



City of Stuart

AGENDA

REGULAR MEETING OF THE STUART CITY COMMISSION

JANUARY 9, 2023

AT 4:00 PM

COMMISSION CHAMBERS

121 SW FLAGLER AVE.

STUART, FLORIDA 34994

CITY COMMISSION

Mayor Troy McDonald

Vice Mayor Becky Bruner

Commissioner Eula R. Clarke

Commissioner Christopher Collins

Commissioner Campbell Rich

ADMINISTRATIVE

City Manager, David Dyess

City Attorney, Michael J. Mortell

City Clerk, Mary R. Kindel

Agenda items are available on our website at <http://www.cityofstuart.us>
Phone: (772) 288-5306. Fax: (772) 288-5305. E-mail: mkindel@ci.stuart.fl.us

In compliance with the Americans with Disabilities Act (ADA), anyone who needs a special accommodation to attend this meeting should contact the City's ADA coordinator at 772-288-5306 at least 48 hours in advance of the meeting, excluding Saturday and Sunday.

If a person decides to appeal any decision made by the Board with respect to any matter considered at this meeting, he will need a record of the proceeding, and that for such purpose he may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based.

(RC) next to an item denotes there is a City Code requirement for a Roll Call vote.

(QJ) next to an item denotes that it is a quasi-judicial matter or public hearing.

WHAT IS CIVILITY? Civility is caring about one's identity, needs and beliefs without degrading someone else's in the process. Civility is more than merely being polite. Civility requires staying "present" even with those persons with whom we have deep-rooted and perhaps strong disagreements. It is about constantly being open to hear, learn, teach and change. It seeks common ground as a beginning point for dialogue. It is patience, grace, and strength of character. Civility is practiced in our City Hall.

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.

ROLL CALL

PLEDGE OF ALLEGIANCE

1. ARTS MOMENT - EQUALITY~ A POEM BY MAYA ANGELOU READ BY NINA DOOLEY

PROCLAMATIONS

2. ARBOR DAY - JANUARY 9, 2023
3. REVEREND MARTIN LUTHER KING, JR. CELEBRATION - JANUARY 16, 2023

PRESENTATIONS

4. SERVICE AWARD - JANUARY 2023
5. ALTERNATIVE WATER SUPPLY UPDATE

COMMENTS BY CITY COMMISSIONERS

COMMENTS BY CITY MANAGER

APPROVAL OF AGENDA

COMMENTS FROM THE PUBLIC (3 Minutes Max.)

CONSENT CALENDAR

6. APPROVAL OF 12/12/2022 CCM MINUTES (RC)
7. LEASE AGREEMENT RENEWAL FOR 171 SW FLAGLER AVENUE (CRARY HOUSE) WITH CONGRESSMAN BRIAN MAST (RC):

RESOLUTION No. 01-2023; A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF STUART, FLORIDA TO AUTHORIZE EXECUTION OF A LEASE AMENDMENT BETWEEN THE CITY OF STUART AND CONGRESSMAN BRIAN MAST FOR THE CRARY HOUSE LOCATED AT 171 SW FLAGLER AVENUE, STUART; PROVIDING AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

8. BUDGET AMENDMENT FOR THE DIXIE HIGHWAY WATERMAIN AND FORCEMAIN RELOCATIONS (RC):

RESOLUTION No. 02-2023; A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF STUART, FLORIDA, AUTHORIZING BUDGET ADMENDMENT NO. 5 TO THE 2022-2023 ENTERPRISE FUND; APPROPRIATING AND AUTHORIZING THE EXPENDITURE OF FUNDS FOR THE DIXIE HIGHWAY WATERMAIN AND FORCEMAIN RELOCATIONS PROJECT; PROVIDING AN EFFECTIVE DATE, AND FOR OTHER PURPOSES.

END OF CONSENT CALENDAR

COMMISSION ACTION

9. EXTENDING ZONING IN PROGRESS:

RESOLUTION No. 04-2023; A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF STUART, FLORIDA, EXTENDING THE ZONING IN PROGRESS AUTHORIZED IN RESOLUTIONS 93-2022 and 95-2022, PROVIDING FOR AN EFFECTIVE DATE, AND FOR OTHER PURPOSES.

ORDINANCE SECOND READING

ORDINANCE FIRST READING

DISCUSSION AND DELIBERATION

10. DISCUSSION ON CDBG-CV GRANT
11. POLICY DIRECTION REGARDING VEGETATION CONTROL

ADJOURNMENT

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

Meeting Date: 1/9/2023

Prepared by: Susej Meleqi

Title of Item:

ARTS MOMENT - EQUALITY~ A POEM BY MAYA ANGELOU READ BY NINA DOOLEY

Summary Explanation/Background Information on Agenda Request:

ARTS MOMENT

Funding Source:

N/A

Recommended Action:

Enjoy.

