, Florida, do hereby proclaim October 2023 as **DOMESTIC VIOLENCE AWARENESS MONTH** in the City of Stuart, Florida and urges all citizens to actively participate in the scheduled activities and programs sponsored by SafeSpace, Inc. and work towards the elimination of personal and institutional violence against adults and children.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the City of Stuart to be affixed this 9th day of October, 2023.

ATTEST:

TROY MCDONALD
MAYOR

**CITY OF STUART, FLORIDA
AGENDA ITEM REQUEST
City Commission**

Meeting Date: 10/9/2023

Prepared by: RYANNE CAVO

Title of Item:

FIRE PREVENTION WEEK (OCTOBER 8-14, 2023)

Summary Explanation/Background Information on Agenda Request:

The City of Stuart is committed to ensuring the safety and security of all those living in and visiting our city. Fire is a serious public safety concern and homes are the locations where people are at greatest risk from fire. Home fires killed more than 2,800 people in the United States in 2021, according to the National Fire Protection Association® (NFPA®), and fire departments in the United States responded to 338,000 home fires. Cooking is the leading cause of home fires in the United States and fire departments responded to more than 166,400 annually between 2016 and 2020. Two of every five home fires start in the kitchen with 31% of these fires resulting from unattended cooking. More than half of reported non-fatal home cooking fire injuries occurred when the victims tried to fight the fire themselves.

Funding Source:

N/A

Recommended Action:

Issue the Proclamation.

ATTACHMENTS:

1. Fire Prevention Week

**PROCLAMATION
FIRE PREVENTION WEEK
(OCTOBER 8-14, 2023)**

WHEREAS, the City of Stuart is committed to ensuring the safety and security of all those living in and visiting our city. Fire is a serious public safety concern and homes are the locations where people are at greatest risk from fire. Home fires killed more than 2,800 people in the United States in 2021, according to the National Fire Protection Association® (NFPA®), and fire departments in the United States responded to 338,000 home fires. Cooking is the leading cause of home fires in the United States and fire departments responded to more than 166,400 annually between 2016 and 2020. Two of every five home fires start in the kitchen with 31% of these fires resulting from unattended cooking. More than half of reported non-fatal home cooking fire injuries occurred when the victims tried to fight the fire themselves; and

WHEREAS, children under five face a higher risk of non-fire burns associated with cooking than being burned in a cooking fire. Stuart residents should turn pot handles toward the back of the stove; keep a lid nearby when cooking; keep a 3-foot kid-free zone around the stove, oven, and other things that could get hot; watch what they heat; and set a timer to remind them that they are cooking. Residents who have planned and practiced a home fire escape plan are more prepared and will therefore be more likely to survive a fire. Working smoke alarms cut the risk of dying in reported home fires almost in half; and

WHEREAS, Stuart's first responders are dedicated to reducing the occurrence of home fires and home fire injuries through prevention and protection education. Stuart's residents are responsive to public education measures and are able to take personal steps to increase their safety from fire, especially in their homes; and

WHEREAS, the 2023 Fire Prevention Week™ theme is, "Cooking safety starts with YOU. Pay attention to fire prevention™," effectively serves to remind us to stay alert, use caution when cooking to reduce the risk of kitchen fires, and to check our kitchens for fire hazards and use safe cooking practices during Fire Prevention Week 2023, and to support the many public safety activities and efforts of Stuart's fire and emergency services.

NOW, THEREFORE, I, TROY MCDONALD, Mayor of the City of Stuart, hereby proclaim October 8–14, 2023, as **FIRE PREVENTION WEEK** in the City of Stuart.

IN WITNESS WHEREOF, I have hereto set my hand and caused the seal of the City of Stuart Florida to be affixed this 9th day of October, 2023.

TROY MCDONALD
MAYOR

**CITY OF STUART, FLORIDA
AGENDA ITEM REQUEST
City Commission**

Meeting Date: 10/9/2023

Prepared by: RYANNE CAVO

Title of Item:

E-WASTE DAY (OCTOBER 14, 2023)

Summary Explanation/Background Information on Agenda Request:

Stuart recognizes the importance of protecting and preserving our natural resources and works to make the world a better place by adopting conscientious living habits that will improve our daily lives and bring about a cleaner, safer, and healthier environment. Stuart has undertaken many positive and successful waste reduction programs that have helped make Stuart one of Florida's recycling leaders, however, we can further reduce electronic waste (e-waste) and recycle even more electronics.

Funding Source:

N/A

Recommended Action:

Issue the Proclamation.

ATTACHMENTS:

1. E-Waste Day

**PROCLAMATION
E-WASTE DAY
OCTOBER 14, 2023**

- WHEREAS,** Stuart recognizes the importance of protecting and preserving our natural resources and works to make the world a better place by adopting conscientious living habits that will improve our daily lives and bring about a cleaner, safer, and healthier environment. Stuart has undertaken many positive and successful waste reduction programs that have helped make Stuart one of Florida's recycling leaders, however, we can further reduce electronic waste (e-waste) and recycle even more electronics; and
- WHEREAS,** although there has been a significant increase in the amount of recycling in Stuart today, we must continue to focus on other electronic waste initiatives such as electronic waste reduction, electronic waste collection events, electronic waste educational materials for our community, the reuse of electronic products and materials, and purchasing recycled or post-consumer electronic products and packaging; and
- WHEREAS,** by encouraging businesses, State agencies, nonprofit organizations, schools, and individuals to celebrate Stuart E-Waste Day, we can further promote electronic recycling as an environmentally efficient and, economically smart way of life; and
- WHEREAS,** local community leaders can help encourage recycling by informing citizens about the importance of buying recycled electronic products; they can also help foster greater awareness of the need to expand collection programs for recyclable goods and materials by promoting the benefits of recycling investments for businesses; and
- WHEREAS,** it is important that all Stuart residents become involved in E-Waste recycling activities and learn more about the many recycled products and packaging available to them as consumers; it is also fitting for Stuart to celebrate National E-Waste Day to help ensure a safe and healthy environment and an improved quality of life for present and future generations.

NOW, THEREFORE, I, TROY MCDONALD, Mayor for the City of Stuart, Florida, do hereby recognize October 14, 2023, as Stuart E-Waste Day in the City of Stuart, Florida.

IN WITNESS WHEREOF, I have hereto set my hand and caused the seal of the City of Stuart Florida to be affixed this 9th day of October, 2023.

TROY MCDONALD
MAYOR

**CITY OF STUART, FLORIDA
AGENDA ITEM REQUEST
City Commission**

Meeting Date: 10/9/2023

Prepared by: Ryanne Cavo

Title of Item:

FLORIDA CITY GOVERNMENT WEEK (OCTOBER 16-22, 2023)

Summary Explanation/Background Information on Agenda Request:

City government is the government closest to most citizens and the one with the most direct daily impact upon its residents. Municipal government provides services and programs that enhance the quality of life for residents, making their city their home.

Funding Source:

N/A

Recommended Action:

Issue the Proclamation.

ATTACHMENTS:

1. Florida City Government Week 10.16-10.22.23

**PROCLAMATION
FLORIDA CITY GOVERNMENT WEEK
OCTOBER 16-22, 2023**

- WHEREAS,** city government is the government closest to most citizens and the one with the most direct daily impact upon its residents. Municipal government provides services and programs that enhance the quality of life for residents, making their city their home; and
- WHEREAS,** city government is administered for and by its citizens and is dependent upon public commitment to and understanding of its many responsibilities; and
- WHEREAS,** city government officials and employees share the responsibility to pass along the understanding of public services and their benefits; and
- WHEREAS,** Florida City Government Week offers an important opportunity for elected officials and city staff to spread the word to all citizens of Florida that they can shape and influence this branch of government; and
- WHEREAS,** the Florida League of Cities and its member cities, of which Stuart is a member, have joined together to teach citizens about municipal government through a variety of activities.

NOW THEREFORE, I, TROY MCDONALD, Mayor of the City of Stuart, Florida, do hereby proclaim October 16th through October 22nd, 2023 as:

FLORIDA CITY GOVERNMENT WEEK

in the City of Stuart, Florida and encourages all citizens to participate in the scheduled events that recognize and celebrate Florida City Government Week, as well as encourage educational partnerships between city government and schools, civic groups, and other organizations.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the City of Stuart to be affixed this 9th day of October, 2023.

ATTEST:

TROY MCDONALD
MAYOR

**CITY OF STUART, FLORIDA
AGENDA ITEM REQUEST
City Commission**

Meeting Date: 10/9/2023

Prepared by: RYANNE CAVO

Title of Item:

LIGHTS ON AFTERSCHOOL DAY (OCTOBER 26, 2023)

Summary Explanation/Background Information on Agenda Request:

The citizens of the City of Stuart stand firmly committed to quality afterschool programs and opportunities because they provide safe and engaging learning experiences that help children realize their full potential. Support working families by ensuring their children are safe and productive when they are out of their classrooms.

Funding Source:

N/A

Recommended Action:

Issue the Proclamation.

ATTACHMENTS:

1. Lights on AfterSchool Day Proclamation 2023

**PROCLAMATION
LIGHTS ON AFTERSCHOOL DAY
OCTOBER 26, 2023**

WHEREAS, the citizens of the City of Stuart stand firmly committed to quality afterschool programs and opportunities because they provide safe and engaging learning experiences that help children realize their full potential. Support working families by ensuring their children are safe and productive when they are out of their classrooms; and

WHEREAS, afterschool programs provide critical support for the academic growth and well-being of youth and offer new experiences and opportunities that help young people learn and grow. Afterschool programs provide innovative, hands-on opportunities for youth to engage in learning and connect with caring adults and peers in a safe and supportive environment; and

WHEREAS, the R.E.A.C.H. UP East Stuart Youth Initiative has provided significant leadership in the area of community involvement in the education and well-being of our youth, grounded in the principle that quality afterschool programs are key to helping our children become successful adults; and

WHEREAS, *Lights On Afterschool*, the national celebration of afterschool programs held each year, promotes the importance of quality afterschool programs in the lives of children, families, and communities; and

WHEREAS, the **City of Stuart** is committed to investing in the health and safety of all young people by providing expanded learning opportunities that help our children learn and grow, while helping them develop the skills essential for success in life and work.

NOW THEREFORE, the City of Stuart recognizing that innovative afterschool programs and activities that ensure the lights stay on and the doors stay open for all children after school, I, TROY MCDONALD, Mayor of the City of Stuart, do hereby proclaim October 26, 2023 as: **LIGHTS ON AFTERSCHOOL DAY**.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the City of Stuart to be affixed this 9th day of October, 2023.

ATTEST:

TROY MCDONALD
MAYOR

**CITY OF STUART, FLORIDA
AGENDA ITEM REQUEST
City Commission**

Meeting Date: 10/9/2023

Prepared by: RYANNE CAVO

Title of Item:

HOSPICE AND PALLIATIVE CARE MONTH (NOVEMBER 2023)

Summary Explanation/Background Information on Agenda Request:

Medicare's first proven coordinated care model, hospice is a program that works offering person-centered, compassionate care, ensuring people dignity, choice, and quality of life.

Funding Source:

N/A

Recommended Action:

Issue the Proclamation.

ATTACHMENTS:

1. Hospice & Palliative Care Month - Nov. 2023

**PROCLAMATION
HOSPICE AND PALLIATIVE CARE MONTH
NOVEMBER 2023**

WHEREAS, Medicare’s first proven coordinated care model, hospice is a program that works offering person-centered, compassionate care, ensuring people dignity, choice, and quality of life; and

WHEREAS, the hospice model involves an interdisciplinary, team-oriented approach to treatment, including expert medical care, quality symptom control, and comprehensive pain management as a foundation of care. Beyond providing physical treatment, hospice attends to the patient’s emotional, spiritual, and family needs, and provides family services like respite care and grief counseling; and

WHEREAS, hospice and palliative care organizations are advocates and educators about advance care planning that help individuals make decisions about the care they want. Forty-one years ago, volunteers came together to establish Treasure Coast Hospice because they wanted their family, friends, and neighbors to have access to compassionate, quality end-of-life care from a locally-based hospice provider. Founded in 1982, Treasure Coast Hospice is a non-profit community organization of skilled professionals and dedicated volunteers whose mission is to provide access to compassionate, caring, expert and professional hospice and grief support services to patients and families at the end of life. Today, Treasure Coast Hospice serves more than 4,000 patients annually, providing holistic patient-centered care and comfort to patients and families in Martin, St. Lucie, and Okeechobee counties.

