



City of Stuart

AGENDA

REGULAR MEETING OF THE STUART CITY COMMISSION

DECEMBER 9, 2024

AT 4:00 PM

COMMISSION CHAMBERS

121 SW FLAGLER AVE.

STUART, FLORIDA 34994

CITY COMMISSION

Mayor Campbell Rich

Commissioner Eula R. Clarke

Commissioner Christopher Collins

Commissioner Laura Giobbi

Commissioner Sean Reed

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 - LEILA PIERRE, 'STARS OVER STUART' STUDENT - SONG PERFORMANCE
2. SELECTION OF MAYOR AND VICE MAYOR

PROCLAMATIONS

PRESENTATIONS

3. SERVICE AWARDS - DECEMBER 2024

COMMENTS BY CITY COMMISSIONERS

COMMENTS BY CITY MANAGER

APPROVAL OF AGENDA

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

CONSENT CALENDAR

4. APPROVAL OF 11/12/2024 CCM, 11/7/2024 SCM ZIP WORKSHOP #2, 11/19/2024 SCM ZIP WORKSHOP #3, and 11/25/2024 CCM MINUTES (RC)
5. APPROVAL OF THE 2025 MEETING CALENDAR (RC):

RESOLUTION No. 129-2024; A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF STUART, FLORIDA, ADOPTING THE CITY OF STUART PUBLIC MEETING CALENDAR FOR 2025; PROVIDING AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

END OF CONSENT CALENDAR

COMMISSION ACTION

6. APPOINTMENT OF ALTERNATE CODE ENFORCEMENT MAGISTRATES (RC):

RESOLUTION No. 124-2024; A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF STUART, FLORIDA APPOINTING GEMMA TORCIVIA AND BRETT T. LASHLEY AS CODE ENFORCEMENT MAGISTRATES; AND CONFIRMING THE TERMS OF APPOINTMENT; PROVIDING AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

7. ADVISORY BOARD MEMBER APPOINTMENTS / RATIFICATION OF TERMS (RC):

RESOLUTION No. 126-2024; A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF STUART, FLORIDA, APPOINTING AND RATIFYING THE MEMBERSHIP OF THE ADVISORY BOARD MEMBERS AND ADOPTING THE MEMBER TERMS FOR THE 2025 CALENDAR YEAR; PROVIDING AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

8. ENVIRONMENTAL ATTORNEY JOB DESCRIPTION AND INITIATION OF HIRING PROCESS (RC):

RESOLUTION No. 127-2024; A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF STUART, FLORIDA, APPROVING JOB DESCRIPTION FOR ENVIRONMENTAL ATTORNEY AND TO INITIATE THE PROCESS OF HIRING AN ENVIRONMENTAL LAWYER; PROVIDING FOR SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE, AND FOR OTHER PURPOSES. (RC):

9. APPOINTMENTS OF CITY COMMISSIONERS TO COMMUNITY BOARDS (RC):

RESOLUTION No. 130-2024; A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF STUART, FLORIDA, ADOPTING THE ANNUAL APPOINTMENTS OF CITY OF STUART COMMISSIONERS AS CITY REPRESENTATIVES TO SPECIFIED LOCAL COMMUNITY BOARDS FOR THE 2025 CALENDAR YEAR; PROVIDING AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

10. IMPLEMENTATION OF ZONING IN PROGRESS RECOMMENDATIONS (RC):

RESOLUTION No. 128-2024, A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF STUART, FLORIDA TO DIRECT STAFF ON THE IMPLEMENTATION OF THE ZONING IN PROGRESS AMENDING CERTAIN CHAPTERS OF THE LAND DEVELOPMENT CODE OF THE CITY OF STUART, FLORIDA AS OUTLINED IN EXHIBIT "A" ATTACHED; PROVIDING AN CONFLICT; PROVIDING FOR SEVERABILITY; PROVIDING EFFECTIVE DATE; AND FOR OTHER PURPOSES.

ORDINANCE SECOND READING

ORDINANCE FIRST READING

DISCUSSION AND DELIBERATION

11. EAST STUART HISTORICAL ADVISORY COMMITTEE BY-LAWS REVIEW

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: 12/9/2024

Prepared by: Nina Mullin

Title of Item:

ARTS MOMENT - LEILA PIERRE, 'STARS OVER STUART' STUDENT - SONG 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: 12/9/2024

Prepared by: Susej Meleqi

Title of Item:

SELECTION OF MAYOR AND VICE MAYOR

Summary Explanation/Background Information on Agenda Request:

This is the annual reorganization of the City Commission. Each year, the City Commission has the opportunity to elect and name a Mayor and Vice Mayor as the presiding officers of the City Commission. The City Charter (Sec 7.09 (a)) does not prescribe a method for this reorganization, except that at the "second Monday in December of each year, the City Commission shall select from its membership a mayor and vice mayor." The re-organization of the Board shall take place in two votes. First, the City Commission shall appoint the mayor to serve for the 2025 calendar year. Then, the newly appointed mayor shall accept a motion to appoint a new vice mayor to serve for the 2025 Calendar year.

Funding Source:

N/A

Recommended Action:

Motion to approve the selection of Mayor and Vice Mayor.

ATTACHMENTS:

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

Meeting Date: 12/9/2024

Prepared by: Kathy Martin

Title of Item:

SERVICE AWARDS - DECEMBER 2024

Summary Explanation/Background Information on Agenda Request:

Johnathan Hatch	Fire Department	10 years
Vito Lorenzo	Police Department	10 years
Rasheed Hall	Commercial Collection Dept.	5 years
Jose Goycocohea	Commercial Collection Dept.	5 years
John Coleman	Building Maintenance Dept.	5 years

Funding Source:

General Fund

Recommended Action:

Present Awards

ATTACHMENTS:

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

Meeting Date: 12/9/2024

Prepared by: Mary Kindel

Title of Item:

APPROVAL OF 11/12/2024 CCM, 11/7/2024 SCM ZIP WORKSHOP #2, 11/19/2024 SCM ZIP WORKSHOP #3, and 11/25/2024 CCM MINUTES (RC)

Summary Explanation/Background Information on Agenda Request:

N/A

Funding Source:

N/A

Recommended Action:

Approve Minutes.

ATTACHMENTS:

1. 11/12/2024 CCM Minutes
2. 11/07/2024 SCM - ZIP Workshop #2 Minutes
3. 11/19/2024 SCM - ZIP Workshop #3 Minutes
4. 11/25/2024 CCM Minutes

MINUTES
REGULAR MEETING OF THE STUART CITY COMMISSION
NOVEMBER 12, 2024
AT 4:00 PM
COMMISSION CHAMBERS
121 SW FLAGLER AVE.
STUART, FLORIDA 34994

CITY COMMISSION

Mayor Campbell Rich
Commissioner Eula R. Clarke
Commissioner Christopher Collins
Commissioner Laura Giobbi
Commissioner Sean Reed

ADMINISTRATIVE

City Manager, Michael J. Mortell
City Attorney, Lee J. Baggett
City Clerk, Mary R. Kindel

ROLL CALL

PRESENT: Mayor Rich, Commissioner Clarke, Commissioner Collins, Commissioner Giobbi, and Commissioner Reed

INVOCATION

Pastor Darrell Orman, First Baptist Church of Stuart, gave Invocation.

PLEDGE OF ALLEGIANCE

1. ARTS MOMENT - LAYLA FORS, 'STARS OVER STUART' STUDENT SONG PERFORMANCE

Arts Moment cancelled.

PROCLAMATIONS

2. APPRENTICESHIP WEEK - NOVEMBER 17 - 23, 2024

Colleen Gill, Apprenticeship Navigator from Career Source Research Coast accepted the Proclamation, thanked the City and announced their purpose.

3. SOROPTIMIST 70TH ANNIVERSARY MONTH - NOVEMBER

Dr. Mary Ann Searle, President of Soroptimist of Stuart, received the Proclamation and reviewed their club and what they do for the community.

4. HOSPICE & PALLIATIVE CARE MONTH - NOVEMBER

Shannon Cooper of the Treasure Coast Hospice received the Proclamation, thanked the Commission and reported some statistics and that they are celebrating forty (40) years in the community.

5. EPILEPSY AWARENESS MONTH - NOVEMBER

Osmara Maria Fernandez, Community Resource Specialist from Epilepsy Alliance Florida received the Proclamation and provided information on epilepsy and seizures and their organization's goals; encouraged all to wear purple during the month of November for awareness.

PRESENTATIONS

6. SERVICE AWARDS - NOVEMBER 2024

William Reker	Streets Maintenance Team	35 years	Present
Jeremiah Walton	Utilities & Engineering Dept.	30 years	Not Present
Robert Noon	Distribution & Collection Team	5 years	Not Present

7. SANITATION FLEET OVERVIEW

Anne Hawkins, Utilities & Engineering Project Manager, presented the City's Sanitation fleet to include the new artistic designs on the trucks; reviewed the residential, commercial water and recycling, e-waste, composting, Neighborhood Cleanups, as well as Adopt-A-Street programs.

COMMENTS BY CITY COMMISSIONERS

Commissioner Reed

- Attended Veteran's Day Parade and the Friday night Air Show, complimented the event and Community.

Commissioner Giobbi

- Thanked all that reached out with prayers and speedy recovery to her family for their emergency.
- Commented on the negative statements in the Friends and Neighbors newsletters, expressed her concerns and dislike of the comments.

Commissioner Clarke

- Commented on the Air and Drone Show and the hometown feel it gave, noted all the hard work of Ben Hogarth and other committee members.
- Informed the public of Career Resources and links on the website that are offered.
- Commented on the Christmas Caroling with staff and looks forward to interest and participation.
- Referenced Commissioner Giobbi's comment, stated her comments were pertaining to decorum.

Commissioner Collins

- Commented on his attendance at the Martin County Board of County Commissioners Meeting today and stated that Brightline was rushed, as the Board voted 5/0 to change the settlement agreement. Announced that this Commission saved the Stuart taxpayers up to 30 million.

Mayor Rich

- Commented on Commissioners leaving the meetings and taking the City Attorney out of the meeting for discussions; the solution is that if a Commissioner feels the need to leave the meeting, simply request the Mayor to adjourn the meeting so all the community will have the attention of the board.

COMMENTS BY CITY MANAGER

City Manager Mortell

- Announced Zoning in Progress (ZIP) Workshop, to review Chapter 3, Urban Codes, will be on Tuesday, November 19, at 9:00 a.m.
- Announced on Friday, November 15th, 8:30 a.m. is the Treasure Coast League of Cities Elected Official Workshop at the Indian River State College Campus.
- Commented on the Sanitation Presentation and thanked Anne Hawkins.

APPROVAL OF AGENDA

5:02 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. Mac Stuckey - Stuart; Commented he is in support of hiring an Environmental Attorney.
2. Bobby Parsons - Orlando; Introduced himself to the Commission, future applicant.
3. Helen McBride - Stuart; Commented on past meeting decorum and what is happening recently; feels it is best for Clerk to note excused absences during roll call.
4. Marie Kennedy - Stuart; Commented as a Soroptimist, and by supporting women and girls to overcome hardships, it will reflect in the future of the community.
5. Robert Hamilton - Stuart; Commented on the Community Development Block Grant Project and lein placed on his home.
6. Olga Hamilton - Stuart; Commented on funds to be used by the fraudulent loans of \$50,000.
7. Gail Goldy - Stuart; Commented on Brightline and would like to thank the Commissioners for rescinding the agreement; hopes the atmosphere in Chambers changes.
8. Frank McChrystal - Stuart; Thanked the Commission for saving the money pertaining to Brightline, looking for improvements to ballfields and parks; commented on the Nov. 5th

election.

CONSENT CALENDAR

8. APPROVAL OF 10/14/2024 CCM MINUTES, 10/24/2024 SCM ZIP WORKSHOP #1 MINUTES, 10/28/2024 CCM MINUTES (RC)

9. CITY/COUNTY EMERGENCY WATER CONNECTION INTERLOCAL AGREEMENT (RC):

RESOLUTION No. 108-2024; A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF STUART, FLORIDA AUTHORIZING THE MAYOR AND CITY CLERK TO EXECUTE AN INTERLOCAL AGREEMENT WITH MARTIN COUNTY TO SELL WATER TO EACH OTHER UNDER EMERGENCY CONDITIONS; PROVIDING AN EFFECTIVE DATE, AND FOR OTHER PURPOSES.

10. CITY/COUNTY EMERGENCY WASTEWATER CONNECTION INTERLOCAL AGREEMENT (RC):

RESOLUTION No. 109-2024; A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF STUART, FLORIDA AUTHORIZING THE MAYOR AND CITY CLERK TO EXECUTE AN INTERLOCAL AGREEMENT WITH MARTIN COUNTY TO PROVIDE WASTEWATER TREATMENT TO EACH OTHER UNDER EMERGENCY CONDITIONS; PROVIDING AN EFFECTIVE DATE, AND FOR OTHER PURPOSES.