ATTACHMENTS:

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

Meeting Date: 1/9/2023

Prepared by: RYANNE CAVO

Title of Item:

ARBOR DAY - JANUARY 9, 2023

Summary Explanation/Background Information on Agenda Request:

148 years ago, Arbor Day was first observed in 1872 in Nebraska and is now observed throughout the nation and the world. The City of Stuart is one of 164 Florida cities that have been recognized as a Tree City USA by the Arbor Day Foundation in honor of its commitment to effective urban forest management.

Funding Source:

N/A

Recommended Action:

Issue the Proclamation.

ATTACHMENTS:

1. Arbor Day Jan 2023

**PROCLAMATION
ARBOR DAY IN THE CITY OF STUART
JANUARY 9, 2023**

WHEREAS, 148 years ago Arbor Day was first observed in 1872 in Nebraska and is now observed throughout the nation and the world. The City of Stuart is one of 164 Florida cities that have been recognized as a Tree City USA by the Arbor Day Foundation in honor of its commitment to effective urban forest management; and

WHEREAS, trees support our environment by reducing the erosion of our precious topsoil by wind and water, filtering of storm water, producing oxygen and providing a habitat for wildlife. Trees improve our physical health by cleaning the air, reducing exposure to the sun's ultraviolet rays, and decreasing temperatures during the summertime. Trees also support our economy by creating jobs, increasing property values, conserving energy, and enhancing the retail experience in our downtown; and

WHEREAS, the Garden Club of Stuart plated a tree at Indian River State College in honor of Arbor Day; and

WHEREAS, the Garden Club of Stuart has tirelessly encouraged the planting of trees and encouraged the care and protection of trees so that we can pass on an enduring heritage of a vital natural resource to succeeding generations.

NOW, THEREFORE, I, TROY MCDONALD, as Mayor of the City of Stuart, Florida do hereby proclaim January 9, 2023, as:

STUART ARBOR DAY

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

TROY MCDONALD
MAYOR

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

Meeting Date: 1/9/2023

Prepared by: Ryanne Cavo

Title of Item:

REVEREND MARTIN LUTHER KING, JR. CELEBRATION - JANUARY 16, 2023

Summary Explanation/Background Information on Agenda Request:

Reverend Dr. Martin Luther King, Jr. believed that a person's worth should not be measured by color, culture, or class; but rather by their commitment to creating a better life for all in a beloved community.

Funding Source:

N/A

Recommended Action:

Issue the Proclamation.

ATTACHMENTS:

1. MLK Day 1-16-23

**PROCLAMATION
REVEREND MARTIN LUTHER KING, JR. CELEBRATION
JANUARY 16, 2023**

- WHEREAS,** Reverend Dr. Martin Luther King, Jr. believed that a person's worth should not be measured by color, culture, or class; but rather by their commitment to creating a better life for all in a beloved community; and
- WHEREAS,** Reverend Dr. Martin Luther King, Jr. was a visionary whose courage and determination to balance the scales of social justice changed the world forever; and
- WHEREAS,** The Reverend Dr. Martin Luther King, Jr., Day, is the only Federal Holiday designated as a National Day of Service to encourage all Americans to volunteer to improve their Community and to reflect on Reverend Dr. Martin Luther King, Jr.'s legacy; and
- WHEREAS,** For the 15th year, the City of Stuart has joined with The Afro American Citizens of East Stuart Inc. and other civic groups throughout Martin County to host a day of community unity and partnership, honoring the legacy of Reverend Dr. Martin Luther King, Jr. in Stuart/Martin County.

NOW, THEREFORE, I, TROY MCDONALD, Mayor of the City of Stuart, do hereby proclaim January 16, 2023 as a:

CELEBRATION OF THE LIFE OF REVEREND DR. MARTIN LUTHER KING, JR.

All residents are encouraged to participate in community service and activities honoring his Legacy through Action.

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

TROY MCDONALD
MAYOR

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

Meeting Date: 1/9/2023

Prepared by: Karen Chambers-Cuffy

Title of Item:

SERVICE AWARD - JANUARY 2023

Summary Explanation/Background Information on Agenda Request:

Raymond Wehrer Utilities & Engineering 5 years

Funding Source:

General Fund

Recommended Action:

Present Award

ATTACHMENTS:

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

Meeting Date: 1/9/2023

Prepared by: Timothy Voelker

Title of Item:

ALTERNATIVE WATER SUPPLY UPDATE

Summary Explanation/Background Information on Agenda Request:

The presentation will give an update on the Alternative Water Supply project. The presentation will discuss items completed to date, as well as, the cost of each project component.