WHEREAS, during the next year, Treasure Coast Hospice will celebrate the 10th Anniversary of its specialized pediatric care program, Little Treasures, which improves the quality of life of children and teens with a life-limiting illness by providing support for the entire family.

NOW, THEREFORE, I, TROY MCDONALD, Mayor of the City of Stuart, Florida do hereby proclaim November 2023 as: **HOSPICE AND PALLIATIVE CARE MONTH** in the City of Stuart, Florida and encourage our residents to learn more about hospice and palliative care at the end of life and try to help as they can; and commend the Treasure Coast Hospice Team for their service to the citizens of our community.

IN WITNESS WHEREOF, I have set my hand and caused the seal of the City of Stuart, Florida to be affixed this 9th day of October, 2023.

TROY MCDONALD
MAYOR

**CITY OF STUART, FLORIDA
AGENDA ITEM REQUEST
City Commission**

Meeting Date: 10/9/2023

Prepared by: Susej Meleqi

Title of Item:

OATH OF OFFICE FOR CITY ATTORNEY LEE J. BAGGETT

Summary Explanation/Background Information on Agenda Request:

Funding Source:

Recommended Action:

ATTACHMENTS:

1. Oath of Office - City Attorney



STATE OF FLORIDA
COUNTY OF MARTIN
CITY OF STUART

**OATH OF OFFICE
CITY ATTORNEY**

I, LEE J. BAGGETT, DO SOLEMNLY SWEAR THAT I WILL SUPPORT, HONOR, PROTECT AND DEFEND THE CONSTITUTION AND GOVERNMENT OF THE UNITED STATES AND THE STATE OF FLORIDA; THAT I AM DULY QUALIFIED TO HOLD OFFICE UNDER THE CONSTITUTION OF THE STATE OF FLORIDA AND UNDER THE CHARTER OF THE CITY OF STUART; AND THAT I WILL WELL AND FAITHFULLY PERFORM THE DUTIES OF STUART CITY ATTORNEY ON WHICH I AM NOW ABOUT TO ENTER, SO HELP ME GOD.

LEE J. BAGGETT

Sworn to and subscribed before me
this 9th day of October, 2023.

Mary R. Kindel
Notary Public

**CITY OF STUART, FLORIDA
AGENDA ITEM REQUEST
City Commission**

Meeting Date: 10/9/2023

Prepared by: Kathy Martin

Title of Item:

SERVICE AWARDS - OCTOBER 2023

Summary Explanation/Background Information on Agenda Request:

Derek Ortado	Police	20 years
Michael Mortell	City Manager	10 years
Alicia King	Building/Permitting	5 years
Matthew Cawley	Fire Rescue	5 years

Funding Source:

General Fund

Recommended Action:

Present Awards

ATTACHMENTS:

**CITY OF STUART, FLORIDA
AGENDA ITEM REQUEST
City Commission**

Meeting Date: 10/9/2023

Prepared by: Ben Hogarth

Title of Item:

LOSOM UPDATE

Summary Explanation/Background Information on Agenda Request:

Brief presentation and/or comments by Ben Hogarth on the current status of Lake Okeechobee and LOSOM 2022 implementation.

Funding Source:

N/A

Recommended Action:

N/A

ATTACHMENTS:

**CITY OF STUART, FLORIDA
AGENDA ITEM REQUEST
City Commission**

Meeting Date: 10/9/2023

Prepared by: Nina Mullin

Title of Item:

APPROVAL OF 09/25/2023 CCM MINUTES AND 09/25/2023 SCM FINAL BUDGET MINUTES (RC)

Summary Explanation/Background Information on Agenda Request:

N/A

Funding Source:

N/A

Recommended Action:

Approve Item.

ATTACHMENTS:

1. 09/25/2023 SCM Final Budget Minutes
2. 09/25/2023 CCM Minutes

MINUTES
SPECIAL COMMISSION MEETING OF THE STUART CITY COMMISSION
FINAL BUDGET
SEPTEMBER 25, 2023
AT 5:15 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

ROLL CALL

5:49 PM

PRESENT: Mayor McDonald, Vice Mayor Bruner, Commissioner Clarke, Commissioner Collins, Commissioner Rich

PLEDGE OF ALLEGIANCE

COMMENTS BY CITY COMMISSIONERS

Commissioner Clarke

- Thanked the new City Manager and Finance Director, and all Directors for putting the FY 24 budget together.

COMMENTS BY CITY MANAGER

APPROVAL OF AGENDA

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

COMMISSION ACTION

1. ADOPTING THE FINAL MILLAGE FOR FISCAL YEAR 2024 (RC):

RESOLUTION No. 73-2023; A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF STUART, FLORIDA, OF MARTIN COUNTY, FLORIDA, ADOPTING THE FINAL LEVYING OF AD VALOREM TAXES FOR THE CITY OF STUART IN MARTIN COUNTY FOR FISCAL YEAR 2024; PROVIDING AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

Mike Mortell, City Manager, announced the hearing process and the rollback rate for the FY 24 is 4.5775 Mills and stated the final millage rate is 5 Mills, which is the current millage rate.

5:52 PM MOTION: Approve.
MOVED BY: Eula Clarke
SECONDED BY: Campbell Rich
Motion approved unanimously.

2. ADOPTING THE FINAL BUDGETS FOR FISCAL YEAR 2024 (RC):

RESOLUTION No. 74-2023; A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF STUART, FLORIDA ADOPTING THE FINAL BUDGETS OF THE CITY OF STUART, FLORIDA, FOR FISCAL YEAR BEGINNING OCTOBER 1, 2023 AND ENDING SEPTEMBER 30, 2024; PROVIDING AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

City Manager thanked Finance Director and all Directors for their work on the FY 24 budget.

5:54 PM MOTION: Approve.
MOVED BY: Eula Clarke
SECONDED BY: Christopher Collins
Motion approved unanimously.

DISCUSSION AND DELIBERATION

ADJOURNMENT

5:55 PM

Mary R. Kindel, City Clerk

Troy McDonald, Mayor

**Minutes to be approved at the Regular Commission
Meeting this 9th day of October, 2023.**

MINUTES
REGULAR MEETING OF THE STUART CITY COMMISSION
SEPTEMBER 25, 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

City Manager, Michael J. Mortell
Interim City Attorney, Paul J. Nicoletti
City Clerk, Mary R. Kindel

ROLL CALL

5:54 PM

PRESENT: Mayor McDonald, Vice Mayor Bruner, Commissioner Clarke, Commissioner Collins, Commissioner Rich

INVOCATION

Pastor Jim Harp of Stuart Alliance Church led the Commission and the audience in the Invocation.

PLEDGE OF ALLEGIANCE

COMMENTS BY CITY COMMISSIONERS

Commissioner Collins

- Commented that today is Yom Kippur and wished blessings to all.

Commissioner Clarke

- Commented on positive development, noting area along MLK Blvd. along Central to Church Street, three homes are being done.
- Commented on a future conversation about the relocation of the City Garage and the moving of the small building on the current site to Smith Turner Park.

Vice Mayor Bruner

- Reported that she used to be on the Tourism Board that Commissioner Collins currently serves on, and would like to participate on that board again.

Mayor McDonald

- Commented on he and the City Manager's recent historic Brightline inaugural trip to Orlando and is glad to have a working relationship with Brightline; worked together on the Florida Street intersection and bridge schedule agreements.

COMMENTS BY CITY MANAGER

City Manager Mortell

- Commented on the Brightline feedback received, thanked the employees and Commissioners who stood outside in support of the train as it went by; the train is coming through our community, the City may as well focus on getting a station to receive the benefits of it.

APPROVAL OF AGENDA

6:05 PM MOTION: Approve.

MOVED BY: Eula Clarke

SECONDED BY: Christopher Collins

Motion approved unanimously.

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

1. Jimmy Smith - Apache Ave.; Told the Commission they are doing a great job and reported on the relationship between the City and the NAACP. Invited all to a Movie Night on October 13th. There is another NAACP event on Oct. 14th, a 5k/10k Run with fun for the community afterwards.
2. Althea Wiley - Diana St.; Announced that there is a new film coming out on Mr. Willie Gary's life, and there will be a free showing of the movie in Memorial Park on Oct. 13th and all are invited. The Burial, is coming out in theaters, and the movie will be shown locally at Memorial Park on Oct. 13th.
3. Caryn Hall Yost Rudge - Palm City Rd.; Thanked Commissioner Collins for acknowledging Yom Kippur and read a prayer.

CONSENT CALENDAR

Commissioner Collins requested to pull Item #3 from the Consent Calendar.

1. APPROVAL OF 09/07/2023 SCM - CITY ATTORNEY INTERVIEWS, 09/11/2023 SCM - TENTATIVE BUDGET & TENTATIVE MILLAGE, AND 09/11/2023 CCM MINUTES (RC)

2. UPDATE EMPLOYEE HANDBOOK, CHAPTER 11 (EMPLOYEE RECOGNITION) AND CHAPTER 13 (LEAVE TIME AND LEAVES OF ABSENCE) (RC):

RESOLUTION No. 69-2023; A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF STUART, FLORIDA UPDATING CHAPTER 11 (EMPLOYEE RECOGNITION) AND CHAPTER 13 (LEAVE TIME AND LEAVES OF ABSENCE) OF THE CITY EMPLOYEE POLICY HANDBOOK, EFFECTIVE SEPTEMBER 1, 2023; PROVIDING AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

***** PULLED *****

3. MEMORANDUM OF UNDERSTANDING WITH UF-IFAS (RC):

RESOLUTION No. 79-2023; A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF STUART, FLORIDA AUTHORIZING THE MEMORANDUM OF UNDERSTANDING WITH THE UF/IFAS EXTENSION 'FLORIDA FRIENDLY LANDSCAPING' (FFL) PROGRAMS; PROVIDING AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

4. STUART CHRISTMAS PARADE ROAD CLOSURE (RC):

RESOLUTION No. 85-2023; A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF STUART, FLORIDA, APPROVING A ROAD CLOSURE FOR THE ANNUAL VISITING NURSE ASSOCIATION'S STUART CHRISTMAS PARADE ON FRIDAY, DECEMBER 1, 2023, BEGINNING AT S. E. MONTEREY ROAD TRAVELING WEST ON S.E. OCEAN BLVD. TO CONFUSION CORNER INTERSECTION; AUTHORIZING THE CITY MANAGER OF THE CITY OF STUART TO SIGN THE FLORIDA DEPARTMENT OF TRANSPORTATION PERMIT FOR THE TEMPORARY CLOSING OF A STATE ROAD; PROVIDING FOR AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

5. AWARD OF ITB #2023-111: CONVERSION OF FRONT LOAD TRUCK TO ROLL OFF TRUCK (RC):

RESOLUTION No. 88-2023; A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF STUART, FLORIDA APPROVES THE AWARD OF ITB #2023-111, CONVERSION OF FRONT LOAD TRUCK TO ROLL OFF TRUCK TO THE LOWEST, RESPONSIVE, AND RESPONSIBLE BIDDER WITH A TOTAL UNIT PRICE OF \$80,800.00 TO SUNBELT WASTE EQUIPMENT, INC., OF POMPANO, FLORIDA PROVIDING AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

6. RATIFY COLLECTIVE BARGAINING AGREEMENT BETWEEN THE CITY AND PALM BEACH COUNTY POLICE BENEVOLENT ASSOCIATION, INC. (RC):

RESOLUTION No. 91-2023; A RESOLUTION OF THE CITY COMMISSION OF

THE CITY OF STUART, FLORIDA RATIFYING THE THIRD-YEAR REOPENERS OF THE COLLECTIVE BARGAINING AGREEMENT BETWEEN THE CITY AND PALM BEACH COUNTY POLICE BENEVOLENT ASSOCIATION, INC. (PBA), EFFECTIVE OCTOBER 1, 2021 THROUGH SEPTEMBER 30, 2024; PROVIDING AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

7. RATIFY COLLECTIVE BARGAINING AGREEMENT BETWEEN THE CITY AND THE PROFESSIONAL FIREFIGHTERS OF STUART, LOCAL #2411 (RC):

RESOLUTION No. 92-2023; A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF STUART, FLORIDA RATIFYING THE THIRD-YEAR REOPENERS OF THE COLLECTIVE BARGAINING AGREEMENT BETWEEN THE CITY AND THE PROFESSIONAL FIREFIGHTERS OF STUART, LOCAL #2411 (IAFF), EFFECTIVE OCTOBER 1, 2021 THROUGH SEPTEMBER 30, 2024; PROVIDING AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

END OF CONSENT CALENDAR

6:15 PM MOTION: Approval of Consent Calendar, pulling Item #3.