11. AWARD OF ITB #2024-110: SE LONITA STREET DRAINAGE IMPROVEMENT(RC):

RESOLUTION No. 115-2024; A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF STUART, FLORIDA APPROVING THE AWARD OF INVITATION TO BID #2024-110, CITY OF STUART'S SE LONITA STREET DRAINAGE IMPROVEMENT PROJECT TO MTS LAND & CATTLE, LLC OF PALM CITY, FLORIDA, THE LOWEST, MOST RESPONSIVE AND RESPONSIBLE BIDDER WITH A TOTAL UNIT PRICE OF \$191,880; PROVIDING AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

***** PULLED ITEM #12 *****

12. MOTOROLA LEASE FOR TEN (10) YEARS WITH CITY OF STUART FOR SIXTY-FIVE (65) N70S POLICE HANDHELD RADIOS (RC):

RESOLUTION No. 118-2024; A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF STUART, FLORIDA AUTHORIZING THE EXECUTION OF AN EQUIPMENT LEASE-PURCHASE AGREEMENT WITH MOTOROLA SOLUTIONS, INC. FOR A TEN (10) YEAR TERM WITH CELLULAR COSTS FOR SIXTY-FIVE (65) N70S PUBLIC SAFETY HANDHELD POLICE RADIOS;

PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

END OF CONSENT CALENDAR

5:27 PM MOTION: Approve Consent Calendar pulling Item #12.

MOVED BY: Eula Clarke

SECONDED BY: Christopher Collins

Motion approved unanimously.

***** ITEM #12 PULLED FROM CONSENT CALENDAR *****

12. MOTOROLA LEASE FOR TEN (10) YEARS WITH CITY OF STUART FOR SIXTY-FIVE (65) N70S POLICE HANDHELD RADIOS (RC):

RESOLUTION No. 118-2024; A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF STUART, FLORIDA AUTHORIZING THE EXECUTION OF AN EQUIPMENT LEASE-PURCHASE AGREEMENT WITH MOTOROLA SOLUTIONS, INC. FOR A TEN (10) YEAR TERM WITH CELLULAR COSTS FOR SIXTY-FIVE (65) N70S PUBLIC RADIOS; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

Commissioner Giobbi requested clarification on Resolution No. 118-2024.

Captain Flamur Zenelovic reviewed Item for the Commissioners and the public.

5:29 PM MOTION: Approve.

MOVED BY: Eula Clarke

SECONDED BY: Christopher Collins

Motion approved unanimously.

COMMISSION ACTION

13. DEAUTHORIZING PACE PROGRAM AND PROGRAM ADMINISTRATORS IN THE CITY OF STUART (RC):

RESOLUTION No. 117-2024; A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF STUART, FLORIDA, REPEALING RESOLUTION NUMBER 132-2020 AND DEAUTHORIZING PROPERTY ASSESSED CLEAN ENERGY (PACE) PROGRAMS WITHIN THE CORPORATE LIMITS OF THE CITY OF STUART; TERMINATING AGREEMENTS WITH THE FLORIDA GREEN FINANCE AUTHORITY, THE FLORIDA RESILIENCY AND ENERGY DISTRICT, THE FLORIDA PACE FUNDING AGENCY, AND THE GREEN CORRIDOR PACE DISTRICT PURSUANT TO THE PROVISIONS OF CHAPTER 2024-273, FLORIDA STATUTES; PROVIDING FOR AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

Ben Hogarth, Community Affairs Liaison, communicated the history of this agenda item and why staff took its position.

Brief Commissioner discussion.

PUBLIC COMMENT:

1. Jennifer Rojo Suarez - Miami, PACE Representative; Requested the City defer the item before reauthorizing the program; feels there are several misconceptions.
2. Mark Scheffal - Miami, PACE Representative; Commented on the projects they fund, specialist product for specialized group, asked them to step back and review.
3. Luis Royer - Pembroke Pines; PACE Representative; Requested the Commission to defer this item for further review.
4. James Christie - Port St. Lucie, property in Stuart; Commented on a neighbor's tax bill and loan responsibility.

6:02 PM MOTION: Approve.

MOVED BY: Eula Clarke

SECONDED BY: Sean Reed

Motion approved unanimously.

ORDINANCE SECOND READING

14. 710 SE MARTIN LUTHER KING JR. BOULEVARD - MAJOR AMENDMENT TO THE EXISTING COMMERCIAL PLANNED UNIT DEVELOPMENT (CPUD) ZONING DISTRICT (RC):

ORDINANCE No. 2532-2024; AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF STUART, FLORIDA, AMENDING THE CITY'S OFFICIAL ZONING MAP, TO REZONE A 2.4-ACRE PARCEL LOCATED AT 710 SE MARTIN LUTHER KING JR. BOULEVARD, BEING MORE DESCRIBED IN EXHIBIT "A" ATTACHED, FOR MAJOR AMENDMENT TO THE EXISTING COMMERCIAL PLANNED UNIT DEVELOPMENT (CPUD) ZONING DESIGNATION TO ALLOW A VOCATIONAL TRAINING FACILITY ONLY; PROVIDING DIRECTIONS TO THE CITY CLERK; PROVIDING FOR REPEAL OF ALL ORDINANCES IN CONFLICT; PROVIDING FOR SEVERABILITY; PROVIDING FOR CODIFICATION; PROVIDING FOR AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

(Quasi-Judicial)

Five (5) people sworn; Kris McCrain and Pinal Gandhi-Savdas, City of Stuart, Robert Zaccheo and Christopher Krueger, Project Lift, Peter Van Rens, Kimley-Horn Associates.

Kris McCrain, Principal Planner, presented item.

Pinal Gandhi-Savdas, CRA Director, came forward to review the project details, City partnering with Project LIFT and noted a lease agreement will be drafted.

Robert Zaccheo, Project LIFT addressed the topics discussed.

PUBLIC COMMENT:

1. James Christie - Port St. Lucie; Commented that he approves of Project LIFT but does not approve the location of the project.

City Manager Mortell provided the history of finding and agreeing on bringing the organization Project LIFT to our City.

2. Helen McBride - Stuart; Commented that the program is not just for East Stuart young people, but for all young people; gives a hand-up.

Discussion included project interfacing with other programs in the community, the innovation business hub, and funding for redevelopment, other visions for the property, and this project's opportunities.

6:24 PM MOTION: Approve to move zoning change to Commercial Planned Unit Development to allow for vocational training facility only.

MOVED BY: Eula Clarke

SECONDED BY: Christopher Collins

Motion approved unanimously.

***** 6:34 PM Recess - 15 Minute Break *****

***** 6:45 PM Reconvened *****

ORDINANCE FIRST READING

DISCUSSION AND DELIBERATION

15. JOB DESCRIPTION FOR ENVIRONMENTAL ATTORNEY POSITION

City Attorney Baggett reviewed the drafted job description and noted he forwarded it for review to the Human Resources Director. Mr. Baggett clarified that some of Mr. Stuckey's presentation points were included, he made some amendments, and added new points.

Commissioner Collins complimented City Attorney Baggett on the description and continued to comment on his discussion with the City Attorney and City Manager on the hiring of an Environmental Attorney without going to referendum and advocated for a hiring committee; proposed committee includes, Ryanne Cavo, Paralegal, City Attorney Lee Baggett, Mac Stuckey, Attorney, and Ed Killer, TC Palm.

Commissioner Clarke commented on having members of the public on the selection committee.

City Manager Mortell reviewed the timeline process to hire the current City Attorney.

Commissioner Clarke commented that perhaps a feasibility study should be done to determine the need, future budgets, regional issues and wanted to make sure we are working with Martin County and using their information.

City Attorney Baggett stated he added Paragraph 12 to include "performs such other related duties and functions as may be assigned by the City Commission, City Attorney or City Manager". The Commissioners requested that City Attorney and City Manager be removed.

Commissioner Collins stated he looks at hiring the Environmental Attorney specifically as an environmental concept, not looking to sue, looking at what is best for the St Lucie River and give direction.

Commissioner Clarke confirmed that the position would include working with the Rivers Coalition and other organizations.

Mayor Rich commented that by hiring an Environmental Attorney, the Army Corps of Engineers would back off from the City. He agrees with Commissioner Clarke to work with other organizations.

Commissioner Reed commented he is not opposed to having a workshop and commented on the current state of the river.

PUBLIC COMMENT:

1. Helen McBride - Stuart; City must do what's best for the City.
2. Mark Brechbill - Stuart; Thinking too small; multi-prong and multi-vocational prong, and it doesn't have to be an attorney; multiple people could assist in concentrating on the job at hand.

Roz Johnson, Human Resource Director, explained that research was done when recruiting for Lee Baggett's position, and that data is still relevant, along with a pay point study, and this information will be gathered for the agenda item.

7:04 PM MOTION: Approve. [Motion to put on the December 9th meeting, so we can then approve that.]

MOVED BY: Laura Giobbi

SECONDED BY: Eula Clarke

Motion approved unanimously. 7:37 PM

ADJOURNMENT

7:37 PM

Mary R. Kindel, City Clerk

Campbell Rich, Mayor

Minutes to be approved at the Regular Commission Meeting this 9th day of December, 2024.

MINUTES
SPECIAL COMMISSION MEETING OF THE STUART CITY COMMISSION
ZONING IN PROGRESS WORKSHOP #2
NOVEMBER 7, 2024
AT 9:00 AM
COMMISSION CHAMBERS
121 SW FLAGLER AVE.
STUART, FLORIDA 34994

CITY COMMISSION

Mayor Campbell Rich
Commissioner Eula R. Clarke
Commissioner Christopher Collins
Commissioner Laura Giobbi
Commissioner Sean Reed

ADMINISTRATIVE

City Manager, Michael J. Mortell
City Attorney, Lee J. Baggett
City Clerk, Mary R. Kindel

ROLL CALL

9:00 AM

PRESENT: Mayor Rich, Commissioner Clarke, Commissioner Collins, Commissioner Giobbi, and Commissioner Reed

PLEDGE OF ALLEGIANCE

COMMENTS BY CITY COMMISSIONERS

Commissioner Collins

- Proposed, in order for the City to move forward, bypass the special zoning districts and focus on other chapters; remain in a ZIP, but continue the review of the rest of parking, concurrency, and not accepting applications for special districts. Plan to not accept applications for special districts and once approved and there is a new code, accept applications from those who are exempt. City Manager Mortell reviewed the expected timeline and stated that staff could bring back the updates in the December meeting.

Commissioner Clarke

- Commented on the proposal of Commissioner Collins; felt that people are now used to the new code and if they are set back and other changes are made, it may cause

confusion.

Commissioner Giobbi

- Commented that she has no problem with additional workshops; possibly calling additional LPA and CRB meetings in January.
- Reported that she communicated with Walmart about foot traffic decline per online shopping and that parking is not their issue.

Mayor Rich

- Commented that problems began by entering the ZIP without doing public workshops and understanding the impact of the community first. Referred to parking and paving, higher parking requirements and higher costs. Affordable housing is affected, it encourages car dependency, loss of green space, and other environmental impacts.

Commissioner Collins disagreed with the Mayor's comments and reviewed his thoughts on the parking.

COMMENTS BY CITY MANAGER

None.

APPROVAL OF AGENDA

9:39 AM MOTION: Approve

MOVED BY: Eula Clarke

SECONDED BY: Sean Reed

Motion approved unanimously.

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

1. Ronnie Kirchman - Stuart; Commented that the ZIP is affecting his business, requested the Board to think about the businesses.
2. Deb Frazier - Port St. Lucie; Suggested Commissioners meet with her to review the effects of the local businesses.
3. Sam Yates - Stuart; Native and an Executive Builder, commented that the business community is angry.
4. Kye Maiolo - Stuart; Business owner, pizzeria owner, and at stand still due to the ZIP.
5. Dan Braden - Stuart; Commented that a stop gap should be in for the next month or more.

10:01 AM MOTION: Motion to make an exception to Zoning in Progress to allow any commercial projects without residential that do not increase the square footage of the structure to move forward for processing.

MOVED BY: Eula Clarke

SECONDED BY: Christopher Collins

Motion approved unanimously.

Jodi Kugler, Development Director, clarified that the City can accept a minor site plan amendment that meets these guidelines.

The Board confirmed.

PUBLIC COMMENT continued:

6. Marcela Cambor - Stuart; Commented on the timeframe, requested legal opinion.
7. Douette Pryce - Stuart; Commented on the City holding people hostage, this process is not simple and will take a lot of time.
8. Ben Talbert - Jensen Beach; General Contractor, explained his concerns and hold-ups.