Funding Source:

Debt service payments were included in the 2022 Water and Wastewater Rate Study.

Recommended Action:

No action required.

ATTACHMENTS:

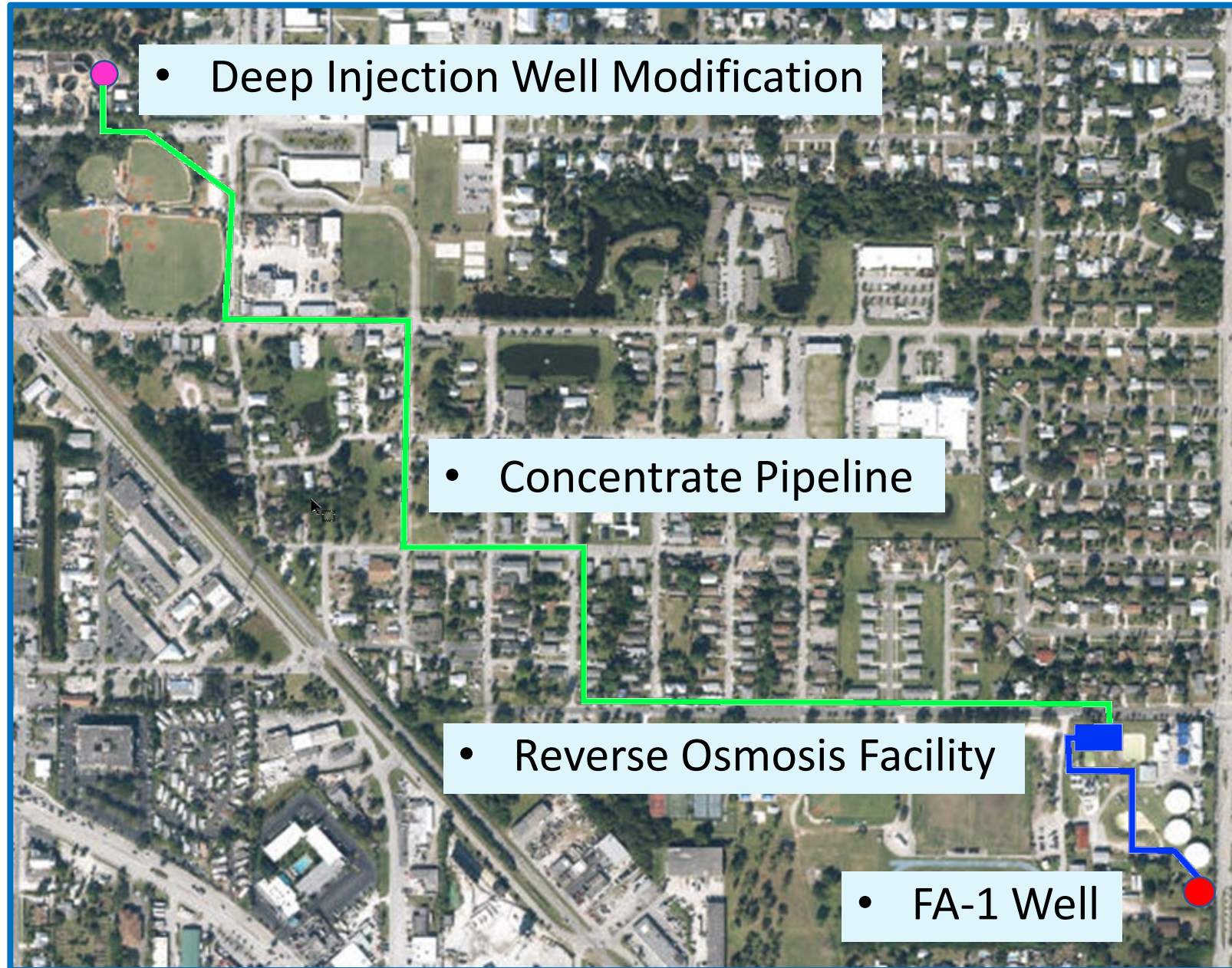
1. Presentation

ALTERNATIVE WATER SUPPLY UPDATE



January 9, 2023

ALTERNATIVE WATER SUPPLY PROJECT COMPONENTS



FLORIDAN AQUIFER WELL FA-1

- Completed December 2020
- 1,620 feet below surface (bls)
- Testing of well indicates FA-1 is productive