MOVED BY: Becky Bruner

SECONDED BY: Eula Clarke

Motion approved unanimously.

*****PULLED FROM CONSENT CALENDAR*****

3. MEMORANDUM OF UNDERSTANDING WITH UF-IFAS (RC):

RESOLUTION No. 79-2023; A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF STUART, FLORIDA AUTHORIZING THE MEMORANDUM OF UNDERSTANDING WITH THE UF/IFAS EXTENSION FLORIDA FRIENDLY LANDSCAPING' (FFL) PROGRAMS; PROVIDING AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

City Manager Mortell recognized that the funding appeared to be an additional contribution from the City, but he will contact IFAS to get the list of services provided and get back to the Commission. Mayor McDonald stated they have been a good partner. Interim City Attorney Nicoletti announced the deliverables that are included in the MOU. Commissioner Collins noted that he would like to see more community garden work included.

Public Works Director, Milton Leggett came forward and reported that the joint agreement with IFAS is part of the Stormwater requirements, and the City has partnered with them each year on various turf and grounds needs. The School Board and County contribute each year as well.

6:21 PM MOTION: Approve.

MOVED BY: Christopher Collins

SECONDED BY: Eula Clarke

Motion approved unanimously.

COMMISSION ACTION

8. CONFIRMING THE APPOINTMENT OF LEE J. BAGGETT AS CITY ATTORNEY AND AUTHORIZING AN EMPLOYMENT CONTRACT WITH THE CITY ATTORNEY (RC):

RESOLUTION No. 93-2023; A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF STUART, FLORIDA CONFIRMING THE APPOINTMENT OF LEE J. BAGGETT AS CITY ATTORNEY AND AUTHORIZING AN EMPLOYMENT CONTRACT WITH THE CITY ATTORNEY; AND PROVIDING FOR AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

Interim City Attorney Nicoletti stated the City Attorney contract needs a date certain and suggested it be on Monday, Oct. 9th.

Commissioner Clarke motioned to approve the Resolution and added that in the future, she would like to extend the Interim City Attorney's contract to assist Mr. Baggett as he gets settled. Commissioner Collins seconded the motion just for the approval of the Resolution; not to include her comment on the interim contract.

Commissioner Rich commented that he would like to see language added to Mr. Baggett's contract that states he must report to the City, any outside professional assignments, travel, etc. The discussion concluded with an explanation that he must report such information as an employee already.

Mayor McDonald noted that he would like to bring back the topic of an extended Interim Attorney contract for Paul Nicoletti as an agenda item to a future meeting.

6:23 PM MOTION: Approve Resolution No. 93-2023.

MOVED BY: Eula Clarke

SECONDED BY: Christopher Collins

Motion approved unanimously.

ORDINANCE SECOND READING

9. WOJNAR - ABANDONMENT OF S.E. OCEAN AVENUE (RC):

ORDINANCE No. 2521-2023; AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF STUART, FLORIDA, TO PROVIDE FOR THE ABANDONMENT OF CERTAIN PUBLIC RIGHT-OF-WAY WITHIN THE CITY BEING THAT CERTAIN 30-FOOT RIGHT-OF-WAY, AS SET FORTH ON THE PLAT BROADWAY SECTION OF ST. LUCIE ESTATES SUBDIVISION, AS RECORDED IN PLAT BOOK 1, PAGE 4, MARTIN COUNTY, FLORIDA PUBLIC RECORDS DESCRIBED IN EXHIBIT "A" ATTACHED HERETO AND DEPICTED IN EXHIBIT "B" ATTACHED HERETO; REQUESTING THE PRIVILEGE FEE FOR ABANDONING PUBLIC PROPERTY BE WAIVED IN ITS ENTIRETY; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE: AND FOR OTHER PURPOSES.

6:30 PM MOTION: Approve.
MOVED BY: Eula Clarke
SECONDED BY: Christopher Collins
Motion approved unanimously.

10. 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.

6:31 PM MOTION: Approve.
MOVED BY: Christopher Collins
SECONDED BY: Becky Bruner
Motion approved unanimously.

11. AMENDING CHAPTER 26, LAW ENFORCEMENT. ARTICLE II AND CHAPTER 28, OFFENSES, ARTICLE 1, OF CODE OF ORDINANCES, ADDING A NEW SECTION (RC):

ORDINANCE No. 2523-2023; AN ORDINANCE OF THE CITY OF STUART, FLORIDA AMENDING THE STUART CITY CODE AT SECTION 26-30 SCHEDULE OF FINES; AND BY AMENDING SECTION 28-30 RESERVED, ADDING A NEW SECTION PROHIBITING DESTRUCTION OF PUBLIC PROPERTY AND SETTING A FINE; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; PROVIDING FOR CODIFICATION; PROVIDING AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

Commissioner Rich asked what prompted the addition to the fine. Mortell responded ...

6:33 PM MOTION: Approve.
MOVED BY: Christopher Collins
SECONDED BY: Becky Bruner
Motion approved unanimously.

ORDINANCE FIRST READING

DISCUSSION AND DELIBERATION

ADJOURNMENT

6:34 PM

Mary R. Kindel, City Clerk

Troy McDonald, Mayor

**Minutes to be approved at the Regular Commission
Meeting this 9th day of October, 2023.**

**CITY OF STUART, FLORIDA
AGENDA ITEM REQUEST
City Commission**

Meeting Date: 10/9/2023

Prepared by:

Title of Item:

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.

Summary Explanation/Background Information on Agenda Request:

This solicitation was advertised in the Palm Beach Post on July 14, 2023 and release simultaneously on OpenGov Procurement, who notified four hundred and four (404) potential bidders, there were twenty seven (27) plan holders, and issued two (2) bid packages for this project. One (1) bid was received by the bid opening date and time of 2:30 pm. August 9, 2023.

Utilities and Engineering has reviewed the submittal and checked references and suggest award to the lowest responsive, responsible bidder, for the total of \$2,077,700.00.

Funding Source:

001-56563-220 Project number 47110

Recommended Action:

Adopt Resolution No. 83-2023

ATTACHMENTS:

1. R83-2023 Award ITB 2023-109



**BEFORE THE CITY COMMISSION
CITY OF STUART, FLORIDA**

RESOLUTION NUMBER 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, AND RESPONSIBLE BIDDER WITH A TOTAL UNIT PRICE OF \$2,077,700.00 DI POMPEO CONSTRUCTION CORPORATION OF POMPANO BEACH, FLORIDA, PROVIDING AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

* * * * *

NOW THEREFORE, BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF STUART, FLORIDA that:

WHEREAS, the City entered into the competitive Invitation to Bid process in order to solicit a licensed General Contractor to construct City of Stuart Veterans Memorial Park Phase -4 Amphitheatre.

SECTION 1: The City Commission of the City of Stuart hereby approves the award of ITB #2023-109: City of Stuart Veterans Memorial Park Phase -4 Amphitheatre to Di Pompeo Construction Corporation, with authorization to execute final contract subsequent to review and approval by the City Attorney.

SECTION 2: This resolution shall take effect upon adoption.

Resolution No. 83-2023

Approve Award of ITB #2023-109: City of Stuart Veterans Memorial Park Phase -4 Amphitheatre.

Commissioner _____ offered the foregoing resolution and moved its adoption. The motion was seconded by Commissioner _____ and upon being put to a roll call vote, the vote was as follows:

TROY MCDONALD, MAYOR
BECKY BRUNER, VICE MAYOR
EULA R. CLARKE, COMMISSIONER
CRISTOPHER COLLINS, COMMISSIONER
CAMPBELL RICH, COMMISSIONER

YES	NO	ABSENT	ABSTAIN

ADOPTED this 25th day of September 2023.

ATTEST:

MARY R. KINDEL
CITY CLERK

TROY MCDONALD
MAYOR

APPROVED AS TO FORM
AND CORRECTNESS:

PAUL J. NICOLETTI, ESQ.
INTERIM CITY ATTORNEY

**CITY OF STUART, FLORIDA
AGENDA ITEM REQUEST
City Commission**

Meeting Date: 10/9/2023

Prepared by: Jim Chrulski

Title of Item:

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 RECIEPT 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.

Summary Explanation/Background Information on Agenda Request:

The City of Stuart Community Services Department manages an annual grant from the Children's Services Council of Martin County (CSCMC) for the East Stuart Youth Initiative Program. Community Services has successfully managed the grant since 2003. CSCMC uses the City's program as a model program for other Martin County agencies.

At their recent board meeting, the CSCMC Board of Directors granted the Community Services Department an additional \$9,419 to compensate for rising costs and inflation. Therefore, the budget is hereby being modified by Resolution 86-2023 from \$400,919.00 to \$410,338.00 in the FY24 budget for the grant cycle.

Funding Source:

R86-2023 Budget Amendment No. 1 - modifies the FY24 Budget with the actual grant amount awarded by the Children's Services Council of Martin County.

Community Services (Recreation) 242

001-33770-000

From: \$ 400,919.00

To: \$ 410,338.00

Increase: \$ 9,419.00

Recommended Action:

Approve R86-2023

ATTACHMENTS:

1. R86-2023 BA1 Childrens Services Council - Grant Increase
2. R41-2023 APPLY Childrens Service Council - Apply Accept Grant



**BEFORE THE CITY COMMISSION
CITY OF STUART, FLORIDA**

RESOLUTION NUMBER 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 RECIEPT 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.

*** * * * ***

WHEREAS, the City of Stuart, Florida is committed to providing quality recreation and education programming for youth; and

WHEREAS, the Children’s Services Council of Martin County, an independent special district, created in 1988 and reauthorized in 2014 to provide a dedicated funding source for local children’s programs; and

WHEREAS, the City of Stuart, Florida has been awarded a grant for the East Stuart Initiative After School Program since 2003; and

WHEREAS, the City of Stuart’s Community Services Department is the lead grant administrator and is modifying the grant from the Children’s Services Council of Martin County from \$400,919.00 to \$410,338.00 which includes the additional \$9,419 increase granted for Fiscal Year 2024

applied to underwrite the East Stuart Youth Initiative after-school program at the 10th Street Community Center.

NOW THEREFORE, BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF STUART, FLORIDA THAT:

SECTION 1: The City Commission of the City of Stuart, Florida authorizes acceptance of a Cost-of-Living Adjustment contribution from the Children’s Services Council of Martin County (CSCMC) for the East Stuart Youth Initiative Grant program.

SECTION 2: The City Commission further authorizes the Community Services Department and Police Department to allocate the new funds in accordance with the terms of the grant and the provision of any services rendered thereby.

SECTION 3: This resolution shall take effect upon adoption.

Commissioner _____ offered the foregoing resolution and moved its adoption. The motion was seconded by Commissioner _____ and upon being put to a roll call vote, the vote was as follows:

TROY MCDONALD, MAYOR
BECKY BRUNER, VICE MAYOR
EULA R. CLARKE, COMMISSIONER
CHRISTOPHER COLLINS, COMMISSIONER
CAMPBELL RICH, COMMISSIONER

YES	NO	ABSENT	ABSTAIN

ADOPTED this ____ day of _____, 2023.
ATTEST:

MARY R. KINDEL
CITY CLERK

TROY MCDONALD
MAYOR

APPROVED AS TO FORM
AND CORRECTNESS:

LEE J. BAGGETT
CITY ATTORNEY



**BEFORE THE CITY COMMISSION
CITY OF STUART, FLORIDA**

RESOLUTION NUMBER 41-2023

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF STUART, FLORIDA AUTHORIZING AN APPLICATION TO THE CHILDREN'S SERVICES COUNCIL OF MARTIN COUNTY FOR THE EAST STUART YOUTH INITIATIVE GRANT; AUTHORIZING THE ACCEPTANCE AND EXPENDITURE OF THE CHILDREN'S SERVICES COUNCIL GRANT, COLA, AND EMERGENCY FUNDING; IF APPROVED, AUTHORIZING THE EXECUTION OF CONTRACTS BETWEEN THE CITY OF STUART AND CHILDREN'S SERVICES COUNCIL OF MARTIN COUNTY FOR GRANT ADMINISTRATION; PROVIDING AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

* * * * *

WHEREAS, the City of Stuart, Florida is committed to providing quality recreation and education programming for youth; and

WHEREAS, the Children's Services Council of Martin County is an independent special district, created in 1988 and reauthorized in 2014 to provide a dedicated funding source for local children's programs; and

WHEREAS, the City of Stuart, Florida has been awarded a consecutive grant for the East Stuart Youth Initiative After School Program since 2003; and

WHEREAS, the City of Stuart's Community Services Department is the lead grant administrator and is subject to accept a grant from the Children's Services Council in the amount of \$400,919.00 for Fiscal Year 2024 East Stuart Youth Initiative after-school program at the 10th Street Community Center.