DISCUSSION AND DELIBERATION

1. CONTINUE DISCUSSION ON THE CITY OF STUART LAND DEVELOPMENT CODE (LDC) CHAPTERS 3-12

* 10:14 AM Lee Baggett, City Attorney announced that he had to leave for court.

Land Development Code

Chapter VI - On-Site and Off-Site Development Standards

City Manager Mortell reviewed the sections of the existing code and the Commission reviewed suggested changes.

***** 11:01 am - Meeting Paused**

***** 11:04 am - Reconvened**

11:04 AM Lee Baggett, City Attorney, returned to meeting.

PUBLIC COMMENT:

1. Marcela Cambor - Stuart; requested clarification of multi-family and non-conforming use.
2. Douette Pryce - Stuart; Experience with parking requirements, cost impacts.

***** 11:40 AM 10 Minute resess**

***** 11:53 AM Meeting reconvened**

Review continued.

Chapters 6 and 8. Staff to return to the Board with recommendations.

Next ZIP Workshop #3 for review of Chapter 3 - Tuesday, Nov. 19th, 9 a.m. to 1 p.m.

City Manager Mortell informed the Commission that he has been contacted by the County about Brightline; they are still interested in working with the City and proposed a 50/50 deal, City and County 15 million each and split all grants 50/50. Eighty percent of the grant, 48 million of the 60 million, is paid for, leaving 12 million, resulting in 6 million for the City and 6 million for the County. Otherwise, County would move forward without the City.

Commissioner Collins commented that the County should wait for the new Commission. A brief discussion included the timeframe and whether it should be brought back as an agenda item. No direction given to staff to bring back an agenda item on the Brightline Train Station.

ADJOURNMENT

1:06 PM

Mary R. Kindel, City Clerk

Campbell Rich, Mayor

**Minutes to be approved at the Regular Commission
Meeting this 9th day of December, 2024.**

MINUTES
SPECIAL COMMISSION MEETING OF THE STUART CITY COMMISSION
ZONING IN PROGRESS WORKSHOP #3
NOVEMBER 19, 2024
AT 9:00 AM
COMMISSION CHAMBERS
121 SW FLAGLER AVE.
STUART, FLORIDA 34994

CITY COMMISSION

Mayor Campbell Rich
Commissioner Eula R. Clarke
Commissioner Christopher Collins
Commissioner Laura Giobbi
Commissioner Sean Reed

ADMINISTRATIVE

City Manager, Michael J. Mortell
City Attorney, Lee J. Baggett
City Clerk, Mary R. Kindel

ROLL CALL

9:00 AM

PRESENT: Mayor Rich, Commissioner Clarke, Commissioner Collins, Commissioner Giobbi, and Commissioner Reed

PLEDGE OF ALLEGIANCE

COMMENTS BY CITY COMMISSIONERS

Commissioner Reed

- Commented on being contacted by a resident about lot size and code; clarified the code with staff.
- Commented on a contractor inquiry about a boat ramp.

Commissioner Clarke

- Noted her interest in putting a halt to the ZIP until January 15th, 2025, feels it is causing a lot of issues, and exceptions are being granted one by one.

Commissioner Collins

- Commented that he feels the same discussion takes place at every meeting and that the Board is close to completing the review and should move forward.

Commissioner Clarke

- Requested a set break time/recess for the meeting. Mayor Rich announced a scheduled recess for 11:15 AM for 15 minutes.
- Commented that she would like projects that may allow for exceptions and for the Dec 9th Commission Meeting.

City Manager Mortell stated that he would have staff bring back all potential changes and then have these items go to LPA and CRB Meetings, and then return to the Commission in the last meeting of January or February.

Commissioners continued discussion about having more public hearings.

9:26 AM Commissioner Clarke made a motion, Mayor Rich passed the gavel and seconded the motion, followed by discussion and public comment.

PUBLIC COMMENT:

1. Nik Schroth - Stuart; Commented on the legacy of this Commission and staff.
2. Deb Frazier - Stuart; Commented on the effects of the ZIP on small businesses.

Commissioner Reed addressed the public comment by Nik Schroth.

City Attorney, Lee Baggett, provided advice to the Commission on individual exceptions.

9:26 AM MOTION: Halt the Zoning In Progress (ZIP) as an administrative action that affects development in our City, until the end of January 30th.

MOVED BY: Eula Clarke

SECONDED BY: Campbell Rich

MOTION FAILED, 2/3 Vote

YES: Eula Clarke, Campbell Rich

NO: Christopher Collins, Laura Giobbi, Sean Reed 9:53 AM

COMMENTS BY CITY MANAGER

None.

APPROVAL OF AGENDA

9:54 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. Ronnie Kirchman - Stuart; Spoke on all his employees and how the ZIP is affecting his business.
2. Rod Peterson - Stuart; Commented on vacant lot he was told he could build on it and now he cannot, would like something in writing from the Commission stating he could.
3. Craig Bisset - Stuart; Stated ZIP is creating a hardship as he can not subdivide his property and sell a portion of it.
4. Joe Ciaravino - Palm City; Spoke as President of the Treasure Coast Builders association stating that ZIP is affecting 6000 members in that association and asked the commission to think of that while they are discussing ZIP.
5. Rosi Shepard - Stuart; Stated that ZIP is causing a hardship on her businesses. Also stated a client of hers cannot get a CO on his property due to ZIP and that is now causing her client a hardship.
6. Marc Reiner - West Palm Beach; Commented on his Stuart clients and the issues and financial damages they're experiencing.
7. Barbara Kibby Wagner - Stuart; parking issues in downtown and the reserved spaces in front of the Lyric Theater.
8. Douette Pryce - Stuart; Stated he has invested in the City to help the community, referred to past ZIP, and spoke specifically about R2 and R3 single family home zoning.
9. Albert Brinkley - Time for the Commissioners to conduct themselves in a manner that the public is seeing, Romans 13:1-7. The community is not being heard, but overlooked.
10. Marcela Cambor - Stuart; Stated how frustrating it is to have these meetings in this schedule. Entered a verbal records request - who is part of the mandate.
11. Betty Brinkley - Stuart; Home in jeopardy because others want the area to expand, feels they are disrespected due to the color of their skin.

DISCUSSION AND DELIBERATION

1. CONTINUE DISCUSSION ON THE CITY OF STUART LAND DEVELOPMENT CODE (LDC) CHAPTER 3

Mayor Rich noted that Ms. Jessica Seymore of the Treasure Coast Regional Planning Council is present and would like her to assist in the discussion as needed.

Commissioners, City Manager Mortell, City Attorney Baggett, and Ms. Kugler all reviewed Chapter 3 of the Land Development Code and discussed changes.

*****11:11 AM RECESS*****
***** 11:25 AM RECONVENED*****

PUBLIC COMMENT:

1. Douette Pryce - Provided his professional opinion of the expenses for the regulations on single-family homes and believes the Commission should be engaging with the community.

Discussion among Commissioners and staff continued.

PUBLIC COMMENT:

1. Paul Skyers - Stuart; Spoke on affordable housing, density, and the effect it has on the economy.

City Manager Mortell recapped the discussion and changes such as:

- Chapter 2 density bonus
- 2.03.06 intensity of development, lot area, and floor area ratio
- 2.04.02 minimum width and lot areas
- 2.04.02 B adjoining lots with continuous frontage
- 2.04.03 impervious surface and supplemental setbacks
- 2.06.03 assisted living facilities and detox facilities
- 2.06.22 EV charging
- Accessory dwelling units must be on the same electric meters
- Duplex's and non-conforming use and the 50% rule
- Multi-Family
- 03.02.04 Minimum lot size
- Property on Tarpon - GRO
- Citywide standards should apply to East Stuart
- Parking schedule
- New construction and parking
- 6.01.03 Multifamily parking
- 6.04.02 Shade trees
- 6.06.11 Signs
- 08.03.01 Non-conforming uses and lots

Commissioners and staff continued discussion.

ADJOURNMENT

12:49 PM

Mary R. Kindel, City Clerk

Campbell Rich, Mayor

**Minutes to be approved at the Regular Commission
Meeting this 9th day of December, 2024.**

MINUTES
REGULAR MEETING OF THE STUART CITY COMMISSION
NOVEMBER 25, 2024
AT 5:30 PM
COMMISSION CHAMBERS
121 SW FLAGLER AVE.
STUART, FLORIDA 34994

CITY COMMISSION

Mayor Campbell Rich
Commissioner Eula R. Clarke
Commissioner Christopher Collins
Commissioner Laura Giobbi
Commissioner Sean Reed

ADMINISTRATIVE

City Manager, Michael J. Mortell
City Attorney, Lee J. Baggett
City Clerk, Mary R. Kindel

ROLL CALL

5:33 PM

PRESENT: Mayor Rich, Commissioner Clarke, Commissioner Collins, Commissioner Giobbi, and Commissioner Reed

INVOCATION

Pastor James Harp of Stuart Alliance Church gave the Invocation.

PLEDGE OF ALLEGIANCE

COMMENTS BY CITY COMMISSIONERS

Commissioner Reed

- Requested to pull Agenda Item #1.
- Commented that he has a supply of bumper stickers.
- Commented on the Zoning in Progress (ZIP) and the discussion pertaining to extending it. Also commented that the voting for the changes on the Dec 9th meeting that commercial shouldn't be included in the ZIP.

Commissioner Giobbi

- Thanked all here and online.

Commissioner Collins

- Requested to bring back ban on Plastic Straw Ordinance to an agenda in light of PFAS in the plant based straws. New ordinance to rescind the ban.

Commissioner Clarke

- Wished a Happy Thanksgiving to everyone.

Mayor Rich

- Commented on affordable housing, feels the City is going backwards, that Ocean Point was built thirty (30) years ago and now tax credits are up, rents are going up and The Crossings on Indian Street is losing its subsidies in 2028.

COMMENTS BY CITY MANAGER

City Manager Mortell

- Informed the Commission he was contacted by Martin County to provide a letter of support for the Brightline grant in late December. If it is the Commissioners' consensus, it will be on the December 9 City Commission Meeting.
- Explained that last week the Florida Surgeon General reported on fluoride in the water. His recommendation is that the City not add fluoride to water until a formal opinion from the Attorney General and/or Surgeon General's office is received and until that time, asked the Commission to authorize the City to temporarily refrain from adding fluoride. The Commission is required to follow the referendum, but because of the nature of this matter, feels it warrants a temporary order and if families have concerns, the City be willing to give out fluoridated toothpaste to accommodate them.

PUBLIC COMMENT:

1. Missy Harris - Stuart; in favor of the motion to remove fluoride from the water.

5:46 PM MOTION: Approve to halt the addition of fluoride in the City's water and include, during this temporary window, if someone from the City did want to have us order fluoridated toothpaste for them, we will be willing to do that.

MOVED BY: Christopher Collins

SECONDED BY: Eula Clarke

Motion approved unanimously. 6:07 PM

APPROVAL OF AGENDA

6:05 PM MOTION: Approve, pulling Agenda Item #1 from Consent Calendar.

MOVED BY: Eula Clarke

SECONDED BY: Christopher Collins

Motion approved unanimously.

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

1. Robert Hamilton - Stuart; Commented on his property issues.
2. Richard Olsen - Stuart; Commented that hiring an Environmental Attorney is a mistake.

CONSENT CALENDAR

***** PULLED ITEM #1 *****

1. MERGE OF BOA TO LPA ADVISORY BOARD (RC):

RESOLUTION No. 119-2024; A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF STUART, FLORIDA AUTHORIZING THE MERGER OF THE CITY'S BOARD OF ADJUSTMENT WITH THE CITY'S LOCAL PLANNING AGENCY; AUTHORIZING THE TRANSFER OF THE DUTIES AND RESPONSIBILITIES OF THE CITY'S BOARD OF ADJUSTMENT TO THE CITY'S LAND PLANNING AGENCY; PROVIDING FOR CONFLICT; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

2. AWARD ITB 2024-108: CITY OF STUART VETERANS MEMORIAL PARK PHASE-4 AMPHITHEATER PROJECT (RC):

RESOLUTION No. 121-2024; A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF STUART, FLORIDA APPROVING THE AWARD OF INVITATION TO BID #2024-108, CITY OF STUART'S VETERANS MEMORIAL PARK PHASE 4 AMPHITHEATER PROJECT TO MCTEAGUE CONSTRUCTION CO INC. OF STUART, FLORIDA, THE LOWEST, MOST RESPONSIVE AND RESPONSIBLE BIDDER WITH A TOTAL UNIT PRICE OF \$2,557,284.40; PROVIDING AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

3. OCEAN EAST MALL FINAL PLAT (RC):

RESOLUTION No. 125-2024; A RESOLUTION OF THE CITY COMMISSION OF

THE CITY OF STUART, FLORIDA TO APPROVE A PLAT TITLED "OCEAN EAST MALL" BEING A PLAT OF A PARCEL OF LAND LYING SOUTHEAST ONE-QUARTER OF SECTION 3, TOWNSHIP 38 SOUTH, RANGE 41 EAST CITY OF STUART, MARTIN COUNTY, FLORIDA, AS SET FORTH IN INSTRUMENT RECORDED IN OFFICIAL RECORDS BOOK 110 PAGE 355, MARTIN COUNTY, FLORIDA PUBLIC RECORDS, CONTAINING 11.24 ACRES, MORE OR LESS PREPARED BY ELIZABETH A. LINDSAY, FLORIDA PROFESSIONAL LAND SURVEYOR FLORIDA REGISTRATION NO. 4724; LICENSED BUSINESS NO. 6852 FOR OCEAN EAST MALL; PROVIDING AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

END OF CONSENT CALENDAR

6:14 PM MOTION: Approve Consent Calendar, less Item #1.