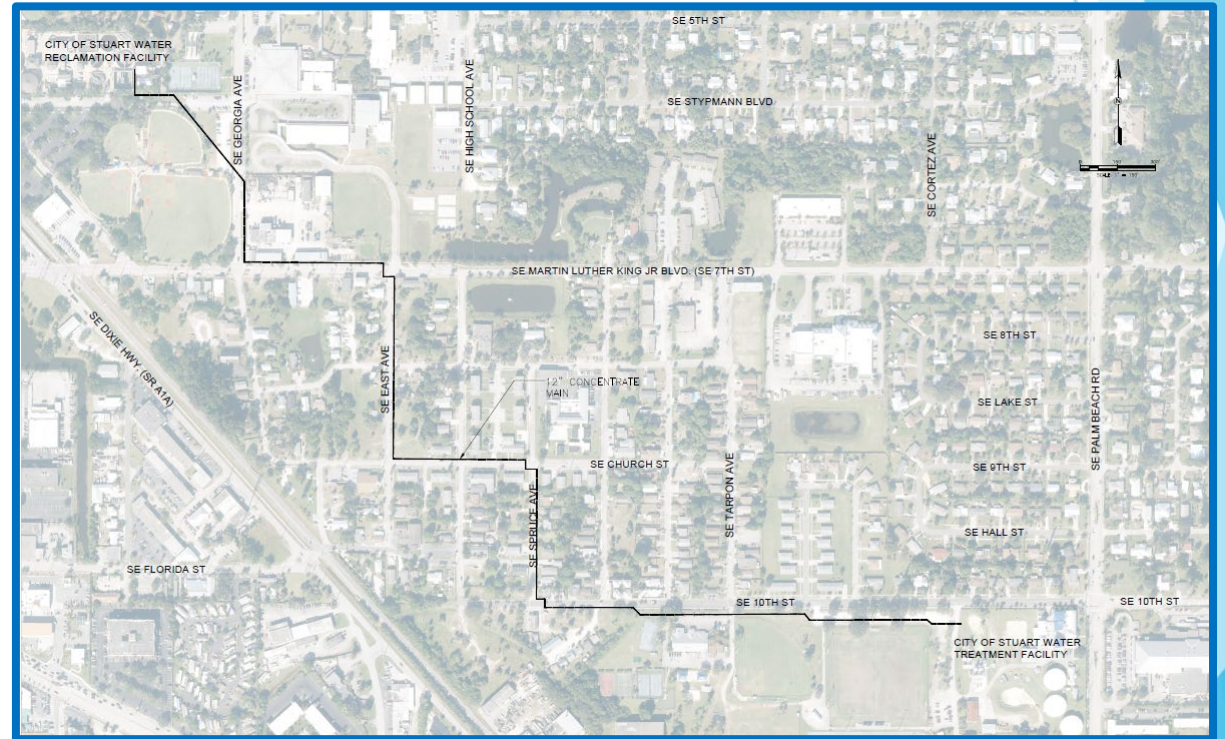
REVERSE OSMOSIS FACILITY



- Currently under construction
- Additional space incorporated into building for components of Phases II & III
- Solar Panels to operate lights & outlets
- 2 rain gardens
- Received \$1,000,000 state appropriation
- Construction completion anticipated November 2023

CONCENTRATE PIPELINE

- Construction contract awarded at December 12, 2022 Commission Meeting
- Pipeline to be installed via trenchless technology
- Received \$500,000 state appropriation
- Construction completion anticipated Summer 2023



DEEP INJECTION WELL MODIFICATION



- Currently under construction
- Modification of existing deep injection well IW-2
- Includes new deep monitoring well (DMW-1R)
- Received \$500,000 state appropriation
- Construction completion anticipated Summer 2023

PROJECT CONSTRUCTION COSTS

PROJECT COMPONENT	COST
Reverse Osmosis Facility	\$17,972,340
Concentrate Pipeline	\$963,000
Deep Injection Well Modification	\$5,311,190
TOTAL	\$24,246,530

***Debt service payments for the above listed improvements were included
in the 2022 Water and Wastewater Rate Study

FUNDING RECEIVED TO DATE

AMOUNT AWARDED	AWARD AGENCY
\$100,000	SFWMD Alternative Water Supply Grant for FA-1 Well Construction
\$250,000	2019-2020 State Appropriation for design of RO Facility
\$236,356	SRF Principal Loan Forgiveness for FA-1 Well Construction
\$1,000,000	2020-2021 State Appropriation for RO Facility Construction
\$500,000	2021-2022 State Appropriation for DIW 2 Modification
\$893,319	SRF Principal Loan Forgiveness for RO Facility, DIW, ROC Construction
\$500,000	2022-2023 State Appropriation for Concentrate Pipeline Construction
\$3,479,675	TOTAL