NOW THEREFORE, BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF STUART, FLORIDA THAT:

SECTION 1: The City Commission of the City of Stuart, Florida authorizes a formal grant application to the Children's Services Council of Martin County (CSCMC) for the East Stuart Youth Initiative, a collaboration which includes the City of Stuart Community Services Department, and Stuart Police Department. The City Commission further authorizes the Community Services Department and Police Department to execute contracts with CSCMC necessary for the administration of grant award funds and services rendered thereby.

SECTION 2: Upon grant approval through the CSCMC, the City expects to manage a total grant award of \$400,919.00 This includes \$351,063 for services administrated by the Community Services Department, and an additional \$49,856 for services administrated by the Stuart Police Department.

SECTION 3: The City Commission also authorizes the Community Services Department to accept a Cost-of-Living Adjustment (COLA) increase up to 10% awarded by the CSCMC Board of Directors, and apply and expend any additional emergency funding, if needed. The Community Services Department will serve as lead administrator and operator for the grant. There are no matching funds required to receive this grant.

SECTION 4: The City Commission authorizes the Mayor, City Clerk and any other designated City Official to execute the necessary documents, after review and approval of the City Attorney as to form.

SECTION 5: This resolution shall take effect upon adoption.

Commissioner CLARKE offered the foregoing resolution and moved its adoption. The motion was seconded by Commissioner RICH and upon being put to a roll call vote, the vote was as follows:

TROY MCDONALD, MAYOR
BECKY BRUNER, VICE MAYOR
EULA R. CLARKE, COMMISSIONER
CHRISTOPHER COLLINS, COMMISSIONER
CAMPBELL RICH, COMMISSIONER

YES	NO	ABSENT	ABSTAIN
Y			
Y			
Y			
Y			
Y			

ADOPTED this 12th day of June, 2023.

ATTEST:

MARY R. KINDEL
CITY CLERK

TROY MCDONALD
MAYOR

APPROVED AS TO FORM
AND CORRECTNESS:

PAUL J. NICOLETTI
INTERIM CITY ATTORNEY

**CITY OF STUART, FLORIDA
AGENDA ITEM REQUEST
City Commission**

Meeting Date: 10/9/2023

Prepared by: Jacqui May

Title of Item:

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.

Summary Explanation/Background Information on Agenda Request:

Section 9901 of the American Rescue Plan Act of 2021 (Pub. L. No. 117-2, §9901) added section 603(a) to the Social Security Act ("ARPA"), which created the Coronavirus Local Fiscal Recovery Fund for the purpose of providing funds to local governments in order to facilitate the ongoing recovery from the COVID-19 pandemic. The State of Florida, Division of Emergency Management has received funds to disburse from the U.S. Department of Treasury that have been earmarked for non-entitlement units of local government, which includes the City of Stuart, Florida. Resolution No. 57-2023 A Resolution of the City of Stuart, Florida Establishing a Timeline and Procedures Regarding ARPA Funding Support for Eligible Organizations was authorized by the City Commission on July 14, 2023. The following nonprofit organizations and projects have met the specifications and requirements of the U.S. Treasury and City of Stuart's ARPA Nonprofit Support Application and vetting process. The City of Stuart's ARPA Application Review Committee has allocated the following funds to the projects listed below. Funding for these agreements will be available after a supplemental appropriation in the amount of \$500,000 from the unappropriated balance of the American Rescue Plan Act Fund.

Funding Source:

ARPA Funding

Recommended Action:

Approve Resolution No. 87-2023.

ATTACHMENTS:

1. R87-2023 Authorizing Award of Subrecipient Financial Support from ARPA Funds
2. R87-2023 Authorizing Award ATTACH
3. 57-2023



**BEFORE THE CITY COMMISSION
CITY OF STUART, FLORIDA**

RESOLUTION NUMBER 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 DOCCUMENTS 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.

* * * * *

WHEREAS, Section 9901 of the American Rescue Plan Act of 2021 (Pub. L. No. 117-2, §9901) added section 603(a) to the Social Security Act ("ARPA"), which created the Coronavirus Local Fiscal Recovery Fund for the purpose of providing funds to local governments in order to facilitate the ongoing recovery from the COVID-19 pandemic; and

WHEREAS, the State of Florida, Division of Emergency Management has received funds to disburse from the U.S. Department of Treasury that have been earmarked for non-entitlement units of local government, which includes the City of Stuart, Florida; and

WHEREAS, Resolution No. 57-2023 A Resolution of the City of Stuart, Florida Establishing a Timeline and Procedures Regarding ARPA Funding Support for Eligible Organizations was authorized by the City Commission on July 14, 2023; and

WHEREAS, the following nonprofit organizations and projects have met the specifications and requirements of the U.S. Treasury and City of Stuart's ARPA Nonprofit Support Application and vetting process; and

WHEREAS, the City of Stuart's ARPA Application Review Committee has allocated the following funds to the projects listed below; and

WHEREAS, Funding for these agreements will be available after a supplemental appropriation in the amount of \$500,000 from the unappropriated balance of the American Rescue Plan Act Fund.

NOW THEREFORE, BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF STUART, FLORIDA that:

SECTION 1:

The award of a subrecipient agreement for Gertrude Walden Child Care Center, Fire Safety System at a total contract amount not to exceed \$109,593.00 is hereby approved.

The award of a subrecipient agreement for Healthy Start, State Appropriation Match at a total contract amount not to exceed \$66,032.00 is hereby approved.

The award of a subrecipient agreement for Little Lights Dentistry, Pediatric Dental Facility Expansion at a total contract amount not to exceed \$255,500.00 is hereby approved.

The award of a subrecipient agreement for Tent City Helpers, Insect Repellent Distribution Program at a total contract amount not to exceed \$10,000.00; Emergency Shelter Packages at a total contract amount not to exceed \$28,875.00; Transit Access Program at a total contract amount not to exceed \$30,000.00 is hereby approved.

SECTION 2: The 2023-2024 Year Budget of the Enterprise Fund of the City of Stuart, Florida, being Resolution No. 87-2023 of the City Commission of the City of Stuart, Florida, as amended, hereinafter the "Budget," is hereby further amended, as follows:

From: ARPA (Rescue Plan) Funds	\$500,000.00
To: Aids To Organizations 110-582	\$500,000.00

SECTION 3: This resolution shall take effect on adoption.

Commissioner _____ offered the foregoing resolution and moved its adoption. The motion was seconded by Commissioner _____ and upon being put to a roll call vote, the vote was as follows:

TROY MCDONALD, MAYOR
BECKY BRUNER, VICE MAYOR
EULA R. CLARKE, COMMISSIONER
CHRISTOPHER COLLINS, COMMISSIONER
CAMPBELL RICH, COMMISSIONER

YES	NO	ABSENT	ABSTAIN

ADOPTED this ____ day of _____, 2023.

ATTEST:

MARY R. KINDEL
CITY CLERK

TROY MCDONALD
MAYOR

APPROVED AS TO FORM
AND CORRECTNESS:

LEE J. BAGGETT
CITY ATTORNEY

The City of Stuart was allocated one-time funds from The American Rescue Plan Act (ARPA) through the State of Florida to mitigate the impact of the COVID-19 pandemic. The City is investing a portion of these funds in projects and programs led by local nonprofit organizations to directly benefit Stuart, Florida residents impacted by the pandemic. All funds are subject to U.S. Treasury guidelines and reporting requirements.

The City currently has \$500,000 to distribute to eligible nonprofits for qualifying projects.

You have been selected at random to serve as part of the City Commission authorized five (5) member staff review committee to be convened by the City Manager to review, score, rank, and make recommendations regarding the project applications. The Committee will be facilitated by the Grants Administrator and the Interim City Attorney, however, they will have no vote/scoring input.

The City has received applications from several local nonprofit organizations for ARPA support funds. The City Commission recently adopted an ARPA Funding Application Review Procedure (Resolution 57-2023 - July 14, 2023).

The City Grants Administrator and City Attorney have verified all of the organizations who have submitted applications meet the eligibility requirements and that all projects presented to you for consideration, align with requirements of the U.S. Treasury.

The Scoring Committee will be provided with project overviews, scoring worksheets, and instructions. Worksheet data is taken directly from information submitted on applications. Information regarding similar/identical services in the Martin County area is obtained from Martin County Human Services Department. Committee members are encouraged to ask questions and request any additional information from the Grants Administrator they feel they need score projects. Note: The group requested/received all full applications with redacted organizational information.

Staff Review Committee Responsibilities:

- Members are expected to dedicate the time necessary to adequately complete the tasks/functions of this Committee as detailed below and their director is expected to support this.
- Members will demonstrate a commitment to community service, confidentiality as appropriate, and recognition of the needs of the citizens of the City.
- Members will maintain fairness and objectivity.
- Members will be open to instructions including how to evaluate and analyze applications or funding requests and will direct questions about the process to the Grants Administrator.
- Members will not be compensated by an agency competing for, or in competition with an agency applying for Social Action Funding. If such conflict exists, this must be stated during the scoring and funding deliberation process. All members completed a Conflict of Interest questionnaire/no conflicts identified.

Primary actions/activities will include:

- Reviewing and rating ARPA Support Fund applications (these will be distributed to the committee at our initial meeting on Thursday, September 21, 2023);
- Spending up-to three (s) hours of work time reviewing and making personal notes regarding applications forwarded by the City Attorney/Grants Administrator;
- Participating in the follow-up meeting on Thursday, September 28, 2023.

Staff Review Committee Time Commitment/Schedule:

- Committee Meeting 1: Thursday, September 21, 2023 – 2:00 p.m. – 3:00 p.m.
- Individual review of applications outside of meetings, estimated 3 hours during the week September 21 – 28
- Committee Meeting 2: Thursday, September 28, 2023 – 10:30 a.m. – 12:30 p.m.

City of Stuart ARPA Support Request Application Scoring Worksheet

Project ID:

Project Name:

Project Description:

Amount of Request for this project:

Amount You Suggest Awarding: _____

Can be changed during discussion!

Project Eligibility / Vetting	No	Yes
Completed application package submitted by deadline		X
Program helps mitigate impacts of COVID-19 (health disparities, educational disparities, housing support)		X
Project aligns with U.S. Treasury and related federal guidelines		X
At least 51% of intended beneficiaries meet income limits/federal poverty level:		X
Capacity to deliver program for at least 2 years		X
<i>No on any of the above disqualifies application from funding consideration</i>		

Community Benefit Scoring Criteria	Max Points	Awarded
Are other area orgs. Providing the same/similar service?	20	
If City funds partially or not at all can project still happen:	20	
How long will requested funding provide support for:	20	
Estimated # of Stuart area residents project will serve in 2 years:	20	
% of requested project funds direct for program:	20	
Total Points	100	
Description Summary - Extracted from Full Application		

City of Stuart ARPA Support Scoring Committee Worksheet

Score	Project	Amt Requested	Amt Allocated
285	9 - Pediatric Dental Svcs	\$ 255,500.00	\$255,500.00
265	10 -Insect Repellent	\$ 16,500.00	\$10,000.00
265	12 -Emerg. Shelter Pkgs	\$ 28,875.00	\$28,875.00
260	11- Transit Access	\$ 30,000.00	\$30,000.00
240	7 - Fire Safety System	\$ 109,593.00	\$109,593.00
210	1- Capital- Workforce Lab	\$ 500,000.00	\$0.00
170	4 -Temp Housing Rental	\$ 644,290.00	\$0.00
170	8 - Capital - Matching	\$ 500,000.00	\$66,032.00
132	2 -Shelter Diversion	\$ 200,932.00	\$0.00
113	6 - Mentor Program	\$ 31,730.00	\$0.00
110	3 - Temp Housing @cong.	\$ 100,932.00	\$0.00
100	5 -Tuition Program	\$ 74,917.00	\$0.00
	TOTAL	\$ 2,493,269.00	\$500,000.00



**BEFORE THE CITY COMMISSION
CITY OF STUART, FLORIDA**

RESOLUTION NUMBER 57-2023

**A RESOLUTION OF THE CITY COMMISSION OF
THE CITY OF STUART, FLORIDA, ESTABLISHING A
TIMELINE AND PROCEDURES REGARDING ARPA
FUNDING SUPPORT FOR ELIGIBLE
ORGANIZATIONS; PROVIDING AN EFFECTIVE
DATE, AND FOR OTHER PURPOSES.**

* * * * *

WHEREAS, Section 9901 of the American Rescue Plan Act of 2021 (Pub. L. No. 117-2 SS 9901) added Section 603(a) to the Social Security Act (“ARPA”), which created the Coronavirus Local Fiscal Recovery Fund for the purpose of providing funds to local governments in order to facilitate the ongoing recovery from the COVID-19 pandemic; and

WHEREAS, the State of Florida, Division of Emergency Management had received funds to disperse from the U.S. Department of Treasury that have been earmarked for non-entitlement units of local government, which includes the City of Stuart, Florida; and

WHEREAS, the City Commission previously committed partial distribution of approximately one half of the remaining \$1,000,000 in ARPA Support funds to eligible local nonprofit organizations, and

WHEREAS, the City Commission seeks to accept applications for ARPA Support Funds from eligible local nonprofits for the remainder of the funds, no later than at close of business on Thursday, August 31, 2023; and

NOW THEREFORE, BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF STUART, FLORIDA, AS FOLLOWS:

SECTION 1: The City Manager and Grants Administrator are authorized to implement the following timeline and procedures regarding the remainder of the ARPA Support Funds:

Timeline:

August 31, 2023 – deadline to submit applications for ARPA funding support.