MOVED BY: Eula Clarke

SECONDED BY: Laura Giobbi

Motion approved unanimously.

***** ITEM #1 PULLED FROM THE CONSENT CALENDAR *****

1. MERGE OF BOA TO LPA ADVISORY BOARD (RC):

RESOLUTION NO. 119-2024; A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF STUART, FLORIDA AUTHORIZING THE MERGER OF THE CITY'S BOARD OF ADJUSTMENT WITH THE CITY'S BOARD OF ADJUSTMENT WITH THE CITY'S LOCAL PLANNING AGENCY; AUTHORIZING THE TRANSFER OF THE DUTIES AND RESPONSIBILITIES OF THE CITY'S BOARD OF ADJUSTMENT TO THE CITY'S LAND PLANNING AGENCY; PROVIDING FOR CONFLICT; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

City Manager Mortell provided a brief report on the proposal to merge the Board of Adjustment (BOA) with the Local Planning Agency (LPA).

Commissioner Collins made a motion to approve that we merge the BOA into LPA but also add that the ESHAC schedule meetings as needed.

PUBLIC COMMENT:

1. Nik Schroth - Stuart; Consider that with the results of ZIP it can affect this decision.

Commissioner Reed agrees to merge the two boards, not in support of ESHAC as needed, without their input. ESHAC should be an agenda item for the board members to review.

6:28 PM MOTION: Approve that we merge the BOA into LPA but also add that the ESHAC meetings be scheduled as needed.

6:38 PM AMEND MOTION. Approve, pull out, ESHAC meetings be scheduled as needed, from original motion to be brought back on the December 9, 2024 meeting.

MOVED BY: Christopher Collins

SECONDED BY: Sean Reed

Motion approved unanimously.

COMMISSION ACTION

4. EXTENSION OF ZONING IN PROGRESS (RC):

RESOLUTION No. 120-2024; A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF STUART, FLORIDA, EXTENDING THE "ZONING IN PROGRESS" UNDER SECTION 1.04.04, STUART LAND DEVELOPMENT CODE, AS AUTHORIZED IN RESOLUTION 95-2024, AS IT RELATES TO NEW DEVELOPMENT WITH THE EXCEPTION FOR SINGLE-FAMILY DWELLINGS, REQUESTS THAT DO NOT INCREASE THE DENSITY OR INTENSITY OF AN EXISTING USE OR STRUCTURE, OR ANY COMMERCIAL PROJECT THAT DOES NOT INCLUDE A RESIDENTIAL COMPONENT AND THAT DOES NOT INCREASE THE SQUARE FOOTAGE OF ANY STRUCTURE; PROVIDING FOR CONFLICT; PROVIDING FOR SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE, AND FOR OTHER PURPOSES.

City Attorney Baggett noted an update to the Resolution as provided on the dias for each Commissioner and reviewed the proposed extension to the Zoning in Progress (ZIP).

PUBLIC COMMENT:

1. Deb Frazier - Port St. Lucie; Opposed to the extension of the ZIP, suggested the Board not take a salary if they are not allowing City members from making money,
2. Nik Schroth - Stuart; Opposed to the ZIP extension, feels it is to shut down construction activity; should be that if it is commercial and does not include a residential component, it should move forward.
3. Douette Pryce - Stuart; Gave statements on "concepts of zoning".

City Manager Mortell reviewed the process and timeline for the Commission if they voted yes today to the extension.

A discussion continued with the Commissioners and the City Manager.

Commissioner Clarke commented that zoning changes can and have been made without a ZIP. Referred to the new Resolution on Page 2, it states exemption with regard to commercial. Commented that in the three (3) or more meetings there has not been much input from all Commissioners on what is needed to be functioning and vibrant in our community. Concerned about lot sizes and does not agree with extension of ZIP.

Commissioner Collins requested the City Manager explain cottage lots and City Manager Mortell provided an explanation of the ordinance.

Commissioners expressed their comments and views, for and against, on the ZIP.

7:24 PM MOTION: Approve as the Resolution reads.

MOVED BY: Christopher Collins

SECONDED BY: Laura Giobbi

VOTE: 3/2 Motion Passed.

YES: Christopher Collins, Laura Giobbi, Sean Reed

NO: Eula Clarke, Campbell Rich

5. OPIOID SETTLEMENT EXPENDITURES, AED'S AND PSA (RC):

RESOLUTION No. 122-2024: A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF STUART, FLORIDA, AUTHORIZING BUDGET AMENDMENT No. 3 TO THE FISCAL YEAR 2025 BUDGET; APPROPRIATING AND AUTHORIZING THE EXPENDITURE OF FUNDS FROM THE OPIOID SETTLEMENT TO PURCHASE AUTOMATED EXTERNAL DEFIBRILLATORS, OTHER FIRST AID SUPPLIES, AND CREATING A PUBLIC SERVICE ANNOUNCEMENT; PROVIDING AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

7:33 PM MOTION: Approve.

MOVED BY: Sean Reed

SECONDED BY: Eula Clarke

Motion approved unanimously.

6. SHOP WITH A COP EXPENDITURE (RC):

RESOLUTION No. 123-2024; A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF STUART, FLORIDA, AUTHORIZING BUDGET AMENDMENT No. 4 TO THE FISCAL YEAR 2025 BUDGET; APPROPRIATING AND AUTHORIZING THE EXPENDITURE OF FUNDS FOR SHOP WITH A COP; PROVIDING AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

7:36 PM MOTION: Approve.

MOVED BY: Eula Clarke

SECONDED BY: Sean Reed

Motion approved unanimously.

7. LEGISLATIVE PRIORITIES FOR THE 2025 LEGISLATIVE SESSION (RC):

RESOLUTION No. 116-2024; A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF STUART, FLORIDA, AUTHORIZING THE ADOPTION OF LEGISLATIVE PRIORITIES FOR THE 2025 LEGISLATIVE SESSION; PROVIDING FOR AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

Ben Hogarth, Community Affairs Liaison, provided a brief update on the legislative priorities specifically related to Guy Davis Park.

7:46 PM MOTION: Approve.

MOVED BY: Eula Clarke

SECONDED BY: Christopher Collins

Motion approved unanimously. 7:51 PM

Commissioner Clarke inquired about the letter to the County in support of Brightline. The Commission determined that the vote for Resolution No. 116-2024 had not yet taken place and returned to that item. 7:46 PM

DISCUSSION AND DELIBERATION

Commissioner Clarke's inquiry continued a discussion among the Commissioners about the letter to the County in support of Brightline.

7:47 PM MOTION: Approve to authorize the City Manager to prepare a request for support letter for the Federal Railroad Administration Grant Brightline Station, Martin County.

MOVED BY: Eula Clarke

SECONDED BY: None

Motion died for lack of second. 7:55 PM

ADJOURNMENT

7:57 PM

Mary R. Kindel, City Clerk

Mayor

Minutes to be approved at the Regular Commission Meeting this 9th day of December, 2024.

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

Meeting Date: 12/9/2024

Prepared by: Susej Meleqi

Title of Item:

APPROVAL OF THE 2025 MEETING CALENDAR (RC):

RESOLUTION No. 129-2024; A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF STUART, FLORIDA, ADOPTING THE CITY OF STUART PUBLIC MEETING CALENDAR FOR 2025; PROVIDING AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

Summary Explanation/Background Information on Agenda Request:

The Meeting Calendar, adopted by the City Commission annually, provides a scheduled public meeting listing consisting of Regular City Commission Meetings, Advisory Board Meetings, Community Redevelopment Agency Meetings, Joint Meetings, Magistrate Hearings, and City-recognized Holidays.

Funding Source:

N/A

Recommended Action:

Approve the 2025 Meeting Calendar.

ATTACHMENTS:

1. R129-2024 2025 Meeting Calendar
2. R129-2024 Exhibit A 2025 Meeting Calendar



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

RESOLUTION NUMBER 129-2024

**A RESOLUTION OF THE CITY COMMISSION OF
THE CITY OF STUART, FLORIDA, ADOPTING
THE CITY OF STUART PUBLIC MEETING
CALENDAR FOR 2025; PROVIDING AN
EFFECTIVE DATE; AND FOR OTHER PURPOSES.**

* * * * *

WHEREAS, the Meeting Calendar, adopted by the City Commission annually, provides a scheduled public meeting listing consisting of Regular City Commission Meetings, Advisory Board Meetings, Community Redevelopment Agency Meetings, Joint Meetings, Magistrate Hearings, and City-recognized Holidays.

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

SECTION 1: The City Commission hereby adopts the 2025 Meeting Calendar for the City of Stuart for identified public meetings from January 1, 2025 to December 31, 2025 as attached hereto as **Exhibit “A”** and authorizes the City Clerk to distribute and publicize the Meeting calendar.

SECTION 2: Effective Date. This Resolution shall take effect immediately upon adoption and shall be in effect through December 31, 2025.

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:

CAMPBELL RICH, MAYOR
EULA R. CLARKE, COMMISSIONER
CHRISTOPHER COLLINS, COMMISSIONER
LAURA GIOBBI, COMMISSIONER
SEAN REED, COMMISSIONER

YES	NO	ABSENT	ABSTAIN

ADOPTED this ____ day of _____, 2024.

ATTEST:

MARY R. KINDEL, MMC
CITY CLERK

CAMPBELL RICH
MAYOR

APPROVED AS TO FORM
AND CORRECTNESS:

LEE J. BAGGETT, ESQ
CITY ATTORNEY



City of Stuart 2025 Meeting Calendar



1 New Years Holiday 7 CRB Meeting 4:00pm 9 LPA Meeting 5:30pm 13 City Commission Meeting 4:00pm 15 Magistrate Hearing 2:00pm 20 Martin Luther King Jr Holiday 27 CRA/CRB/CCM Meeting 4:00pm 27 City Commission Meeting 5:30pm	January						
	S	M	T	W	T	F	S
				1	2	3	4
	5	6	7	8	9	10	11
	12	13	14	15	16	17	18
	19	20	21	22	23	24	25
	26	27	28	29	30	31	
4 CRB Meeting 4:00pm 10 City Commission Meeting 4:00pm 13 LPA Meeting 5:30pm 19 Magistrate Hearing 2:00pm 24 CRA Meeting 4:00pm 24 City Commission Meeting 5:30pm	February						
	S	M	T	W	T	F	S
							1
	2	3	4	5	6	7	8
	9	10	11	12	13	14	15
	16	17	18	19	20	21	22
	23	24	25	26	27	28	
4 CRB Meeting 4:00pm 7 JT City/County/School Bd 9:00am 10 City Commission Meeting 4:00pm 13 LPA Meeting 5:30pm 19 Magistrate Hearing 2:00pm 24 CRA Meeting 4:00pm 24 City Commission Meeting 5:30pm	March						
	S	M	T	W	T	F	S
							1
	2	3	4	5	6	7	8
	9	10	11	12	13	14	15
	16	17	18	19	20	21	22
	23	24	25	26	27	28	29
1 CRB Meeting 4:00pm 10 LPA Meeting 5:30pm 14 City Commission Meeting 4:00pm 16 Magistrate Hearing 2:00pm 28 CRA/CRB/CCM Meeting 4:00pm 28 City Commission Meeting 5:30pm	April						
	S	M	T	W	T	F	S
			1	2	3	4	5
	6	7	8	9	10	11	12
	13	14	15	16	17	18	19
	20	21	22	23	24	25	26
	27	28	29	30			
6 CRB Meeting 4:00pm 8 LPA Meeting 5:30pm 12 City Commission Meeting 4:00pm 21 Magistrate Hearing 2:00pm 26 Memorial Day Holiday 27 CRA Meeting 4:00pm * 27 City Commission Meeting 5:30pm *	May						
	S	M	T	W	T	F	S
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	4	5	6	7	8	9	10
	11	12	13	14	15	16	17
	18	19	20	21	22	23	24
	25	26	27	28	29	30	31
3 CRB Meeting 4:00pm 9 City Commission Meeting 4:00pm 12 LPA Meeting 5:30pm 18 Magistrate Hearing 2:00pm 23 CRA Meeting 4:00pm 23 CCM Meeting 5:30pm	June						
	S	M	T	W	T	F	S
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	8	9	10	11	12	13	14
	15	16	17	18	19	20	21
	22	23	24	25	26	27	28
	29	30					
1 CRB Meeting 4:00pm 4 4th of July Holiday 10 LPA Meeting 5:30pm 14 City Commission Meeting 4:00pm 16 Magistrate Hearing 2:00pm 28 CRA/CRB/CCM Meeting 4:00pm 28 City Commission Meeting 5:30pm 31 JT City/County/School Bd 9:00am	July						
	S	M	T	W	T	F	S
			1	2	3	4	5
	6	7	8	9	10	11	12
	13	14	15	16	17	18	19
	20	21	22	23	24	25	26
	27	28	29	30	31		
5 CRB Meeting 4:00pm 11 City Commission Meeting 4:00pm 14 LPA Meeting 5:30pm 20 Magistrate Hearing 2:00pm 25 CRA Meeting 4:00pm 25 City Commission Meeting 5:30pm	August						
	S	M	T	W	T	F	S
						1	2
	3	4	5	6	7	8	9
	10	11	12	13	14	15	16
	17	18	19	20	21	22	23
	24	25	26	27	28	29	30
1 Labor Day Holiday 2 CRB Meeting 4:00pm 8 City Commission Meeting 4:00pm 11 LPA Meeting 5:30pm 17 Magistrate Hearing 2:00pm 22 CRA Meeting 4:00pm 22 City Commission Meeting 5:30pm	September						
	S	M	T	W	T	F	S
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	7	8	9	10	11	12	13
	14	15	16	17	18	19	20
	21	22	23	24	25	26	27
	28	29	30				
7 CRB Meeting 4:00pm 9 LPA Meeting 5:30pm 13 City Commission Meeting 4:00pm 15 Magistrate Hearing 2:00pm 27 CRA/CRB/CCM Meeting 4:00pm 27 City Commission Meeting 5:30pm	October						
	S	M	T	W	T	F	S
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	12	13	14	15	16	17	18
	19	20	21	22	23	24	25
	26	27	28	29	30	31	
4 CRB Meeting 4:00pm 10 City Commission Meeting 4:00pm 11 Veterans Day Holiday 13 LPA Meeting 5:30pm 19 Magistrate Hearing 2:00pm 24 CRA Meeting 4:00pm 24 City Commission Meeting 5:30pm 27 Thanksgiving Holiday 28 Day after Thanksgiving Holiday	November						
	S	M	T	W	T	F	S
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	2	3	4	5	6	7	8
	9	10	11	12	13	14	15
	16	17	18	19	20	21	22
	23	24	25	26	27	28	29
2 CRB Meeting 4:00pm 8 City Commission Meeting 4:00pm 11 LPA Meeting 5:30pm 17 Magistrate Hearing 2:00pm 24 Christmas Eve Holiday 25 Christmas Day Holiday	December						
	S	M	T	W	T	F	S
		1	2	3	4	5	6
	7	8	9	10	11	12	13
	14	15	16	17	18	19	20
	21	22	23	24	25	26	27
	28	29	30	31			

CCM - City Commission Meeting
CRA - Community Redevelopment Agency
CRB - Community Redevelopment Board
LPA - Local Planning Agency
* Not the regularly scheduled meeting date.

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

Meeting Date: 12/9/2024

Prepared by: Lee Baggett

Title of Item:

APPOINTMENT OF ALTERNATE CODE ENFORCEMENT MAGISTRATES (RC):

RESOLUTION No. 124-2024; A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF STUART, FLORIDA APPOINTING GEMMA TORCIVIA AND BRETT T. LASHLEY AS CODE ENFORCEMENT MAGISTRATES; AND CONFIRMING THE TERMS OF APPOINTMENT; PROVIDING AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

Summary Explanation/Background Information on Agenda Request:

Due to the unavailability of the duly appointed Magistrates, the City Commission desires to appoint alternate Magistrates to hear cases on a routine monthly basis. Gemma Torcivia and Brett T. Lashley currently serve as Magistrates for other governmental entities, are duly qualified, and are willing to conduct hearings, and prepare orders for the City of Stuart Magistrate hearings upon request.

Funding Source:

The Magistrate shall be paid the sum of \$200.00 per hour for all work performed as Magistrate, which funds shall be taken from "Development (Neighborhood Services), Acct. # 531, Professional Services".

Recommended Action:

Approve Resolution 124-2024.

ATTACHMENTS:

1. R124-2024 - Appt. of Magistrates
2. Gemma Torcivia's Resume 2024
3. Brett T. Lashley Biography 2024



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

RESOLUTION 124-2024

**A RESOLUTION OF THE CITY COMMISSION OF
THE CITY OF STUART, FLORIDA APPOINTING
GEMMA TORCIVIA AND BRETT T. LASHLEY AS
CODE ENFORCEMENT MAGISTRATES; AND
CONFIRMING THE TERMS OF APPOINTMENT;
PROVIDING AN EFFECTIVE DATE; AND FOR
OTHER PURPOSES.**

* * * * *

WHEREAS, on November 28, 2005, the City Commission adopted Ordinance No. 2051-05 providing for the appointment of one or more Magistrates to hear and decide code compliance cases; and

WHEREAS, the City's Code Enforcement system includes hearings to be held before Magistrates who are duly appointed by the City Commission; and

WHEREAS, on January 14, 2019, the City Commission approved Resolution 01-2019, appointing Paul J. Nicoletti as Magistrate for the City of Stuart and appointing Thomas J. Baird as an alternate Code Enforcement Magistrate; and

WHEREAS, on April 10, 2023, the City Commission approved Resolution 29-2023, appointing Wendy H. Werb as an additional alternate Code Enforcement Magistrate;

WHEREAS, due to the unavailability of the duly appointed Magistrates the City Commission desires to appoint alternate Magistrates to hear cases on a routine monthly basis; and

WHEREAS, Gemma Torcivia and Brett T. Lashley currently serve as Magistrates for other governmental entities, are duly qualified, and are willing to conduct hearings, and prepare orders for the City of Stuart Magistrate hearings upon request.

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

SECTION 1: Recitals. The above-stated recitals are true and correct and are incorporated by this reference.

SECTION 2: The City Commission hereby approves and appoints Gemma Torcivia and Brett T. Lashley as Magistrates to hear code enforcement cases as presented by the code enforcement officers and to act as otherwise as permitted by law.

SECTION 3: The Magistrate shall be paid the sum of \$200.00 per hour for all work performed as Magistrate, which funds shall be taken from "Development (Neighborhood Services), Acct. # 531, Professional Services". The initial term of this office shall be for a minimum of two (2) years as provided by ordinance.

SECTION 4: Authorization. The appropriate City officials are authorized to take any necessary action to effectuate the intent of this Resolution.

SECTION 5: Severability. The provisions of this Resolution are intended to be severable. If any part(s) of this Resolution is determined to be void or is declared illegal, invalid, or unconstitutional by a court of competent jurisdiction, the remainder of this Resolution shall remain in full force and effect.

SECTION 6: Effective Date. This Resolution shall take effect immediately 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:

CAMPBELL RICH, MAYOR
CHRISTOPHER COLLINS, COMMISSIONER
EULA R. CLARKE, COMMISSIONER
LAURA GIOBBI, COMMISSIONER
SEAN REED, COMMISSIONER

YES	NO	ABSENT	ABSTAIN

ADOPTED this _____ day of December, 2024.

ATTEST:

MARY R. KINDEL, MMC
CITY CLERK

CAMPBELL RICH
MAYOR

APPROVED AS TO FORM
AND CORRECTNESS:

LEE J. BAGGETT, ESQ.
CITY ATTORNEY

Gemma Torcivia

515 N. Flagler Drive, Suite 350, West Palm Beach, Florida 33401 * (561) 602-6222 * gtorcivia@tgjustice.com

EXPERIENCE

TG Law, PLLC, West Palm Beach, Florida

2020-present

Founder/Managing Partner

- Founder and managing partner of a civil practice firm emphasizing local government law, business and corporate matters, land use, employment law, community redevelopment agencies, administrative law and legislative issues.
- Litigation in Federal and State Trial Courts and before administrative agencies.
- Representative 2024 government and non-profit clients: City of Belle Glade, Belle Glade Community Redevelopment Agency, Early Learning Coalition of Osceola County, Early Learning Coalition of Polk County, Early Learning Coalition of Lake County, Early Learning Coalition of the Nature Coast, Early Learning Coalition of Pasco and Hernando, and Early Learning Coalition of Marion County.

City of Delray Beach, Delray Beach, Florida

2020

Economic Development Director

- Direct the City's economic development response to COVID-19 and provide resources and support for area businesses during COVID-19 closure, Phase 1 and Phase 2 re-openings.
- Serve as a member of the Executive Leadership Team and provide critical guidance for emergency management operations.

Roberts, Reynolds, Bedard & Tuzzio, West Palm Beach, Florida

2018-2020

Associate Attorney

- Provided vigorous defense for a variety of insurers in personal injury, first party property, governmental liability, eminent domain and construction defect cases.
- Represented a variety of governments in civil litigation including: City of Boynton Beach, City of Delray Beach, Town of Palm Beach, Town of Jupiter, Pal-Mar Water Control District, and Hobe-St. Lucie Conservancy District.
- Prepared and managed insurance defense cases proceeding to trial, including developing and guiding case plans, drafting pleadings, managing discovery, conducting and defending depositions of fact and expert witnesses, attending hearings and participating in settlement negotiations.

Legal Aid Society of Palm Beach County, West Palm Beach, Florida

2018

Law Clerk and Staff Attorney

- Served as the Delray Beach Courthouse based member of the Injunction Initiation team of the Domestic Violence Project and provided injunction assistance for victims of domestic violence.

Homestead Community Redevelopment Agency (CRA), Homestead, Florida

2016-2018

Executive Director

- Directed the Homestead CRA, managed five employees and a \$2.5 million annual budget.
- Managed contract negotiations and project plans for over \$75 million of capital projects.
- Negotiated a \$60 million public private partnership to develop a multi-modal transit development, including working with bond counsel on a \$30 million taxable municipal bond.
- Planned, drafted, and managed contracts for professional services including legal services, accounting services, HUD, grants management, New Market Tax Credits, landscaping and architecture services.
- Project manager for New Market Tax Credits, including securing funding and developing contracts.

- Negotiated with property owners and worked with City Attorney for property acquisition for public projects, including working on eminent domains, closings, and implement federal takings requirements.

City of Homestead, Homestead, Florida

2011-2016

Economic Development Manager

- Designed the City's five-year economic development plan and built political will and community support for implementation.
- Served as a team member on \$55 million of capital projects that were completed on time and on budget.
- Drafted and presented agenda items, resolutions and ordinances for planning and zoning board meetings, historic preservation meetings and City Council meetings.

Charter School Management, Florida

2010-2012

Independent Consultant

- Provided management consulting and turnaround expertise for charter schools in need of turnaround support with an emphasis on regaining stakeholder confidence.
- Designed and implemented innovative strategies to address identified liabilities and implemented cost-cutting strategies.

Rise Schools, Florida City, FL

2006-2010

Executive Director

- Led a college-preparatory charter school.
- Led real estate negotiations for three capital improvement projects and managed all land use issues related to the projects, including rezoning, project financing, and build out.
- Oversaw all day to day operations of a school with a \$2.4 million budget and managed forty staff members.

Teach For America, Miami, Florida

2004-2006

High School Teacher

- Led special education students at Miami Central to an average of two years of reading growth.