QUESTIONS

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

Meeting Date: 1/9/2023

Prepared by:

Title of Item:

APPROVAL OF 12/12/2022 CCM MINUTES (RC)

Summary Explanation/Background Information on Agenda Request:

Funding Source:

Recommended Action:

ATTACHMENTS:

1. 12122022 CCM Minutes

MINUTES
REGULAR MEETING OF THE STUART CITY COMMISSION
DECEMBER 12, 2022
AT 4:00 PM
COMMISSION CHAMBERS
121 SW FLAGLER AVE.
STUART, FLORIDA 34994

CITY COMMISSION

Mayor Troy McDonald
Vice Mayor Becky Bruner
Commissioner Eula R. Clarke
Commissioner Christopher Collins
Commissioner Campbell Rich

ADMINISTRATIVE

City Manager, David Dyess
City Attorney, Michael J. Mortell
City Clerk, Mary R. Kindel

ROLL CALL

4:03 PM

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

PLEDGE OF ALLEGIANCE

1. ARTS MOMENT - HOLIDAY SONG BY SAMARA LEWIS

Samara Lewis sang "Have Yourself a Merry Little Christmas" for all to enjoy.

2. SELECTION OF MAYOR AND VICE MAYOR

PUBLIC COMMENT:

- 1.) Caryn Yost Rudge- SW Palm City Rd; Stated she feels Troy McDonald is unfit for the Mayor's title.
- 2.) Joseph Cooper - SE 9th St; Supports Troy McDonald to be Mayor.
- 3.) William Rudge - SW Palm City Rd; Questioned the Commission about their choices in the past and is not in favor of Troy McDonald being Mayor.
- 4.) Jerry Gore - Lake St; Stated he thinks Troy McDonald is a great choice for Mayor and is in favor of the motion.
- 5.) Walter Loyd - SW Cabana Pt Cir; Not in favor of Troy McDonald being Mayor.

4:10 PM MOTION: Have our current interim Mayor Troy McDonald to serve as the Mayor for the City of Stuart for 2022-2023.

MOVED BY: Eula Clarke

SECONDED BY: Becky Bruner

Motion approved unanimously.

PUBLIC COMMENT:

1.) Caryn Yost Rudge - SW Palm City Rd; Is not in favor of Becky Bruner being Vice Mayor.

2.) Walter Loyd - SW Cabana Pt Cir; Is not in favor of Becky Bruner being Vice Mayor.

3.) Joseph Cooper - SE 9th St; In favor of Becky Bruner being Vice Mayor.

Mayor McDonald thanked the Commissioners and Community for their support and is looking forward to the new year and all the great things that can be done.

Vice Mayor Bruner stated she was honored to be sitting in her seat and to serve her community. She also thanked the staff of the City and stated she was grateful for all staff.

4:13 PM MOTION: We select Commissioner Rebecca Bruner as Vice Mayor for the City of Stuart for 2022-2023.

MOVED BY: Eula Clarke

SECONDED BY: Christopher Collins

Motion approved unanimously.

PROCLAMATIONS

PRESENTATIONS

3. SERVICE AWARDS - DECEMBER 2022

Lucas Brown - Fire Rescue Department - 5 Years

5. 2023 CALENDAR PHOTO CONTEST WINNERS

LeeAnn Jones, Administrative Assistant, and Anne Ellig of the Utilities and Engineering Department presented the 2023 Stormwater Calendar and provided a brief history of the calendar and its environmental educational purposes. The residents that submitted photos for the calendar were recognized and awarded certificates and calendars. A group photo with the Mayor was taken.

4. COMMERCIAL & INDUSTRIAL ZONING BY KEVIN CROWDER WITH BUSINESSFLARE

4:28 PM

Kevin Crowder, Owner of BusinessFlare, Economic Development Urban Design Firm, presented the status of the current economy and opportunity sites for various industries within the City.

Commissioner Clarke commented she would like the number of workers in industrial business in the City.

Commissioners discussed the companies already in Stuart and commercial and industrial vs. residential zoning and areas that could be considered hybrid, policies and regulation, and public/private partnerships.