September 15, 2023 – All Applicant clarifications and responses to City comments are returned to the City's Grants Administrator.

September 22, 2023 -- The five (5) member staff committee meets, reviews, scores, and ranks applications.

October 9, 2023 – Results are presented at City Commission Meeting, and the City Commission adopts a Resolution setting the final distribution and approving Agreements.

October 27, 2023 – Agreements are prepared and distributed to Applicants.

November 30, 2023 – All Agreements are executed and returned to the City.

Additional Procedures:

A five (5) member staff review committee shall be convened by the City Manager to review, score, rank, and make recommendations regarding the project applications. All committee reviews shall be "blind," meaning the members of the committee shall not know at the time of consideration which applicant has submitted the funding request. Applicants, in some cases, have already submitted more than one project request, and each project will be isolated and reviewed on its own merits. The committee shall be staffed by the Grants Administrator and the City Attorney, who shall prepare and present the review materials for the committee, but neither of them shall have a vote.

SECTION 2: This resolution shall take effect immediately upon adoption.

(The remainder of this page intentionally left blank)

Commissioner BRUNER offered the foregoing resolution and moved its adoption.

The motion was seconded by Commissioner CLARKE and upon being put to a roll call vote,

the vote was as follows:

TROY MCDONALD, MAYOR
BECKY BRUNER, VICE MAYOR
EULA R. CLARKE, COMMISSIONER
CHRISTOPHER COLLINS, COMMISSIONER
CAMPBELL RICH, COMMISSIONER

YES	NO	ABSENT	ABSTAIN
Y			
Y			
Y			
Y			
Y			

ADOPTED this 24th day of July, 2023.

ATTEST:

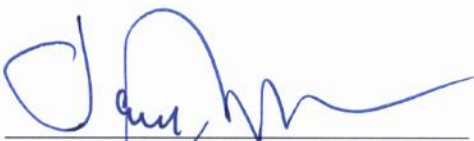


MARY R. KINDEL
CITY CLERK



TROY MCDONALD
MAYOR

APPROVED AS TO FORM
AND CORRECTNESS:



PAUL J. NICOLETTI
INTERIM CITY ATTORNEY



**CITY OF STUART, FLORIDA
AGENDA ITEM REQUEST
City Commission**

Meeting Date: 10/9/2023

Prepared by: Joe Tumminelli

Title of Item:

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.

Summary Explanation/Background Information on Agenda Request:

Law Enforcement Mutual Aid Agreement between Martin County Sheriffs Office and the City of Stuart Police Department

Funding Source:

N/A

Recommended Action:

Approve Resolution 94-2023

ATTACHMENTS:

1. R94-2023 MOU Martin County Law Enforcement Mutual Aid
2. MOU Martin County Law Enforcement Mutual Aid



**BEFORE THE CITY COMMISSION
CITY OF STUART, FLORIDA**

RESOLUTION NUMBER 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.**

* * * * *

**NOW THEREFORE, BE IT RESOLVED BY THE CITY COMMISSION OF THE
CITY OF STUART, FLORIDA THAT:**

SECTION 1: The City Commission of the City of Stuart, Florida authorizes the execution of the renewal of the Martin County Law Enforcement Operational Assistance and Voluntary Cooperation Mutual Aid Agreement between the Sheriff of Martin County, the Town of Jupiter Island, the Town of Sewall's Point, and the City of Stuart Police Department. Said agreement shall remain in force until January 7, 2026.

SECTION 2: The City Commission authorizes the Mayor, City Clerk, Chief of Police, and any other designated City Official to execute the necessary documents, after review and approval of the City Attorney.

SECTION 3: This resolution shall take effect upon adoption.

Resolution 94-2023
Renewal Police Mutual Aid Agreement

Commissioner _____ offered the foregoing resolution and moved its adoption. The motion was seconded by Commissioner _____ and upon being put to a roll call vote, the vote was as follows:

TROY MCDONALD, MAYOR
BECKY BRUNER, VICE MAYOR
EULA R. CLARKE, COMMISSIONER
CHRISTOPHER COLLINS, COMMISSIONER
CAMPBELL RICH, COMMISSIONER

YES	NO	ABSENT	ABSTAIN

ADOPTED this _____ day of _____, 2023.

ATTEST:

MARY R. KINDEL
CITY CLERK

TROY MCDONALD
MAYOR

APPROVED AS TO FORM
AND CORRECTNESS:

PAUL J. NICOLETTI
INTERIM CITY ATTORNEY

**MARTIN COUNTY LAW ENFORCEMENT AGENCIES
COMBINED
OPERATIONAL ASSISTANCE AND VOLUNTARY COOPERATION**

MUTUAL AID AGREEMENT

WITNESSETH

WHEREAS, THE SUBSCRIBING Law Enforcement Agencies are so located in relation to each other that it is to the advantage of each to receive and extend Mutual Aid in the form of law enforcement services and resources to adequately respond to:

- (1) Intensive situations, including but not limited to, emergencies as defined under sections 252.34, Florida Statutes, and
- (2) Continuing, multi-jurisdictional law enforcement problems, so as to protect the public peace and safety and preserve the lives and property of the people; and,

WHEREAS, the subscribing Law Enforcement Agencies have the authority under section 23.1225, Florida Statutes, et. seq., The Florida Mutual Aid Act, to enter into a combined Mutual Aid Agreement (henceforth referred to as "Agreement") for law enforcement services which:

- (1) Permits voluntary cooperation and assistance of a routine law enforcement nature across jurisdictional lines, and;
- (2) Provides for rendering of assistance in a law enforcement emergency as defined in Section 252.34, Florida Statutes.

NOW, THEREFORE, the Agencies agree as follows:

SECTION I: PROVISIONS FOR OPERATIONAL ASSISTANCE

Each of the subscribed Law Enforcement Agencies hereby approves and enters into this Agreement whereby each of the agencies so represented may request and render law enforcement assistance to the others to include, but not necessarily be limited to dealing with: civil disturbances, large protests demonstrations, aircraft disasters, fires, natural or man-made disasters, sporting events, concerts, parades, escapes from detention facilities, and incidents requiring utilization of specialized units.

SECTION II: PROVISIONS FOR VOLUNTARY COOPERATION

Each of the subscribed Law Enforcement Agencies hereby approves and enters into this Agreement whereby each of the agencies so represented may request and render law enforcement assistance to the other in dealing with any violations of Florida Statutes to include, but not necessarily be limited to: Investigations, Homicides, Sex Offenses, Robberies, Assaults, Burglaries, Larcenies, Gambling, Motor Vehicle Thefts, Drug Violations pursuant to Chapter 893, Florida Statutes, Support of Backup Services During Patrol Activities, and Inter-Agency Task Forces and/or Joint Investigations.

SECTION III: PROCEDURE FOR REQUESTING ASSISTANCE

- A. In the event that a subscribed Law Enforcement Agency needs assistance as set forth above, such agency shall notify the agency or agencies from whom such assistance is required. The Sheriff or his/her authorized designee for the Sheriff's Office and the Chief of Police or his/her designee for the Law Enforcement Agency, whose assistance is sought shall evaluate the situation and his/her available resources and will respond in a manner he/she deems appropriate.
- B. The agency head in whose jurisdiction assistance is being rendered may determine who is authorized to lend assistance in his/her jurisdiction, for how long such assistance is authorized and for what purpose such authority is granted. This authority may be granted either verbally or in writing as the particular situation dictates.
- C. Should a sworn law enforcement officer be in another subscribed agency's jurisdiction for matters of a routine nature, such as traveling through the jurisdiction on routine business, attending a meeting, or transporting a prisoner, and a violation of Florida Statutes occurs in the presence of that law enforcement officer representing his/her respective agency, he/she shall be empowered to render law enforcement assistance and act in accordance with law. Should law enforcement action be taken, that law enforcement officer shall notify the agency having normal jurisdiction and upon the latter's arrival, turn the situation over to them and offer any assistance requested, including but not limited to, a follow-up written report documenting the event and the actions taken. This provision so prescribed in this paragraph is not intended to grant general authority to conduct investigations, serve warrants and/or subpoenas, but is intended to address critical, life-threatening, or public safety situations, prevent bodily injury to citizens, or secure apprehension of criminals whom the law enforcement officer may encounter.
- D. The head of the assisting agency's decision in these matters shall be final.

SECTION IV: COMMAND AND SUPERVISORY RESPONSIBILITY

The personnel and equipment that are assigned by the head of the assisting agency shall be under the immediate command of a supervising officer designated by the agency head of the assisting agency. Such supervising officer shall be under the direct supervision and command of the head of the assisting or his/her designee of the agency requesting assistance.

SECTION V: INDEMNIFICATION/LIABILITY

To the extent it is responsible, each subscribed Law Enforcement Agency engaging in any cooperation and assistance, pursuant to this Agreement, agrees with respect to any third party suit or claim for damages resulting from any and all negligent acts, omissions, or conduct of such agency's own employees occurring while engaging in rendering such aid pursuant to this Agreement, to hold harmless, defend and indemnify the other participating agencies and its appointees or employees, and to assume full responsibility for same, subject to provisions of Section 768.28, Florida Statutes, where applicable, and provided such agency shall have control of the defense of any suit or claim to which said duty to indemnify and assumption of responsibility applies.

SECTION VI: POWERS, PRIVILEGES, IMMUNITIES AND COSTS

- A. Employees of each subscribed Law Enforcement Agency when actually engaging in mutual cooperation and assistance outside of their jurisdictional limits but inside the State of Florida, under the terms of this Agreement, shall, pursuant to the provisions of Section 23. 127(1) Florida Statutes, have the same powers, duties, rights, privileges, and immunities as if those employees were performing duties inside the employee's political subdivision in which normally employed.
- B. Each subscribed Law Enforcement Agency agrees to furnish necessary personnel, resources and facilities and to render services to each other subscribed Law Enforcement Agency; provided however, that no agency shall be required or obligated to unreasonably deplete its own personnel, equipment, resources, facilities, and services in furnishing such mutual aid.
- C. A political subdivision or agency that furnishes equipment pursuant to this Agreement agrees to bear the cost of loss or damage to that equipment and must pay any expense incurred in the operation and maintenance for that equipment.
- D. Subject to the reimbursement provisions of Section VIII, the agency furnishing aid or personnel pursuant to this section shall compensate its appointees/employees during the time such aid is rendered and shall pay any amounts due for compensation due to personal injury or death which such employees are engaged in rendering such assistance.
- E. The privileges and immunities from liability, exemption from laws, ordinances and rules, and all pension, insurance, relief, disability, workers' compensation, salary, death and other benefits that apply to the activity of an employee of an agency when performing the employee's duties within the territorial limits of the employee's agency apply to the employee to the same degree, manner, and extent while engaged in the performance of the employee's duties extra-territorially under the provisions of this Mutual Aid Agreement. The provisions of this section shall apply with equal effect to paid, volunteer, and reserve employees.
- F. Nothing herein shall prevent the requesting agency from requesting supplemental appropriation from the governing authority having budgeting jurisdiction to reimburse the assisting agency for any actual costs or expenses incurred by the assisting agency performing hereunder.