EDUCATION

Florida International University College of Law, Juris Doctor

December 2016

Florida International University College of Business, Masters of Business Administration

April 2012

University of Florida, Bachelors of Arts

August 2004

ADMITTED

Florida Bar, 2018

United States District Courts for the Southern District of Florida, 2018

COMMUNITY

Alumni, Wm. Reece Smith Jr. Leadership Academy, Class IX, Florida Bar

Vice-Chair of Advertising Committee, Florida Bar

Member of Governmental and Public Policy Advocacy Committee, Florida Bar

Member, PBC Chapter, Florida Association for Women Lawyers (FAWL)

Member and former Treasurer of the Craig S. Barnard American Inn of Court

Member and former Chair of the Solo and Small Firm Committee, Palm Beach County Bar Association

Board Member, Palm Beach County Human Rights Council

Brett T. Lashley

Associate

Contact

blashley@jonesfoster.com
561 650 0491

Location

505 South Flagler Drive
Suite 1100
West Palm Beach
Florida 33401

Honors & Distinctions

The Best Lawyers in America
Ones to Watch, Commercial Litigation, 2025

Florida Super Lawyers
Rising Star, Civil Litigation: Defense, 2024

Palm Beach Illustrated
Top Lawyers, Business Litigation, 2024

Education

J.D., University of Florida Levin College of Law

B.A., Florida Atlantic University

Admissions

The Florida Bar
U.S. District Court, Southern District of Florida



Brett Lashley is a member of Jones Foster's Complex Litigation & Dispute Resolution team. He focuses his practice in the areas of general commercial litigation with an emphasis on employment, real estate, and local municipal law. Brett represents individuals and businesses in matters involving trade secrets, the enforcement of non-compete agreements, specific performance involving real property and deposit disputes, landlord tenant disputes, and commercial contract litigation. Brett provides counsel to the Town of Lake Park, the Town of Jupiter, and the Town of Palm Beach and advises the municipalities with respect to code enforcement hearings, planning and zoning and Town commission meetings.

Brett is actively involved with the Palm Beach County Bar Association's Young Lawyers Section and serves on Palm Beach County's Civil Rules Committee. Brett earned his Juris Doctor degree from the University of Florida Levin College of Law where he was the Vice-Chair of The Florida Moot Court Team and was awarded Best Brief in the Appellate Lawyers Association competition in Chicago. He also held the position of Vice President of the Entertainment and Sports Law Society, was a member of the Journal of Technology Law and Policy, and provided pro bono legal services to veterans as a member of the Veterans and Service Members Legal Clinic.

While at the University of Florida, Brett gained valuable experience as a teaching assistant for Legal Writing and Appellate Advocacy, as a judicial intern for the Honorable Mark W. Klingensmith, Fourth District Court of Appeal, West Palm Beach, and as a Summer Associate at Jones Foster.

Experience Highlights

Significant Recovery for Real Property Owner in Inverse Condemnation



Lawsuit

Representation of a real property owner in an inverse condemnation lawsuit for the taking of submerged land by Palm Beach County without permission or compensation that resulted in reduced ability to develop the property. A seven-day jury trial resulted in an award of \$425,700 – a valuation approximately 27 times higher than the County’s valuation of \$15,700.

Successful Representation in Residential Jointly Owned Partition Lawsuit

Brokered successful buyout of a portion of jointly owned residential property.

Landlord-Tenant Representations

Successful representation of Landlords and Tenants in commercial and residential eviction lawsuit.

Obtained Emergency Injunction

Prevailed in obtaining an emergency injunction preventing an HOA from interfering with private property owner’s access to and from property after private property owner lost only alternate access point.

Summary Judgment in Former Employee’s Commission Claim

Obtained summary judgment for employer whose former employee sought commission in perpetuity for the life of client accounts.

Successful Representation of Mobile Homeowner

Procured a Court order directing the Florida Department of Highway Safety and Motor Vehicles to issue title to a mobile home for client who did not obtain valid title at the time of purchase.

Dismissal of Derivative Lawsuit

Successfully obtained dismissal of a derivative lawsuit brought by 32 plaintiffs against members of the board of corporate entity.

Successful Enforcement of Employee Noncompete Clause

Successfully enforced noncompetition provision of two former employees for the relevant geographic market after former employees went to work for employer’s competitor.

Affiliations

The Florida Bar

Member, Real Property Probate and Trust Law Section, 2024-Present

Palm Beach County Bar Association

Member, Civil Practice Committee, 2023-Present

Member, Young Lawyers Section

Palm Beach County Sport Commission

Member, Hall of Fame Committee, 2023-2024



CITY OF STUART, FLORIDA AGENDA ITEM REQUEST City Commission

Meeting Date: 12/9/2024

Prepared by: Susej Meleqi

Title of Item:

ADVISORY BOARD MEMBER APPOINTMENTS / RATIFICATION OF TERMS (RC):

RESOLUTION No. 126-2024; A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF STUART, FLORIDA, APPOINTING AND RATIFYING THE MEMBERSHIP OF THE ADVISORY BOARD MEMBERS AND ADOPTING THE MEMBER TERMS FOR THE 2025 CALENDAR YEAR; PROVIDING AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

Summary Explanation/Background Information on Agenda Request:

Each Commissioner is responsible for appointing a representative to each advisory board. The City Commission as a whole ratifies the individual appointments of each commissioner. The LPA and CRB each have two additional positions which are selected by the City Commission as a whole and referred to as "At Large" positions.

The City of Stuart manages four Advisory Boards; Community Redevelopment Agency, Community Redevelopment Board, Local Planning Agency, and the East Stuart Historical Advisory Committee; and Section 2-84 of the Code of Ordinances states that appointments to membership on standing City boards shall be made by the City Commission. Each Commissioner shall select an appointment for each board, which is to be ratified by the entire Commission; and the terms of the Advisory Board members shall be in effect from January 1, 2025 through December 31, 2025.

Clerk's Note: All Advisory Board applications and background checks were not in at the time of Agenda approvals. Newly appointed board members may be subject to change.

Funding Source:

N/A

Recommended Action:

Motion to approve 2025 Advisory Board Members as listed.

ATTACHMENTS:

1. R126-2024 Advisory Board Ratification Terms
2. Advisory Board Spreadsheet DRAFT 2025



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

RESOLUTION NUMBER 126-2024

**A RESOLUTION OF THE CITY COMMISSION OF
THE CITY OF STUART, FLORIDA, APPOINTING
AND RATIFYING THE MEMBERSHIP OF THE
ADVISORY BOARD MEMBERS AND ADOPTING
THE MEMBER TERMS FOR THE 2025 CALENDAR
YEAR; PROVIDING AN EFFECTIVE DATE; AND
FOR OTHER PURPOSES.**

* * * * *

WHEREAS, the City of Stuart manages four Advisory Boards; Community Redevelopment Agency, Community Redevelopment Board, Local Planning Agency, and the East Stuart Historical Advisory Committee; and

WHEREAS, Section 2-82 of the Code of Ordinances states that appointments to membership on standing City boards shall be made by the City Commission. Each Commissioner shall select an appointment for each board, which is to be ratified by the entire Commission; and

WHEREAS, the terms of the Advisory Board members shall be in effect from January 1, 2025 through December 31, 2025; and

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

SECTION 1: The City Commission hereby appoints/ratifies the board members for the term of January 1, 2025 to December 31, 2025 as attached hereto as **Exhibit “A”** and authorizes the City Clerk to coordinate the appointees and necessary orientations for new board members.

SECTION 2: Effective Date. This Resolution shall take effect on January 1, 2025.

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:

CAMPBELL RICH, MAYOR
EULA R. CLARKE, COMMISSIONER
CHRISTOPHER COLLINS, COMMISSIONER
LAURA GIOBBI, COMMISSIONER
SEAN REED, COMMISSIONER

YES	NO	ABSENT	ABSTAIN

ADOPTED this ____ day of _____, 2024.

ATTEST:

MARY R. KINDEL, MMC
CITY CLERK

CAMPBELL RICH
MAYOR

APPROVED AS TO FORM
AND CORRECTNESS:

LEE J. BAGGETT, ESQ
CITY ATTORNEY

DRAFT* 2025 Advisory Boards *DRAFT

Board of Adjustment-				
Member	Term Expires	Commission Liaison	Phone	Email
Kristin Stanley	12/31/2024	Laura Giobbi	630-774-6525	kristinbusinessbroker@gmail.com
Werner Bols	12/31/2024	Sean Reed	772-781-4414	wernerbols@hotmail.com
Christina Vogl	12/31/2024	Campbell Rich	772-529-2588	christina@voglarchitects.com
VACANT	12/31/2024	Christopher Collins		
Claire Y. Nash Ph.D.	12/31/2024	Eula Clarke	901-229-3563	claireynash@gmail.com
Planning Advisory Board / Local Planning Agency Quorum - Min. 4				
Member	Term Expires	Commission Liaison	Phone	Email
Ryan Strom	12/31/2025	At Large	772-781-1616	rstrom@ci.stuart.fl.us
Kelly Laurine	12/31/2025	At Large	571-334-7723	klaurine@ci.stuart.fl.us
Lance Vogl	12/31/2025	Laura Giobbi		
Deana Peterson	12/31/2025	Christopher Collins	772-631-0643	dpeterson@stuartfl.gov
Sean Forbes	12/31/2025	Campbell Rich	772-631-7586	sforbes@ci.stuart.fl.us
Werner Bols	12/31/2025	Sean Reed		
Margaret A. Bromfield	12/31/2025	Eula Clarke	772-307-2303	mbromfield@ci.stuart.fl.us
Community Redevelopment Board		Quorum - Min. 4		
Member	Term Expires	Commission Liaison	Phone	Email
Mark Brechbill	12/31/2025	At Large	772-631-4800	mbrechbill@ci.stuart.fl.us
Tom Campenni	12/31/2025	At Large	772-3417455	tcampenni@ci.stuart.fl.us
Douette Pryce	12/31/2025	Eula Clarke		
Bonnie Moser	12/31/2025	Campbell Rich	863-447-9998	bmoser@ci.stuart.fl.us
Frank McChrystal	12/31/2025	Christopher Collins	772-285-1971	fmcchrystal@ci.stuart.fl.us
Miles Hernandez	12/31/2025	Sean Reed		
Jeff Manera	12/31/2025	Laura Giobbi		
East Stuart Historical Committee		Quorum - Min. 4		
Member	Term Expires	Commission Liaison	Phone	Email
Joseph Cooper	12/31/2025	Sean Reed	954-239-7090	gagroup@me.com
Betty Brinkley	12/31/2025	Laura Giobbi	772-285-4491	brinkleybetty49@gmail.com
Kimberly McHardy Grant	12/31/2025	Eula Clarke	850-590-6844	kgrant611@gmail.com
Albert Brinkley	12/31/2025	Christopher Collins	772-288-3775	cjcollins83@gmail.com
VACANT	12/31/2025	Campbell Rich		
Phillip Harvey	12/31/2025	Tom Campenni	772-238-0629	p.harvey57@yahoo.com
VACANT	12/31/2025	Mark Brechbill		

11/27/2024

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

Meeting Date: 12/9/2024

Prepared by: Lee Baggett

Title of Item:

ENVIRONMENTAL ATTORNEY JOB DESCRIPTION AND INITIATION OF HIRING PROCESS (RC):

RESOLUTION No. 127-2024; A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF STUART, FLORIDA, APPROVING JOB DESCRIPTION FOR ENVIRONMENTAL ATTORNEY AND TO INITIATE THE PROCESS OF HIRING AN ENVIRONMENTAL LAWYER; PROVIDING FOR SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE, AND FOR OTHER PURPOSES. (RC):

Summary Explanation/Background Information on Agenda Request:

At the Regular City Commission Meeting on November 12, 2024, Commissioners held a discussion and deliberation on a job description for the environmental lawyer position and directed City staff to move forward with a Resolution on approving the job description and initiating the process of hiring an environmental lawyer.

Funding Source:

To be determined.

Recommended Action:

Approve the Job Description for the Environmental Attorney and initiate the process for hiring the Environmental Attorney.

ATTACHMENTS:

1. R127-2024 - Authorizing Job Description and Hiring Committee
2. R127-2024 Exhibit A - Environmental Attorney Job Description Draft



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

RESOLUTION NUMBER 127-2024

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF STUART, FLORIDA, APPROVING JOB DESCRIPTION FOR ENVIRONMENTAL ATTORNEY AND TO INITIATE THE PROCESS OF HIRING AN ENVIRONMENTAL LAWYER; PROVIDING FOR SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE, AND FOR OTHER PURPOSES.

* * * * *

WHEREAS, on October 14, 2024, the City Commission received a presentation from local attorney, James “Mac” Stuckey, on the history and degradation of the water quality in the St. Lucie River and Estuary, and his recommendation was to hire an environmental attorney for the City to address these concerns; and

WHEREAS, the City Commission directed City staff to bring back the topic of hiring an environmental lawyer at a future Commission meeting for discussion and deliberation; and

WHEREAS, at the Regular City Commission Meeting on November 12, 2024, Commissioners held a discussion and deliberation on a job description for the environmental lawyer position and directed City staff to move forward with a Resolution on approving the job description and initiating the process of hiring an environmental lawyer.

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

SECTION 1: Recitals. The above-stated recitals are true and correct and are incorporated by this reference.