COMMENTS BY CITY COMMISSIONERS

5:10 PM

Mayor McDonald

- Presented gifts to each Commissioner.
- Gave his condolences to Alice Luckhardt's family and announced her memorial service.
- Commented on the Christmas Parade, Shop with a Cop and Firefighter Events and wished all Happy Holidays!

Commissioner Clarke

- Commented that the community seems to be gaining the Christmas spirit, attended holiday events and the Business Development Board luncheon and stated she did not know people in the room; attributed it to the new entrepreneurs in the community and shows that people need housing.
- Stated she went to the Advent Prayer Walk last Sunday and they walked to the area of the recent shooting, promoted 'unity in the community', complimented the Stuart Police Department.
- Commented on Alice Luckhardt's impact on Stuart, she asked that our City work to honor her publicly. (Discussion included planting a tree in her honor.)
- Commented on the expansion of 10th St. park, stated she was looking to see if there is a way to add a separate building for rentals.

Vice Mayor Bruner

- Requested an update from City Manager Dyess on the Railroad Crossing (Dyess provided an update.)
- Commented on the Christmas lights throughout the City, encouraged the public to go out and see them.
- Complimented staff on the job well done this past year, the changes on the board, and looks forward to 2023 being a good year.

Commissioner Collins

- Commented on clean water, septic to sewer program and stated that his goal is to make the program more doable to the average person. He reached out to Jacqui Lippish about grants and communicated with the City's Grants Administrator, Jacqui May. He is interested in discussing the establishment of an environmental attorney, someone that is 1/3 higher charter position. Stated that LOSOM starting again early next year, spoke on lake restoration, heavy storms, and the path to zero discharge.

Commissioner Rich

- Commented on the Legislative action, read an article in the Tallahassee Democrat on water standards in Florida.

COMMENTS BY CITY MANAGER

City Manager Dyess

- The Legislative delegation is set for January 13, 2023 at 8:30 AM at the Chastain Wolf Center, Mayor McDonald will be the presenter.
- Stated there will be an item coming forward in the coming months of a two reading item, designating the old landfill as a green reuse.
- Shared a story about Alice Luckhardt.

APPROVAL OF AGENDA

5:40 PM MOTION: Approve swapping items #4 and #5 in presentation section.

MOVED BY: Eula Clarke

SECONDED BY: Christopher Collins

Motion approved unanimously.

COMMENTS FROM THE PUBLIC (3 Minutes Max.)

- 1.) Barbara Grass - SE Palermo Ct; Commented on a pothole that was reported and is still there on Kanner and Central Parkway.
- 2.) Caryn Yost Rudge - SW Palm City Rd; Provided handout of a case against the City. (Attached to the minutes)
- 3.) William Rudge - SW Palm City Rd; Commented on his history in Stuart and noted he has many unanswered questions.
- 4.) Walter Loyd - SW Cabana Point Cr; Following up on the Costco issue, conflict with the experts and feels the process was flawed; asks that the City take time to look at the data to make a decision that is responsible for the community.
- 5.) Bill Smithson - SE Ames Way; Stated he is from Humanist Organization - 501(3)(c) and stated he gives invocations with the County and School Board and states he would like the City's resolution to mimic the County and School Boards.
- 6.) Gail Goldy - NW 12th Terrace; Commented in favor of the invocation and stated that she is saddened by a Godless society.
- 7.) Jerry Gore - Lake St; Thanked the tram drivers and Police. Stated that prayers are heard and answered. He invited the new Commissioners to his church at 821 Bahama Avenue, appreciated the 2023 Storm Water Calendar and would like additional copies.

CONSENT CALENDAR

6. APPROVAL OF 11/14/2022 CCM AND 11/28/2022 CCM MINUTES (RC)

7. APPROVAL OF 2023 MEETING CALENDAR (RC)

8. AWARD OF ITB #2023-100: CITY OF STUART REVERSE OSMOSIS CONCENTRATE PIPELINE PROJECT (RC):

RESOLUTION No. 121-2022; A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF STUART, FLORIDA APPROVES THE AWARD OF ITB #2023-100, CITY OF STUART REVERSE OSMOSIS CONCENTRATE PIPELINE PROJECT TO THE LOWEST, RESPONSIVE, AND RESPONSIBLE BIDDER WITH A TOTAL UNIT PRICE OF \$900,000.00 TO UNDERGROUND CONSTRUCTION MANAGEMENT OF STUART, FLORIDA PROVIDING AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

9. UPDATE EMPLOYEE HANDBOOK POLICY, CHAPTER VIII (APPEARANCE, UNIFORMS, EQUIPMENT, VEHICLES, AND TOOLS) (RC):

RESOLUTION No. 123-2022; A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF STUART, FLORIDA UPDATING CHAPTER 8 (APPEARANCE, UNIFORMS, EQUIPMENT, VEHICLES, AND TOOLS) OF THE CITY EMPLOYEE HANDBOOK, EFFECTIVE OCTOBER 1, 2022; PROVIDING AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

END OF CONSENT CALENDAR

5:59 PM MOTION: Approve.