SECTION VII: SATISFACTORY PROOF OF INSURANCE

Each subscribed Law Enforcement Agency shall maintain liability insurance in an amount which is, in the judgment of the governing body of that agency, at least adequate to cover the risk to which that agency may be exposed in the fulfillment of its obligations under this Agreement. However, should any part of the insurance coverage provided as proof of insurance be canceled or undergo material change, that agency shall notify all subscribed Law Enforcement Agencies of such change within ten (10) days of receipt of notice or actual knowledge of such change.

SECTION VIII: REIMBURSEMENT FOR COSTS AND EXPENSES

- A. The subscribed Law Enforcement Agencies acknowledge and agree that with respect to any aid or services provided pursuant to SECTION II: PROVISIONS FOR VOLUNTARY COOPERATION, there shall be no reimbursement for costs or expenses incurred by the assisting agency. However, this

provision shall not be interpreted to prevent the requesting agency requesting assistance from agreeing in advance to pay for the costs or expenses of the operation even if the assisting agency or its employees benefit there from.

- B. The subscribed Law Enforcement Agencies acknowledge and agree that with respect to any aid or services provided pursuant to SECTION I: PROVISIONS FOR OPERATIONAL ASSISTANCE, the assisting agency shall be entitled to reimbursement for investigative expenses including, but not limited to, car rentals, hotel rentals, or their incidental expenses reasonably incurred by the assisting agency in providing operational assistance. Reimbursement under this section does not include compensation for the assisting agency's employees or overtime pay. To be entitled to reimbursement for investigative expenses relating to Operational Assistance, the assisting agency shall first obtain the prior written authorization from the agency requesting assistance which shall ultimately bear the investigative expenses.

SECTION IX: FORFEITURES OR OTHER RECOVERIES

In response to situations where forfeiture of seized property is likely, the subscribed Law Enforcement Agencies shall endeavor to agree in advance to an equitable sharing of all proceeds. If an advance Agreement cannot be made, the proceeds shall be equitably distributed in a manner reflective of the time. Manpower and resources contributed by each agency. Proceeds shall be defined as the amount of money or properties existing after the forfeiting agency's costs and legal expenses have been paid.

SECTION X: LOST OR ABANDONED PROPERTY

Should any lost property, abandoned property, or unclaimed evidence, as those terms are defined by law, be found, located, or seized by any subscribed Law Enforcement Agency during the performance of this Agreement, the subscribed Law Enforcement Agencies further agree to dispose of said property through public sale or auctions, the net proceeds of which shall be equally distributed among those agencies whose participation was initiated through this Agreement. Individual exceptions to this disposal procedure may occur with mutual written consent of both parties.

SECTION XI: EFFECTIVE DATE

Upon execution and approval by the hereinafter named officials, this Agreement shall take effect upon execution by the subscribing parties and shall continue in full force and effect until January 7, 2026. Under no circumstances may this Agreement be renewed, amended, or extended except in writing.

SECTION XII: CANCELLATION

Any subscribed Law Enforcement Agency may cancel their participation in the Agreement upon delivery of written notices to the other subscribed agencies. Cancellation will be at the direction of any subscribed Law Enforcement Agency.

END OF TEXT

IN WITNESS WHEREOF, the agencies hereto cause these presents to be signed on the date specified.

Signed, sealed and delivered in the presence of:

Office of the Sheriff of Martin County

Cynthia Brown 9/20/23
Witness as to Sheriff (date)

BY: [Signature] 9/20/23
William Snyder, Sheriff (date)

Bernard Brown 9/20/23
Sheriff's Attorney Review (date)

City of Stuart Police Department

Witness as to Chief of Police (date)

Attorney Review (date)

ATTEST:

City Clerk

BY: _____
Joseph Tumminelli, Chief of Police (date)

BY: _____
Troy McDonald, Mayor – City of Stuart

**CITY OF STUART, FLORIDA
AGENDA ITEM REQUEST
City Commission**

Meeting Date: 10/9/2023

Prepared by: Ben Hogarth, Jim Chrulski

Title of Item:

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.

Summary Explanation/Background Information on Agenda Request:

Each fiscal year, the City of Stuart City Commission grants a contribution of aid to the Business Development Board of Martin County (BDB) for the provision of programs and initiatives that service and benefit businesses and residents of the City of Stuart. The BDB is a 501(c)(6) not-for-profit, public-private partnership for economic development, funded by the Martin County Board of County Commissioners through a multi-year economic development services agreement.

The City of Stuart enjoys board member representation of the BDB's Board of Directors and the Partner's Council. The traditionally City contributes \$10,000 as a LEADERSHIP level and participates in roundtable, focus group, and other partnership activities. An additional \$15,000 is reserved for BDB programs and other direct support such as outreach and promotions, market research, and business analysis that directly benefits city businesses and the general public.

Funding Source:

\$25,000 budgeted in FY24. - City Manager: Budget 001-58581-110

Recommended Action:

Motion approval of Resolution 96-2023

ATTACHMENTS:

1. R96-2023 Authorizing a Contribution of Aid to MC BDB for FY 2024
2. R96-2023 Contribution of Aid to the Business Development Board of Martin County for FY 2024
3. BDBMC Leadership-Engagement Opportunities Flyer



BEFORE THE CITY COMMISSION
CITY OF STUART, FLORIDA

RESOLUTION NUMBER 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.

* * * * *

WHEREAS, the Business Development Board (BDB), is recognized by the State of Florida as the official Economic Development organization for Martin County; and

WHEREAS, the City recognizes the Board as an organization which promotes economic development and prosperity in Martin County; and

WHEREAS, the Board is responsible for providing assistance to new start-ups, existing businesses and other entities seeking to expand employment opportunities and make capital investments within the City of Stuart and Martin County; and

WHEREAS, the Board is a 501(c)(6) not-for-profit, public-private partnership for economic development, funded by the Martin County Board of County Commissioners through a

Resolution No. 96-2023

Authorizing a contribution of aid to the Business Development Board of Martin County for FY 2024

multi-year economic development services agreement, in addition to other non-profit and private sector investors who support its yearly operations; and

WHEREAS, the City Commission desires to contribute to the overall county-wide economic development strategy, including initiatives that will promote the City as a premier business destination, yielding job growth and furthering capital investment in the City; and

WHEREAS, the City Commission of the City of Stuart hereby grants the contribution of aid in the amount of up to \$25,000 for the 2024 Fiscal Year to the Business Development Board of Martin County, Inc. for the purpose of programs and initiatives that will specifically benefit the businesses and/or residents of the City of Stuart.

NOW THEREFORE BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF STUART, FLORIDA, THAT:

SECTION 1: The foregoing precatory language is adopted as if set forth below.

SECTION 2: The City Commission of the City of Stuart, Florida authorizes a granting of aid in the amount of up to \$25,000 for the 2024 Fiscal Year as contribution to the Business Development Board of Martin County, Inc. for the purpose of programs and initiatives that will benefit businesses and/or residents of the City of Stuart throughout the fiscal year.

SECTION 3: This Resolution shall become effective upon its adoption.

Commissioner _____ offered the foregoing resolution and moved its adoption. The motion was seconded by Commissioner _____ and upon being put to a roll call vote, the vote was as follows:

TROY MCDONALD, MAYOR
BECKY BRUNER, VICE MAYOR
EULA R. CLARKE, COMMISSIONER
CHRISTOPHER COLLINS, COMMISSIONER
CAMPBELL RICH, COMMISSIONER

YES	NO	ABSENT	ABSTAIN

ADOPTED this ____ day of _____, 2023.

Resolution No. 96-2023

Authorizing a contribution of aid to the Business Development Board of Martin County for FY 2024

ATTEST:

MARY R. KINDEL
CITY CLERK

TROY MCDONALD
MAYOR

APPROVED AS TO FORM
AND CORRECTNESS:

LEE J. BAGGETT
CITY ATTORNEY

**FY 2024 CONTRIBUTION OF AID TO THE
BUSINESS DEVELOPMENT BOARD OF MARTIN COUNTY, INC.
FROM THE CITY OF STUART**

THIS CONTRIBUTION OF AID is made and entered into this ____ day of October, 2023, to the **BUSINESS DEVELOPMENT BOARD OF MARTIN COUNTY, INC.**, (hereinafter referred to as “Board”) a Florida not-for-profit organization, doing business at 1002 SE Monterey Commons Boulevard, Suite 207, Stuart, Florida 34996, by the **CITY OF STUART**, (hereinafter referred to as the “City”), a Florida municipal corporation, with offices at 121 SW Flagler Avenue, Stuart, Florida 34994 for the 2024 Fiscal Year.

WHEREAS, the Business Development Board (BDB), is recognized by the State of Florida as the official Economic Development organization for Martin County; and

WHEREAS, the City recognizes the Board as an organization which promotes economic development and prosperity in Martin County; and

WHEREAS, the Board is responsible for providing critical assistance to new start-ups, existing businesses and other entities seeking to expand employment opportunities and make capital investments within the City of Stuart and Martin County; and

WHEREAS, the Board is a 501(c)(6) not-for-profit, public-private partnership for economic development, funded by the Martin County Board of County Commissioners through a multi-year economic development services agreement, in addition to other non-profit and private sector investors who support its yearly operations; and

WHEREAS, the City Commission desires to contribute to the overall county-wide economic development strategy, including programs and other initiatives that will promote the City as a premier business destination, yielding job growth and furthering capital investment in the City; and

WHEREAS, it is the sense of the City Commission of the City of Stuart that a contribution of aid in the amount of \$10,000 be granted to the BDB to be recognized as a LEADERSHIP level member of the Board will serve the best interests of the community; and

WHEREAS, the City of Stuart reserves up to \$15,000 as an additional allocation of granted funds for special projects that will specifically benefit the businesses and/or residents that reside within the city limits.

NOW THEREFORE, in consideration of the promises and mutual agreements contained herein, the parties agree as follows:

1. **Contribution of Aid.** The City hereby grants an initial contribution sum of \$10,000 to the Business Development Board of Martin County with up to an additional \$15,000 appropriation for special projects that will directly benefit city businesses and residents, for a total contribution of aid not to exceed the amount of \$25,000, as provided herein.

2. **Term.** This contribution of aid agreement shall have a term of one (1) year commencing on the date signed by both parties and executed by the City Clerk.

**FY 2024 CONTRIBUTION OF AID TO THE
BUSINESS DEVELOPMENT BOARD OF MARTIN COUNTY, INC.
FROM THE CITY OF STUART**

3. **Reporting.** The Board will provide the City Commission, City Manager or their designee written reports on economic development activities as follows:

Quarterly reports and a year-end report shall be furnished to the City of Stuart. In addition, at least two (2) in-person economic development briefings to the City Commission focused on economic development results, activities, programs, and initiatives from its annual business plan including highlights of key specific benefits with and in the City during the term of this agreement and any other presentations that may be requested from time to time.

4. **City of Stuart Recognition and Participation.** The Board will recognize the City of Stuart as a LEADERSHIP Level partner of its organization. (Model – Exhibit A). The City will also continue have board member representation on the BDB’s Board of Directors and the Partner’s Council, and receive invitations to join and participate in all “Hubs of Excellence” activities such as roundtables, focus groups, one-on-one visits, and hosting teams.

5. **Support Assistance for City Projects and Initiatives.** The Board recognizes that the City of Stuart has its own robust community, economy, redevelopment and sustainability plans, and strategies which it is advancing to benefit its residents and businesses. As such, the Board is committed to building synergies with those plans and supporting and assisting the City in its efforts whereby business intelligence, market research, data gathering and analysis, outreach, promotion, and other general economic development services may be requested and agreed upon by both parties, as they so determine.

6. **Agreement Fulfillment and Termination.** This Contribution of Aid shall be in effect upon its execution and monies awarded for services rendered as outlined herein. The City reserves the right to terminate this agreement and withhold any amount or entirety of this award for any or no reason given, provided that all approved and executed scopes of work have been reimbursed in accordance with the recitals provided herein.

7. **Effective Law, Jurisdiction, and Venue.** This Contribution of Aid has been awarded, executed and delivered in Martin County, Florida, and shall be construed in accordance with the laws of the State of Florida, and jurisdiction and venue shall lie only in the state courts in and for Martin County, Florida.

8. **Amendment of Agreement.** This Agreement shall not be amended, waived, or altered except by a written instrument properly executed by both parties.

9. **Binding Agreement; No Third Parties.** This Contribution of Aid and each of its agreements, covenants, contractual provisions, pledges, and deliverables shall be binding upon execution and shall inure only to the benefit of the public, and the parties hereto, and shall not be construed as benefitting any private third party, whatsoever.