SECTION 2: The City Commission adopts this Resolution approving the job description of the environmental lawyer, which is attached hereto as Exhibit “A,” and directing the City staff to initiate the process of hiring of an environmental attorney.

SECTION 3: Authorization. The appropriate City officials are authorized to take any necessary action to effectuate the intent of this Resolution.

SECTION 4: Severability. The provisions of this Resolution are intended to be severable. If any part(s) of this Resolution is determined to be void or is declared illegal, invalid, or unconstitutional by a court of competent jurisdiction, the remainder of this Resolution shall remain in full force and effect.

SECTION 5: Effective Date. This Resolution shall take effect immediately 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:

CAMPBELL RICH, MAYOR
CHRISTOPHER COLLINS, COMMISSIONER
EULA R. CLARKE, COMMISSIONER
LAURA GIOBBI, COMMISSIONER
SEAN REED, COMMISSIONER

YES	NO	ABSENT	ABSTAIN

ADOPTED this _____ day of December, 2024.

ATTEST:

MARY R. KINDEL, MMC
CITY CLERK

CAMPBELL RICH
MAYOR

APPROVED AS TO FORM
AND CORRECTNESS:

LEE J. BAGGETT, ESQ.
CITY ATTORNEY

**CITY OF STUART
JOB DESCRIPTION**

Title: ENVIRONMENTAL ATTORNEY
Department: City Attorney
Job Code: 2010
Exempt Status: Exempt

CHARACTERISTICS OF THE CLASS

The Environmental Attorney serves as legal advisor and counsel for the Mayor, City Commission, City Manager, City Attorney, department directors and employees in their official capacity. Performs duties with broad latitude in decision-making and is self-directed. Work is reviewed through conferences, reports, observations and with periodic evaluations based upon achievement of specific goals and an executive and professional level of performance.

EXAMPLES OF ESSENTIAL FUNCTION

1. Renders written legal opinions on matters relating to environmental law.
2. Drafts, reviews, and/or supervises the preparation and passage through the State Legislature of legislative bills affecting the City pertaining to environmental law.
3. Provides full-time devotion to solving any and all issues with the degradation of water quality in the St. Lucie River and Estuary.
4. Provides constant dialogue with all legislators, agencies, and executive departments to achieve a permanent solution to the degradation of water quality in the St. Lucie River and Estuary.
5. Applies for public and private grants for scientific research to collect data to support future policy decisions and potential actions in an effort to stop the sources of pollution to the St. Lucie River and Estuary. Additionally, applies for public and private grants to interpret data and determine what is needed for ecosystem restoration and environmental protection and implement any processes necessary to restore the St. Lucie River and Estuary.

Environmental Attorney - continued

6. Assesses the damage to the St. Lucie River and Estuary by monitoring the water quality on a regular basis by directly testing or obtaining the data from any and all sources necessary.
7. Advises the City Commission on the enactment of potential legislation and/or other actions to achieve acceptable water quality in the St. Lucie River and Estuary.
8. Provides the general public and news media with information on the health of the St. Lucie River and Estuary and other various environmental matters affecting the City of Stuart.
9. Researches and commences any and all appropriate action approved by the City Commission to achieve acceptable water quality in the St. Lucie River and Estuary.
10. Reviews various matters for compliance with applicable environmental laws and ordinances.
11. Prepares, reviews, and approves as to form and sufficiency, City ordinances and resolutions pertaining to environmental law.
12. Performs such other related duties and functions as may be assigned by the City Commission.

NOTE: The examples of essential functions listed in this classification specification are not necessarily descriptive of any one position in the class. The omission of an essential function of work does not preclude management from assigning duties not listed herein if such functions are a logical assignment to the position.

REQUIREMENTS

A. Training and Experience:

A law degree from an accredited college of law, membership in "good standing" with The Florida Bar, and substantial experience in environmental law is required. In addition, a license to practice in the United States District Court, Southern District of Florida, shall be required. Experience in one or more of the following is important to the proper functioning of the Office: civil trials, administrative hearings, code enforcement, and environmental law. Possession of a valid state issued ID is required for the position.

Environmental Attorney - continued

B. Knowledge, Abilities and Skills:

Knowledge and understanding of judicial procedures at all judicial levels in state and federal courts.

Knowledge and understanding of City ordinances, codes, regulations, policies, practices, and accepted interpretation of same.

Knowledge of State and Federal Statutory and Constitutional law.

Knowledge and understanding of modern office practices and procedures and standard office legal equipment.

Ability to research and compile information of a technical and complex manner.

Ability to analyze, appraise, and organize the facts, evidence, and precedents concerned in cases.

Ability to present complex findings effectively in oral and written reports.

Ability to present and argue cases in court.

Ability to analyze cases for their value as legal precedents and to determine which cases the City should appeal.

Ability to establish and maintain effective work relationships with other employees, City officials, contractors, professionals, news media, and the general public.

Skill in supervision of staff and public and employee relations.

Skill in effectively dealing with court officials and attorneys.

C. Physical Requirements:

Task involves regular physical effort in standing, sitting, walking, bending, stooping, reaching, pulling, pushing, stretching, and frequent moderate lifting and carrying objects of moderate weight (30+ pounds); and/or the operation of vehicle, and with standard dexterity in the use of fingers,

Environmental Attorney - continued

hands, limbs, or body in the operation of office equipment in which skills and eye-hand coordination are important ingredients of safe and/or productive operations. Task may involve extended periods of time at a keyboard.

D. Environmental Requirements:

Task is regularly performed without exposure to adverse environmental conditions. Position includes site visits to outdoor locations that may be undeveloped.

F. Sensory Requirements:

Task requires color perception and discrimination.
Task requires sound perception and discrimination.
Task requires texture perception and discrimination.
Task requires visual perception and discrimination.
Task requires oral communications ability.

Approved: _____ Date: _____
Human Resources Director

Approved: _____ Date: _____
City Attorney

Received by: _____ Date: _____
Employee

CITY OF STUART, FLORIDA AGENDA ITEM REQUEST City Commission

Meeting Date: 12/9/2024

Prepared by: Susej Meleqi

Title of Item:

APPOINTMENTS OF CITY COMMISSIONERS TO COMMUNITY BOARDS (RC):

RESOLUTION No. 130-2024; A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF STUART, FLORIDA, ADOPTING THE ANNUAL APPOINTMENTS OF CITY OF STUART COMMISSIONERS AS CITY REPRESENTATIVES TO SPECIFIED LOCAL COMMUNITY BOARDS FOR THE 2025 CALENDAR YEAR; PROVIDING AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

Summary Explanation/Background Information on Agenda Request:

There are currently nine community boards, two of said boards have two appointments. As a result, there are currently 11 positions to be filled by the City Commissioners. Each year, the City Commission appoints individual Commissioners best suited to serve and attend meetings on behalf of the City.

It is recommended that all Commissioners serve on at least one board and then the City Commission decide which Commissioners are best suited to represent the City for the remaining positions. In the past, the City Commission has addressed each position individually during deliberation but the ratification of the appointments can be done with one vote of the Board.

As the City representative, the serving Commissioner typically provides updates during public meeting comments.

Funding Source:

N/A

Recommended Action:

Move approval of the board appointments.

ATTACHMENTS:

1. R130-2024 2025 Commissioner Appointments to Community Boards
2. R130-2024 Exhibit A Commission Board Appointments 2025



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

RESOLUTION NUMBER 130-2024

**A RESOLUTION OF THE CITY COMMISSION OF
THE CITY OF STUART, FLORIDA, ADOPTING
THE ANNUAL APPOINTMENTS OF CITY OF
STUART COMMISSIONERS AS CITY
REPRESENTATIVES TO SPECIFIED LOCAL
COMMUNITY BOARDS FOR THE 2025 CALENDAR
YEAR; PROVIDING AN EFFECTIVE DATE; AND
FOR OTHER PURPOSES.**

* * * * *

WHEREAS, there are currently nine community boards, two of which have two appointments. As a result, there are currently 11 positions to be filled by the City Commissioners. Each year, the City Commission appoints individual Commissioners best suited to serve and attend meetings on behalf of the City.

WHEREAS, it is recommended that all Commissioners serve on at least one board and then the City Commission decide which Commissioners are best suited to represent the City for the remaining positions.

WHEREAS, it is recommended the City Commission address each position individually during deliberation, selecting a board member, two where required, to serve on the City's behalf, but the ratification of the appointments can be done with one vote of the Board.

WHEREAS, Community Board City representatives are expected to update the Commission as necessary during public meeting comments.

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

SECTION 1: The City Commission hereby adopts the annual appointments of the City Commissioners to the community boards for the 2025 calendar year as listed in “Exhibit A”. The City Clerk will update the Community Board Membership Listing upon adoption and distribute the 2025 Community Boards Listing to various board contacts.

SECTION 2: Effective Date. This Resolution shall take effect immediately upon adoption and shall be in effect through December 31, 2025.

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:

CAMPBELL RICH, MAYOR
EULA R. CLARKE, COMMISSIONER
CHRISTOPHER COLLINS, COMMISSIONER
LAURA GIOBBI, COMMISSIONER
SEAN REED, COMMISSIONER

YES	NO	ABSENT	ABSTAIN

ADOPTED this ____ day of _____, 2024.

ATTEST:

MARY R. KINDEL, MMC
CITY CLERK

CAMPBELL RICH
MAYOR

APPROVED AS TO FORM
AND CORRECTNESS:

LEE J. BAGGETT, ESQ
CITY ATTORNEY

***DRAFT 2025 COMMISSION BOARD MEMBERSHIP *DRAFT**

BOARD	2024 MEMBER	MEETINGS
Airport Noise Advisory Committee	Eula Clarke	Quarterly - 10 AM Aiport Maint. Bldg Conference Room, Flying Fortress Way
Arts Council	Laura Giobbi	Quarterly - Courthouse Cultural Center; Contact: Nancy Turrell, nturrell@martinarts.org
Business Development Board (BDB)	Sean Reed	4th Wed. every month at 8:30 AM - Children's Services Council, 101 Central Parkway, Stuart; Contact: Janine Khan, office@bdbmc.org
Metropolitan Planning Organization (MPO)	Christoper Collins / Sean Reed	3rd Mon. every month at 9 AM - MC Commission Chambers; or as scheduled; Contact: Beth Beltran, bbeltran@martin.fl.us
Stuart Main Street (SMS)		3rd Tues. every month at 4:30 PM - The Flagler Center, 201 SW Flagler Ave. Stuart; Contact: Candace Callahan, Director@stuartmainstreet.org
Tourist Development Council (TDC)	Christopher Collins	3 PM on 1/10, 3/20, 5/8, 7/10, 9/18, and 11/6/2024 MC Commission Chambers; Contact: Donna Gordon, dgordon@martin.fl.us
Treasure Coast Council of Local Governments (TCCLG)	Campbell Rich	1st Wed. every month at 10 AM - St. Lucie County Admin Annex; Contact: Patricia Christensen, pchristensen@tcrlc.com
Treasure Coast Regional League of Cities (TCRLC)	Campbell Rich / Alt: Laura Giobbi	3rd Wed. every month at 10 AM - Chamber of Commerce in St. Lucie County; Contact: Teri Barenborg, teri.barenborg@indianriverschools.org
Treasure Coast Regional Planning	Municipal Rotation (Stuart Representative not on Board 2024-2026)	3rd Fri. every month at 9:30 AM - Wolf Tech. Center IRSC Chastain Campus; Contact: Donna Gordon, dgordon@martin.fl.us

Revised: 11/21/2024
Commission Board Appointments

CITY OF STUART, FLORIDA AGENDA ITEM REQUEST City Commission

Meeting Date: 12/9/2024

Prepared by: Jodi Nentwick

Title of Item:

IMPLEMENTATION OF ZONING IN PROGRESS RECOMMENDATIONS (RC):

RESOLUTION No. 128-2024, A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF STUART, FLORIDA TO DIRECT STAFF ON THE IMPLEMENTATION OF THE ZONING IN PROGRESS AMENDING CERTAIN CHAPTERS OF THE LAND DEVELOPMENT CODE OF THE CITY OF STUART, FLORIDA AS OUTLINED IN EXHIBIT "A" ATTACHED; PROVIDING AN CONFLICT; PROVIDING FOR SEVERABILITY; PROVIDING EFFECTIVE DATE; AND FOR OTHER PURPOSES.

Summary Explanation/Background Information on Agenda Request:

On August 26, 2024, the City Commission directed City staff to initiate a "Zoning in Progress" authorized under Section 1.04.04 of the City of Stuart Land Development Code. The purpose of the Zoning in Progress is to allow the City Commissioners to evaluate and make text amendments or map changes to the City of Stuart Land Development Code and Comprehensive Plan, if applicable.