MOVED BY: Eula Clarke

SECONDED BY: Christopher Collins

Motion approved unanimously.

COMMISSION ACTION

10. CONTRACTUAL AGREEMENT WITH ST. JOSEPH'S SCHOOL FOR A STUART POLICE SCHOOL RESOURCE OFFICER (RC):

RESOLUTION No. 116-2022; A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF STUART, FLORIDA, AUTHORIZING A THREE-YEAR CONTRACTUAL AGREEMENT BOTH OPERATIONALLY AND FINANCIALLY WITH ST. JOSEPHS CHURCH/ST. JOSEPHS SCHOOL AUTHORIZING A FULL TIME EMPLOYEE FOR THE PURPOSES OF PROVIDING A SCHOOL RESOURCE OFFICER AT THE ST. JOSEPHS SCHOOL; AND BUDGET AMENDMENT NUMBER 3 TO THE 2023 OPERATING BUDGET; AND PROVIDING FOR AN EFFECTIVE DATE, AND FOR OTHER PURPOSES.

Brief discussion between the Commissioners and Police Chief Tumminelli about the future of the department's staff and school safety.

Mindy Miller, Principal and Father Noel, Pastor of St. Joseph's Catholic School came forward to discuss their need for the officer and thanked the Chief and Commission for their support.

6:04 PM MOTION: Approve.
MOVED BY: Eula Clarke
SECONDED BY: Christopher Collins
Motion approved unanimously.

11. SE ILLINOIS AVENUE LIVING SHORELINE DEMONSTRATION PROJECT (RC):

RESOLUTION No. 122-2022; A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF STUART, FLORIDA, AUTHORIZING THE UTILITIES & ENGINEERING DEPARTMENT TO SUBMIT AN INDIAN RIVER LAGOON COUNCIL GRANT APPLICATION FOR THE SE ILLINOIS AVENUE LIVING SHORELINE DEMONSTRATION PROJECT; PROVIDING AN EFFECTIVE DATE, AND FOR OTHER PURPOSES.

Tim Voelker, Utilities & Engineering Director, presented a PowerPoint of the living shoreline project and the upgrades that would be done and the grants the City could apply for.

Commissioners questioned if grants would cover all of the project, our existing shoreline in Shepard's Park, and made suggestions to have a cigarette butt trash can at this project site.

6:19 PM MOTION: Approve.
MOVED BY: Eula Clarke
SECONDED BY: Christopher Collins
Motion approved unanimously.

12. APPOINTMENTS OF CITY COMMISSIONERS TO COMMUNITY BOARDS

City Manager Dyess went down the list of boards and read off the Commissioner's names. All Commissioners decided to stay on the same boards, no changes were made.

6:22 PM MOTION: Approve.
MOVED BY: Christopher Collins
SECONDED BY: Eula Clarke
Motion approved unanimously.

13. COMMISSION LIAISON AND AT LARGE APPOINTMENTS / RATIFICATION TO ADVISORY BOARDS OF THE CITY

Commissioner Rich commented that as a past LPA Board member, he would like to see the boards be put to better use and have them review items that come to the City Commission and help them make their decisions.

Attorney Mortell stated that there have been other items such as, most recently, the Form-Based Code items being put forth to the LPA.

A brief discussion was held amongst Commissioners, Attorney Mortell, and City Manager Dyess.

Commissioner Clarke requested the new appointees that were present to stand.

Attorney Mortell read out the names of the appointees, those in attendance stood.

6:23 PM MOTION: Approve.
MOVED BY: Christopher Collins
SECONDED BY: Eula Clarke
Motion approved unanimously.

ORDINANCE SECOND READING

14. IMPACT FEE UPDATES (RC):

ORDINANCE No. 2508-2022; AN ORDINANCE OF THE CITY OF STUART, AMENDING CHAPTER 32 ARTICLE III IMPACT FEES, ADJUSTING FEES AND LANGUAGE FOR COLLECTION AND NOTIFICATION PROCEDURES; PROVIDING FOR A SEVERABILITY CLAUSE AND A CONFLICT CLAUSE; PROVIDING FOR AN EFFECTIVE DATE, AND FOR OTHER PURPOSES

RESOLUTION No. 120-2022; A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF STUART, FLORIDA ADOPTING APPENDIX "A" BY AMENDING CHAPTER 32 AND CHAPTER 34 OF THE CITY'S CODE OF ORDINANCES, AND PROVIDING AN EFFECTIVE DATE.