**FY 2024 CONTRIBUTION OF AID TO THE
BUSINESS DEVELOPMENT BOARD OF MARTIN COUNTY, INC.
FROM THE CITY OF STUART**

IN WITNESS WHEREOF, on the date first written above, the Board and the City have executed this Contribution of Aid Agreement by the duly authorized undersigned officers.

ATTEST:

**BUSINESS DEVELOPMENT BOARD
OF MARTIN COUNTY, INC.**

JOAN K. GOODRICH
EXECUTIVE DIRECTOR

ERIC KIEHN, PRESIDENT

ATTEST:

CITY OF STUART, FLORIDA

MARY KINDEL, CITY CLERK

TROY MCDONALD, MAYOR

APPROVED AS TO FORM AND
CORRECTNESS:

LEE J. BAGGETT, CITY ATTORNEY



Martin County | Florida Economic Development Partnership

LEADERSHIP AND ENGAGEMENT OPPORTUNITIES

Ambassador
\$1,000

- Name one (1) company representative who receives basic access to BDBMC's new engagement structure featuring the Champions Corps, and Talent Advancement Team.
- Helps to build the community's economic development knowledge and understanding and drives improvements to Martin County's talent pipeline.
- 2 Complimentary Tickets at BDBMC Signature Events*
- Listing on investor honor roll
- Recipient of monthly electronic investor-only newsletter with updates on projects, business development efforts and regional economic development news
- Opportunity to Advertise in BDBMC Publications

Entrepreneur
\$2,500

- Name up to two (2) company representatives who receive Basic Access to BDBMC's new engagement structure (see above) along with a seat on the new Innovators-Entrepreneurs Council.
- Leads business assistance and will launch Martin County's new ecosystem for start-ups.
- 4 Complimentary Tickets at BDBMC Signature Events*
- Ambassador level benefits

Corporate
\$5,000

- Name up to three (3) company representatives who receive Full Access to BDBMC's new engagement structure (see above) along with a seat on Martin County's new 1:1 Visitation Team and Special Project and Industry Teams as designated.
- Leads the BDBMC's industry development and business retention-expansion strategies
- 8 Complimentary Tickets at BDBMC Signature Events*
- Entrepreneur and Ambassador level benefits

*Future social distancing guidelines may impact ticket availability and engagement benefits associated with in-person events.

Why Invest in Economic Development and the BDBMC?

Help develop a common vision and advance broad-based economic prosperity
Promote Martin County's competitive advantages and distinctiveness
Collaboratively address crucial business climate issues
Gain more industry and policy development insights
Influence positive change and grow networks
Strengthen regional assets through the power of partnerships



Martin County | Florida Economic Development Partnership

LEADERSHIP AND ENGAGEMENT OPPORTUNITIES

Leadership
\$10,000

- Name up to four (4) company representatives who receive VIP Access to BDBMC's new engagement structure (see above) along with a seat on the BDBMC's new Competitiveness Council.
- Leads BDBMC efforts to improve Martin County's Business Climate and Economic Competitiveness
- Logo at BDBMC Signature Events
- Participation in General Recruitment Activities and Events
- Invitations to VIP programs and special events hosted for clients or site selectors
- 10 tickets (table equivalent) at BDBMC Signature Events with Priority Seating and Access to VIP Receptions*
- Visibility on BDBMC.org including featured company spotlight
- Complimentary Half-Page Ad in Who's Who Directory and Small Business Resource Guide
- Ambassador, Entrepreneur and Corporate level benefits

CEO
\$25,000

- Company's Top Executive serves on new CEO Council
- Unlimited company representatives receive VIP Access to BDBMC's new engagement structure (see above)
- Drives Business Recruitment + Branding for Martin County | Florida as a business, headquarters and thought leadership destination
- Opportunity to participate in 1:1 prospect-client site visits
- Preferred listing in BDBMC print and online materials distributed to prospective clients
- Company Listing and headshot at BDBMC Signature Events
- 20 tickets (2 table equivalents) at BDBMC Business Awards + State of the Economy and Mid-Year Meetings (Signature Events) with Priority Seating and Access to VIP Receptions*
- Complimentary Full-Page Ad in Who's Who Directory and Small Business Resource Guide
- First Consideration for participation in one sales or leadership mission annually
- Ambassador, Entrepreneur, Corporate and Leadership level benefits

*Future social distancing guidelines may impact ticket availability and engagement benefits associated with in-person events.

A Stronger Economy is Everyone's Business.

Contact: Joan K. Goodrich, Executive Director, 772.210.0211 or joan@bdbmc.org to discuss leadership and engagement opportunities.

HOBE SOUND | HUTCHINSON ISLAND | JENSEN BEACH | MARTIN COUNTY | PALM CITY | SEWALL'S POINT | STUART | VILLAGE OF INDIANTOWN

1002 SE Monterey Commons Blvd. Ste. 207 | Stuart, Florida 34996 | 772.221.1380 | bdbmc.org

**CITY OF STUART, FLORIDA
AGENDA ITEM REQUEST
City Commission**

Meeting Date: 10/9/2023

Prepared by: Michael Mortell

Title of Item:

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.

Summary Explanation/Background Information on Agenda Request:

The Jordan Connors Group, Inc. has unique, historical, institutional knowledge and experience representing the best interest of the City of Stuart, Florida and lobbying for the City of Stuart in Tallahassee. JCG has successfully represented the City of Stuart for several legislative sessions. Over the last five years, he has secured in excess of 2.2 million dollars in additional funding from Tallahassee. In addition, the Jordan Connors Group was instrumental in delaying action in Tallahassee when the State was considering taking over the PFOA/PFAS litigation. Stuart would not have been qualified to serve as the Bellwether case if the State had taken over the litigation. Mr. Connors scheduled key meetings with the Attorney's General office which resulted in a positive outcome and Stuart was ultimately appointed as the Bellwether case.

Funding Source:

City Manager - Professional Services

Recommended Action:

Approve Resolution 98-2023.

ATTACHMENTS:

1. R98-2023 Award Contract with Jordon Connors Group for State Lobbying Services
2. 2023 Lobbying Services Agreement Jordan Connors



**BEFORE THE CITY COMMISSION
CITY OF STUART, FLORIDA**

RESOLUTION NUMBER 98-2023

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF STUART, FLORIDA 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.

* * * * *

WHEREAS, the City of Stuart, Florida recognizes the Jordan Connors Group, Inc. has unique, historical, institutional knowledge and experience.

WHEREAS, the Jordan Connors Group has unique knowledge and information which is sufficient to support the decision to waive the competitive selection process and authorizes the City Manager to execute a State Lobbying Services Agreement Extension with the Jordan Connors Group, Inc.

NOW THEREFORE, BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF STUART, FLORIDA, AS FOLLOWS:

SECTION 1: The City Commission of the City of Stuart hereby waives the competitive selection process related to State Lobbying Services.

SECTION 2: The City Commission of the City of Stuart hereby authorizes the City Manager to execute the State Lobbying Services Agreement with the Jordan Connors Group, Inc.

SECTION 3: This resolution shall take effect upon adoption.

Commissioner _____ offered the foregoing resolution and moved its adoption. The motion was seconded by Commissioner _____ and upon being put to a roll call vote, the vote was as follows:

TROY MCDONALD, MAYOR
BECKY BRUNER, VICE MAYOR
EULA R. CLARKE, COMMISSIONER
CHRISTOPHER COLLINS, COMMISSIONER
CAMPBELL RICH, COMMISSIONER

YES	NO	ABSENT	ABSTAIN

ADOPTED this ____ day of October, 2023.

ATTEST:

MARY R. KINDEL
CITY CLERK

TROY MCDONALD
MAYOR

APPROVED AS TO FORM
AND CORRECTNESS:

LEE J. BAGGETT, ESQ
CITY ATTORNEY

FLORIDA CONSULTING SERVICES AGREEMENT
JORDAN CONNORS GROUP, INC.

THIS AGREEMENT EXTENSION is entered into this ____ day of October 2023, by and between the City of Stuart, a Florida municipal corporation ("City") and Jordan Connors Group, Inc. ("JCG"), whose address is 701 Stanley Drive, Fernandina Beach, FL, 32034.

WHEREAS, CITY desires to retain JCG to render certain lobbying services, as described herein; and

WHEREAS, JCG represents that JCG is qualified, willing and able to provide the described services according to the terms of this Agreement Extension; it is therefore agreed that:

1. **SCOPE OF AGREEMENT.** The purpose of this Agreement is for the City of Stuart to retain JCG to provide lobbying/consulting services to the City which shall include representation in Tallahassee, Florida, with the Legislature, Governor and Executive Branch. JCG shall work closely with the City Manager and staff as directed in the development and ongoing implementation of the programs, policies and initiatives as adopted by the City Commission and shall provide, at a minimum, the following services:
 - A. Confer with City staff and City Commissioners to assist in the development of the City's list of goals, priorities and specific projects. Identify which of these goals, priorities and specific projects could be addressed at the State level and assist in developing written material on each budget request to be presented to legislators and staff.
 - B. Develop and deploy strategies to advocate and secure State funding for City's budget priorities. Secure Senate and House sponsors for budget requests.
 - C. Monitor current State legislation and the State budget process and report to the City, both orally and in writing, legislative events that may directly or indirectly impact the City.
 - D. Provide the City with updates on issues that may impact the City.
 - E. Advocate the City's Legislative agenda to the Florida Legislature.
 - F. Coordinate lobbying efforts with City.
2. **COMMENCEMENT AND TERM.** The term of this Agreement shall be from October 1, 2023, to September 30, 2024.
3. **PAYMENTS TO JCG.** The City shall pay JCG \$75,000 per year, to be billed in twelve (12) equal monthly beginning October 1, 2023. JCG will provide an invoice on the first day of each month and payment will be made within 30 days of receipt. All payments will be processed by the City through Automated Clearing House (ACH) and electronically deposited to the financial institution provided by JCG. The total amount of the agreement shall increase at an index of three percent beginning on October 1 for each calendar year that this agreement is extended.
4. **LOBBYIST REGISTRATION REQUIREMENTS.** City agrees to complete any forms necessary to comply with lobbyist registration requirements under Florida law that may arise as a result of JCG's representation of City during the term of this Agreement or after its termination should reporting periods overlap. JCG shall assist in the preparation of said forms and verify that the forms being executed by the City are accurate.
5. **TERMINATION.** Either party may terminate this Agreement without regard to cause by providing written notice to the other party at least 30 days prior to the next monthly interval. Written notice shall include email to the valid email currently used by JCG or to the current City Manager or Finance Director for the City. Upon receiving a valid termination notice, both parties shall cooperate in a timely manner to conclude any outstanding obligations and responsibilities under this agreement. Termination shall not relieve either party of obligations that have accrued prior to the effective termination date. Notwithstanding the termination provision, the contract shall automatically renew for an additional term of one (1) year unless written notice is provided within 30 days following the end of the current calendar year's legislative session.
6. **CONSTRUCTION.** This Agreement shall be governed by the laws, rules and regulations of the State of Florida. Further, it is agreed by the parties that the agreement was drafted jointly and there shall be no presumption in favor of or against either party based upon an assertion that one entity was the drafting party.
7. **INDEPENDENT CONTRACTOR RELATIONSHIP.** Nothing contained in this Agreement Extension shall be deemed or construed to the relationship between the parties of principal and agent, or of partnership or joint venture, or of employer and employee; it being expressly agreed that the relationship of JCG to City is that of an independent contractor. It is expressly understood that as an Independent Contractor, JCG shall have behavioral control and therefore have the freedom to determine how to perform the work without detailed instructions; Financial Control to the extent that JCG shall provide his own equipment and facilities necessary to perform. However, JCG shall be allowed to seek specific costs from the City on a case-by-case basis so long as the costs are approved in writing in advance of incurring said expenses. It is anticipated that costs will not be necessary, but the parties also recognize that a circumstance might arise and therefore expressly agree that any such expense must be approved in writing in advance or is deemed denied.

Jordan Connors Group, Inc. neither promises nor warrants any particular outcome or result in this matter.

The parties agree to comply will all ordinance and rules relating to lobbying governmental officials and neither party shall do anything in any way which constitutes a violation of law in order to influence the actions of public officials or others concerned with the administration of public affairs.

This agreement shall constitute the entire agreement between the City and Jordan Connors Group, Inc., and can be modified only by written agreement signed by both parties. Both parties acknowledge that any prior negotiations or representations not included herein shall not be part of this agreement and any changes or modifications of same shall be in writing and signed by both parties.