On September 16, 2024, the City Commission adopted Resolution 95-2024 initiating the Zoning in Progress procedure for three (3) months, which commenced on September 5, 2024, or until December 5, 2024, as authorized in Section 1.04.04 of the Stuart Land Development Code. Pursuant to Section 1.04.04(2) of the City of Stuart Land Development Code, the maximum freeze period allowed for Zoning in Progress shall be three (3) months, except if the City Commission extends the period for up to an additional three (3) months for good cause, and upon making a finding that it is in the public interest to do so.

The City Commission has held workshops, accepted public input, and evaluated professionally acceptable materials related to the issues in the Zoning in Progress. The issues addressed in the Zoning in Progress are complicated, and additional time is necessary to ensure that any changes are appropriate. There is good cause for additional time to be spent evaluating and drafting any text amendments that may be necessary.

At the Zoning in Progress workshop held on November 7, 2024, the City Commission voted unanimously to add another exception to the Zoning in Progress which allows the City Development Department to accept and process applications for any commercial project that does not include a residential component and that does not increase the square footage of any structure. The City Commission has requested to extend the "Zoning in Progress" or pending ordinance doctrine, thereby deferring the acceptance, processing, and approval of all applications on properties, except for properties and development described herein, submitted after September 4, 2024. This deferral shall last for an additional three (3) months from December 5, 2024, until March 4, 2025, or until the City Commission adopts a second reading of the amendments under review and such amendments become effective, whichever occurs first.

During the "Zoning in Progress," the City's Development Department shall not accept or process applications except for single-family dwellings, governmental buildings, requests that do not increase the density or intensity of an existing use or structure, or any commercial project that does not include a residential component and that does not increase the square footage of any structure. This "Zoning in Progress" shall apply to new development, amendments to planned unit developments, amendments to

development orders, substantial improvements, and substantial renovation as defined in Chapter 12 of the Stuart Land Development Code.

During the course of the City Commission workshops, the Boards discussed each chapter of the Land Development Regulations and described issues or concerns that they wanted to be amended. Staff has created a list of the items discussed. Upon ratification of the items on the list, staff will then draft amendments to the land development regulations based upon the Resolution adopted by the City Commission.

Funding Source:

N/A

Recommended Action:

Request for the City Commission to provide direction to City staff regarding Resolution No. 128-2024.

ATTACHMENTS:

1. R128-2024 - Implementation of the Zoning in Progress
2. Res 128-2024 Exhibit A



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

RESOLUTION NUMBER 128 -2024

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF STUART, FLORIDA, DIRECTING STAFF ON THE IMPLEMENTATION OF AMENDMENTS TO CERTAIN CHAPTERS OF THE LAND DEVELOPMENT CODE OF THE CITY OF STUART, FLORIDA AS OUTLINED IN EXHIBIT “A” ATTACHED WHICH WERE DETERMINED DURING THE ZONING IN PROGRESS; PROVIDING AN CONFLICT; PROVIDING FOR SEVERABILITY; PROVIDING EFFECTIVE DATE; AND FOR OTHER PURPOSES.

* * * * *

WHEREAS, on August 26, 2024, the City Commission directed City staff to initiate a “Zoning in Progress” authorized under Section 1.04.04 of the City of Stuart Land Development Code; and

WHEREAS, the purpose of the Zoning in Progress was to allow the City Commissioners and City staff to evaluate and make text amendments or district map changes to the City of Stuart Land Development Code, if applicable; and

WHEREAS, on September 16, 2024, the City Commission adopted Resolution No. 95-2024 initiating the Zoning in Progress procedure for three (3) months, which commenced on September 5, 2024, or until December 4, 2024, as authorized in Section 1.04.04 of the Stuart Land Development Code; and

WHEREAS, pursuant to Section 1.04.02(C) of the City of Stuart Land Development Code,

the maximum freeze period allowed for Zoning in Progress shall be three (3) months, except if the City of Commission extends the period for up to an additional three (3) months for good cause and upon making a finding that it is in the public interest to do so; and

WHEREAS, the City Commission has held workshops, accepted public input, and evaluated professionally acceptable materials related to the issues in the Zoning in Progress. The issues addressed in the Zoning in Progress are complicated, and additional time is necessary to ensure that any changes are appropriate. There is good cause for additional time to be spent evaluating and drafting any text amendments that may be necessary; and

WHEREAS, at a workshop held on November 7, 2024, the City Commission voted unanimously to add another exception to the Zoning in Progress which allows the City's Development Department to accept and process applications for any commercial project that does not include a residential component and that does not increase the square footage of any structure; and

WHEREAS, on November 25, 2024, the City Commission adopted Resolution No. 120-2024 to extend the Zoning in Progress or pending ordinance doctrine, thereby deferring the acceptance, processing, and approval of all applications on properties, except for properties and development described herein, submitted after September 4, 2024. The deferral shall last for an additional three (3) months from December 4, 2024, until March 4, 2025, or until the City Commission adopts on second reading of the amendments under review and such amendments become effective, whichever occurs first.

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

SECTION 1: Recitals. The above-stated recitals are true, correct, and incorporated herein by this reference.

SECTION 2: Implementation of Zoning in Progress. The purpose of this is to state the intention of the City Commission to direct staff implement the requested amendments within the City of Stuart Land Development Code as discussed in the three (3) Zoning in Progress workshops as outlined in Exhibit “A”.

SECTION 3: Authorization. The appropriate City officials are authorized to take any necessary action to effectuate the intent of this Resolution.

SECTION 4: Conflict. If any resolution(s), or part(s) of any resolution, is in conflict herewith, this Resolution shall control to the extent of this Resolution.

SECTION 5: Severability. The provisions of this Resolution are intended to be severable. If any part(s) of this Resolution is determined to be void or is declared illegal, invalid, or unconstitutional by a court of competent jurisdiction, the remainder of this Resolution shall remain in full force and effect.

SECTION 6: Effective Date. This Resolution shall take effect immediately upon its adoption.

Commissioner _____ offered the foregoing ordinance and moved its adoption.

The motion was seconded by the Commissioner and upon being put to a roll call vote, the vote was as follows:

RICH CAMPBELL, MAYOR
EULA R. CLARKE, VICE MAYOR
CHRISTOPHER COLLINS, COMMISSIONER
LAURA GIOBBI, COMMISSIONER
SEAN REED, COMMISSIONER

YES	NO	ABSENT	ABSTAIN

ADOPTED this ____ day of _____, 2024.

ATTEST:

MARY R. KINDEL
CITY CLERK

CAMPBELL RICH
MAYOR

APPROVED AS TO FORM
AND CORRECTNESS:

LEE J. BAGGETT, ESQ.
CITY ATTORNEY

Exhibit “A”

ZONING IN PROGRESS EXHIBIT A
RESOLUTION

Chapter	Subject	C. Rich	C. Collins	E. Clarke
2.03.06	Intensity of Development: Lot area and Floor area ratio (FAR) table.			
2.03.09	Remove density bonus and parking waivers for mixed use.			
2.03.10	versa			
2.04.02	Revise "lots" to parcels of record.			
2.04.02	No platted lot shall contain less than 5,000 square feet. (Cottage Lot)			
	Minimum lot width must be 50 feet as defined by code			
	Impervious surface allows up to 65%. Commission recommended reduction			
2.04.03	(c) to 50% on commercial properties.			
2.04.04	Side setbacks shall be a minimum of 10 feet.			
2.06.03	County regulations			
2.06.22	Modify code regarding EV Chargers to comply with State Law			
	Accessory Dwelling Units (ADUs) must be on the same water and electric meter as primary residence.			
	property.			
	improvements shall be limited to 50% of the current value and shall be cumulative.			
	For each 1,000 feet of commercial, the density of the property shall be reduced by one unit.. Each residential unit shall reduce the allowed commercial by 1000 square feet.			
	Self Storage should only be allowed in Industrial Zoned property.			
	Shared Parking: Shared parking shall not be permitted.			
	1/2 Units shall be removed from code			
East Stuart	SFD – Duplexes shall only be allowed by commission action			
	Minimum lot size and width			
3.02.04	Foot note 1 references lot size of 4,356			
	shared parking. Staff recommends utilizing the ITE (Institute of			
6.01.03	Transportation Engineers)			
	Mixed use shall provide full parking for the commercial use and full parking for the residential.			

ZONING IN PROGRESS EXHIBIT A
RESOLUTION

- Shaded trees shall be 60%. See language in Creek District. size of the landscape terminal/median islands may need to be increased to
- 6.04.02 accommodate the increased percentage for landscaping
- 6.06 Green or LEED certified should be updated or removed
- 6.6.11 Consultant shall be hired to re-write sign code.
- 6.01.09(C) A new sunset date will need to be added to account for these changes.
- 6.01.11(B) Location of parking spaces will need new sunset date
- 6.01.10(A) Change to a whole number
- 6.04.07 All new development must comply with minimum landscape standards. parking spaces without a license. Existing space shall be allowed. In future no gravel.
- existing structures as well as expansion of existing structures and
- 8.03.01 impacts of new construction.
- Reference to Table 4 is in the code before Reference to Table 3.

ZONING IN PROGRESS EXHBIT A
RESOLUTION

S. Reed L. Giobbi

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

Meeting Date: 12/9/2024

Prepared by:

Title of Item:

EAST STUART HISTORICAL ADVISORY COMMITTEE BY-LAWS REVIEW

Summary Explanation/Background Information on Agenda Request:

Review of the East Stuart Historical Advisory Committee By-Laws for discussion of the 2025 board duties and responsibilities as discussed by the Stuart Commission at the November 25, 2024 Commission Meeting. During the last meeting, the City Commission directed staff to schedule an agenda item for the board to discuss the meeting schedule moving forward.

Funding Source:

N/A

Recommended Action:

N/A

ATTACHMENTS:

1. DIVISION_7.____EAST_STUART_HISTORICAL_ADVISORY_COMMITTEE

DIVISION 7. EAST STUART HISTORICAL ADVISORY COMMITTEE

Sec. 2-118. General.

- (a) The East Stuart Historical Advisory Committee ("ESHAC") shall be an advisory board to the city commission and to the city administration in performing the duties and responsibilities described herein.
- (b) All sections of division 1, generally, hereinabove are hereby incorporated as if set forth herein this division.

(Ord. No. 2525-2024, § 3(Exh. B), 3-25-2024)

Sec. 2-119. Membership; officers and staff.

- (a) The ESHAC shall consist of seven members. Each city commissioner shall appoint a single member to the ESHAC. The two remaining members shall be selected by the majority of the city commission.
- (b) Nomination and election of officers shall occur at the annual organizations meeting of the ESHAC. The organizational meeting shall occur after the annual reorganization meeting of the city commission.
- (c) Regular officers of the ESHAC shall be a chair and a vice-chair who shall be appointed by the ESHAC at its annual reorganization meeting.
- (d) The chair shall preside at all meetings of the ESHAC and shall execute instruments in the name of the ESHAC as may be required. The vice-chair shall preside at any meeting wherein the absence, disqualification, resignation or death or disability of the chair or at the chair's direction.
- (e) Upon a vacancy in the office of chair and/or vice-chair, the ESHAC members shall select one of them to fill the position at the next scheduled meeting following the creation of the vacancy.
- (f) The city's CRA director shall serve as the senior staff person and liaison to the ESHAC.
- (g) The city clerk, or his/her designee, shall act as a secretary of the ESHAC and as such shall prepare ESHAC agendas, be the custodian of all books and records of the ESHAC, keep the minutes and a recording of all votes of the ESHAC's meetings, and send out all notices of meetings and shall perform such other duties as may be requested by the ESHAC.

(Ord. No. 2525-2024, § 3(Exh. B), 3-25-2024)

Sec. 2-120. Duties and responsibilities.

The ESHAC shall provide recommendations to the CRA director which celebrate and commemorate the history of the East Stuart community.

(Ord. No. 2525-2024, § 3(Exh. B), 3-25-2024)

Sec. 2-121. Meetings; conduct of business.

- (a) Regular meetings shall be held on a quarterly basis. No meeting will be convened in the event that there is no matter to be considered by the ESHAC.
- (b) Special meetings may be held at the discretion of the ESHAC as necessary.
- (c) A quorum of the ESHAC shall be three members and an affirmative vote of a majority of those present shall be necessary to pass any motion or adopt any order. Three members is only needed for a quorum and should not be interpreted to mean that only three votes are necessary to pass a matter if all seven members of the ESHAC are present. If any meeting cannot be conducted because a quorum is not present, the members who are present may receive information only, and take no action other than to adjourn the meeting to a time certain and notice of such adjourned meeting shall be given to each member.

(Ord. No. 2525-2024, § 3(Exh. B), 3-25-2024)

Secs. 2-122—2-138. Reserved.