Jordan Connors Group, Inc.
President
M. Jordan Connors

Date: _____

City of Stuart, Florida
City Manager
Michael Mortell

Date: _____

**CITY OF STUART, FLORIDA
AGENDA ITEM REQUEST
City Commission**

Meeting Date: 10/9/2023

Prepared by: Alaina Knofla

Title of Item:

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.

Summary Explanation/Background Information on Agenda Request:

This solicitation was advertised for a second time in the Palm Beach Post on August 8, 2023. OpenGov Procurement notified three hundred and eighty (386) potential bidders, there were thirty-three (33) plan holders, and fourteen (14) bid packages issued for this project. One (1) proposal was received by the bid opening date and time of 2:30 pm. September 20 ,2023.

Engineer of Record Kimley Horn has checked references.

Funding Source:

1230/56563 Project #220042701

Recommended Action:

Adopt Resolution No. 102-2023

ATTACHMENTS:

1. R102-2023 Authorization to Negotiate



**BEFORE THE CITY COMMISSION
CITY OF STUART, FLORIDA**

RESOLUTION NUMBER 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.

* * * * *

NOW THEREFORE, BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF STUART, FLORIDA that:

WHEREAS the City entered into the competitive process with a Request for Proposal in order to solicit licensed contractors for the Downtown Undergrounding and Seminole Streetscape Improvements Project.

WHEREAS there was one proposal submitted on the opening date, which was The Whiting-Turner Contracting Company. A committee was not formed due to there only being one submittal.

SECTION 1: The City Commission of the City of Stuart hereby approves the authorization to negotiate RFP #2023-206, with The Whiting-Turner Contracting Company of Baltimore, MD.

SECTION 2: This resolution shall take effect upon adoption.

Resolution No. 102-2023

Authorization to Negotiate a license agreement for RFP #2023-206, Downtown
Undergrounding and Seminole Streetscape Improvements Project

Commissioner _____ offered the foregoing resolution and moved its adoption. The motion was seconded by Commissioner _____ and upon being put to a roll call vote, the vote was as follows:

TROY MCDONALD, MAYOR
BECKY BRUNER, VICE MAYOR
EULA R. CLARKE, COMMISSIONER
CHRISTOPHER COLLINS, COMMISSIONER
CAMPBELL RICH, COMMISSIONER

YES	NO	ABSENT	ABSTAIN

ADOPTED this 9th day of October 2023.

ATTEST:

MARY R. KINDEL
CITY CLERK

TROY MCDONALD
MAYOR

APPROVED AS TO FORM
AND CORRECTNESS:

LEE J. BAGGETT, ESQ
CITY ATTORNEY

**CITY OF STUART, FLORIDA
AGENDA ITEM REQUEST
City Commission**

Meeting Date: 10/9/2023

Prepared by: Jacqui May

Title of Item:

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.

Summary Explanation/Background Information on Agenda Request:

Section 9901 of the American Rescue Plan Act of 2021 (Pub. L. No. 117-2, §9901) added section 603(a) to the Social Security Act ("ARPA"), which created the Coronavirus Local Fiscal Recovery Fund for the purpose of providing funds to local governments in order to facilitate the ongoing recovery from the COVID-19 pandemic. The State of Florida, Division of Emergency Management has received funds to disburse from the U.S. Department of Treasury that have been earmarked for non-entitlement units of local government, which includes the City of Stuart, Florida. Resolution No. 87-2023 A Resolution of the City of Stuart, Florida Authorizing Award of Subrecipient Financial Support from ARPA Funds has been brought before the City Commission of the City of Stuart, Florida. Approval of Budget Amendment No. 2 will allow for the allocation of funds.

Funding Source:

ARPA

Recommended Action:

Approve Resolution 103-2023.

ATTACHMENTS:

1. R103-2023 Approving Budget Amendment 2 for ARPA Support Funding Allocations to Eligible Nonprofits
2. R87-2023 Authorizing Award of Subrecipient Financial Support from ARPA Funds



**BEFORE THE CITY COMMISSION
CITY OF STUART, FLORIDA**

RESOLUTION NUMBER 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.

* * * * *

WHEREAS, Section 9901 of the American Rescue Plan Act of 2021 (Pub. L. No. 117-2, §9901) added section 603(a) to the Social Security Act ("ARPA"), which created the Coronavirus Local Fiscal Recovery Fund for the purpose of providing funds to local governments in order to facilitate the ongoing recovery from the COVID-19 pandemic; and

WHEREAS, the State of Florida, Division of Emergency Management has received funds to disburse from the U.S. Department of Treasury that have been earmarked for non-entitlement units of local government, which includes the City of Stuart, Florida; and

WHEREAS, Resolution No. 87-2023 A Resolution of the City of Stuart, Florida Authorizing Award of Subrecipient Financial Support from ARPA Funds has been brought before the City Commission of the City of Stuart, Florida.

NOW THEREFORE, BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF STUART, FLORIDA that:

SECTION 1:

The 2023-2024 Year Budget of the Enterprise Fund of the City of Stuart, Florida, being Resolution No. 103-2023 of the City Commission of the City of Stuart, Florida, as amended, hereinafter the "Budget," is hereby further amended, as follows:

From: ARPA (Rescue Plan) Funds	\$500,000.00
To: Aids To Organizations 110-582	\$500,000.00

Resolution No. 103-2023
Approving BA 2 ARPA Support Funding to Eligible Nonprofits

SECTION 2: This resolution shall take effect on adoption.

Commissioner _____ offered the foregoing resolution and moved its adoption. The motion was seconded by Commissioner _____ and upon being put to a roll call vote, the vote was as follows:

TROY MCDONALD, MAYOR
BECKY BRUNER, VICE MAYOR
EULA R. CLARKE, COMMISSIONER
CHRISTOPHER COLLINS, COMMISSIONER
CAMPBELL RICH, COMMISSIONER

YES	NO	ABSENT	ABSTAIN

ADOPTED this ____ day of _____, 2023.

ATTEST:

MARY R. KINDEL
CITY CLERK

TROY MCDONALD
MAYOR

APPROVED AS TO FORM
AND CORRECTNESS:

LEE J. BAGGETT
CITY ATTORNEY



BEFORE THE CITY COMMISSION
CITY OF STUART, FLORIDA

RESOLUTION NUMBER 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 DOCCUMENTS 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.

* * * * *

WHEREAS, Section 9901 of the American Rescue Plan Act of 2021 (Pub. L. No. 117-2, §9901) added section 603(a) to the Social Security Act ("ARPA"), which created the Coronavirus Local Fiscal Recovery Fund for the purpose of providing funds to local governments in order to facilitate the ongoing recovery from the COVID-19 pandemic; and

WHEREAS, the State of Florida, Division of Emergency Management has received funds to disburse from the U.S. Department of Treasury that have been earmarked for non-entitlement units of local government, which includes the City of Stuart, Florida; and

WHEREAS, Resolution No. 57-2023 A Resolution of the City of Stuart, Florida Establishing a Timeline and Procedures Regarding ARPA Funding Support for Eligible Organizations was authorized by the City Commission on July 14, 2023; and

WHEREAS, the following nonprofit organizations and projects have met the specifications and requirements of the U.S. Treasury and City of Stuart's ARPA Nonprofit Support Application and vetting process; and

Resolution No. 87-2023
Authorizing Award of ARPA Subrecipient Agreements to Eligible Nonprofits

WHEREAS, the City of Stuart's ARPA Application Review Committee has allocated the following funds to the projects listed below; and

WHEREAS, Funding for these agreements will be available after a supplemental appropriation in the amount of \$500,000 from the unappropriated balance of the American Rescue Plan Act Fund.

NOW THEREFORE, BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF STUART, FLORIDA that:

SECTION 1:

The award of a subrecipient agreement for Gertrude Walden Child Care Center, Fire Safety System at a total contract amount not to exceed \$109,593.00 is hereby approved.

The award of a subrecipient agreement for Healthy Start, State Appropriation Match at a total contract amount not to exceed \$66,032.00 is hereby approved.

The award of a subrecipient agreement for Little Lights Dentistry, Pediatric Dental Facility Expansion at a total contract amount not to exceed \$255,500.00 is hereby approved.

The award of a subrecipient agreement for Tent City Helpers, Insect Repellent Distribution Program at a total contract amount not to exceed \$10,000.00; Emergency Shelter Packages at a total contract amount not to exceed \$28,875.00; Transit Access Program at a total contract amount not to exceed \$30,000.00 is hereby approved.

SECTION 2: The 2023-2024 Year Budget of the Enterprise Fund of the City of Stuart, Florida, being Resolution No. 87-2023 of the City Commission of the City of Stuart, Florida, as amended, hereinafter the "Budget," is hereby further amended, as follows:

From: ARPA (Rescue Plan) Funds	\$500,000.00
To: Aids To Organizations 110-582	\$500,000.00

SECTION 3: This resolution shall take effect on adoption.

Commissioner _____ offered the foregoing resolution and moved its adoption. The motion was seconded by Commissioner _____ and upon being put to a roll call vote, the vote was as follows:

YES	NO	ABSENT	ABSTAIN
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Resolution No. 87-2023

Authorizing Award of ARPA Subrecipient Agreements to Eligible Nonprofits

TROY MCDONALD, MAYOR
BECKY BRUNER, VICE MAYOR
EULA R. CLARKE, COMMISSIONER
CHRISTOPHER COLLINS, COMMISSIONER
CAMPBELL RICH, COMMISSIONER

ADOPTED this ____ day of _____, 2023.

ATTEST:

MARY R. KINDEL
CITY CLERK

TROY MCDONALD
MAYOR

APPROVED AS TO FORM
AND CORRECTNESS:

LEE J. BAGGETT, ESQ
CITY ATTORNEY

**CITY OF STUART, FLORIDA
AGENDA ITEM REQUEST
City Commission**

Meeting Date: 10/9/2023

Prepared by: Paul Nicoletti

Title of Item:

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.

Summary Explanation/Background Information on Agenda Request:

Resolution authorizes the position of Senior Legal Counsel, and directs the City Attorney to prepare a suitable contract.

Funding Source:

Dept. 153, salaries

Recommended Action:

Approve Resolution No. 99-2023

ATTACHMENTS:

1. R99-2023 Senior Legal Counsel



**BEFORE THE CITY COMMISSION
CITY OF STUART, FLORIDA**

RESOLUTION NUMBER 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 FOR DIRECTION TO THE CITY ATTORNEY; PROVIDING AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

* * * * *

WHEREAS, Paul J. Nicoletti has served as Interim City Attorney since March 28, 2023; and

WHEREAS, Mr. Nicoletti has assisted the City Commission and City Manager with his many years of experience and ability in his performance as city attorney and as city manager; and

WHEREAS, with the hiring of a new City Attorney, Mr. Nicoletti remains a valuable asset to the Office of the City Attorney; and

WHEREAS, The City of Stuart gains a clear “public benefit” from creating the position described herein.

BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF STUART, FLORIDA that:

SECTION 1: The City Commission of the City of Stuart hereby appoints Paul J. Nicoletti to continue as a part-time at will employee titled Senior Legal Counsel and City Attorney Emeritus to work in the Office of the City Attorney, and at the discretion of the City Attorney, on professional legal assignments at the pay rate of \$200.00 per hour, without retirement benefits, but with other typical department head level benefits, and a job

Resolution 99-2023

Appointment of Paul J. Nicoletti as Senior Legal Counsel

description approved by the City Manager. Mr. Nicoletti shall be available for agreed upon work hours subject to the work plan of the City Attorney and the budgetary authority of the City Manager and shall be subject to the granting of intermittent leaves without pay and furlough or termination without cause by the City Attorney.

SECTION 2: The City Attorney is directed to bring back a contract for this position with Mr. Nicoletti for approval at the next city commission meeting.

SECTION 3: This resolution shall take effect immediately upon adoption.

Commissioner _____ offered the foregoing resolution and moved its adoption. The motion was seconded by Commissioner _____ and upon being put to a roll call vote, the vote was as follows:

TROY McDONALD, MAYOR
BECKY BRUNER, VICE MAYOR
EULA R. CLARKE, COMMISSIONER
CHRISTOPHER COLLINS, COMMISSIONER
CAMPBELL RICH, COMMISSIONER

YES	NO	ABSTAIN	ABSENT

ADOPTED this 9th day of October 2023.

ATTEST:

MARY R. KINDEL
CITY CLERK

TROY McDONALD
MAYOR

REVIEWED FOR FORM
AND CORRECTNESS:

LEE J. BAGGETT
CITY ATTORNEY