6:29 PM MOTION: Approve Ordinance No. 2508-2022.
MOVED BY: Christopher Collins
SECONDED BY: Campbell Rich
Motion approved unanimously.

6:29 PM MOTION: Approve Resolution No. 120-2022.
MOVED BY: Christopher Collins
SECONDED BY: Campbell Rich
Motion approved unanimously.

15. ADDING INVOCATIONS TO THE AGENDA (RC):

ORDINANCE No. 2509-2022; AN ORDINANCE OF THE CITY OF STUART, FLORIDA AMENDING THE STUART CITY CODE, CHAPTER 2, ADMINISTRATION AMENDING ARTICLE II DIVISION 2; PROVIDING FOR SEVERABILITY OF THE PARTS HEREOF; PROVIDING FOR READING BY TITLE ONLY; AND PROVIDING FOR AN EFFECTIVE DATE.

RESOLUTION No. 119-2022; A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF STUART, FLORIDA ADOPTING A POLICY REGARDING INVOCATIONS AT THE OPENING OF ITS MEETINGS; MAKING FINDINGS; AND PROVIDING AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

Vice Mayor Bruner stated she has heard from a lot of people who have asked not to change the way the meetings have been held by including prayer at the beginning of every meeting. She stated she would continue to pray on her own during the moment of silence, but can no longer support the invocation.

PUBLIC COMMENT:

- 1.) Robert Seymour - SE Osceola St; Not in favor of the invocation.
- 2.) Walter Loyd - SW Cabana Point Cir; In favor of the invocation but "so be it" if it is not approved.
- 3.) Mary Hutchensen - St. Lucie Crescent; Not in favor of the invocation and would like to keep the moment of silence before each meeting to not make anyone uncomfortable.
- 4.) Micah Hartowski - SE 5th Street; Is a practicing Catholic but doesn't feel it is necessary for it to be at a public meeting.
- 5.) Frank McCrystal- SE Flamingo St; In support of the invocation, stated that all types of "religion" should be allowed to come in and speak.
- 6.) Laura Giobbi - SE Ocean Ave; In support of the invocation, commented on how the world has changed since prayer has been moved out of schools and next it'll be the Pledge of Allegiance.
- 7.) Nick Gullota - Kanner Hwy; In support of the invocation and thinks the meetings are the most important place to have prayer.
- 8.) Nathaniel Joiner - SW 96th St; In support of the invocation.

Commissioner Collins announced his disappointment, noting we are out of line with Martin County and the School Board, he stated that things being offensive to a small group of people should not govern and the City's Resolution was all inclusive. He continued to share his disappointment.

Commissioner Clarke commented that she supports prayer but does not want it to be divisive within the Commission Chambers.

6:31 PM MOTION: Motion to approve.

MOVED BY: Christopher Collins

SECONDED BY: None

Died for lack of second.

Clerk's Note: The following Items were all requested to be "Continued to Date Certain of January 17, 2022 Special City Commission Meeting" and approved with one Motion: Item #16, Item #17, Item #18, Item #19, Item #20, and Item #21.

- 16. EAST STUART NEIGHBORHOOD - SMALL-SCALE FUTURE LAND USE MAP AMENDMENT (RC):
(THIS IS A SINGLE READING ITEM) (CONTINUED TO DATE CERTAIN JANUARY 17, 2023 SPECIAL CITY COMMISSION MEETING)**

ORDINANCE No. 2500-2023; AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF STUART, FLORIDA, AMENDING THE FUTURE LAND USE MAP OF THE CITY'S COMPREHENSIVE PLAN THEREBY CHANGING THE FUTURE LAND USE DESIGNATION FROM "LOW DENSITY" TO "EAST STUART" FOR 8.60 ACRES OF LAND; "OFFICE-RESIDENTIAL" TO "EAST STUART" FOR 1.93 ACRES OF LAND; "MULTI-FAMILY" TO "EAST STUART" FOR 4.50 ACRES OF LAND; "PUBLIC" TO "EAST STUART" FOR .53 ACRES OF LAND; AND "EAST STUART" TO "PUBLIC" FOR 5.16 ACRES OF LAND AS DEPICTED IN EXHIBIT "A" ATTACHED; DECLARING THE PLAN TO BE CONSISTENT WITH THE CITY'S COMPREHENSIVE PLAN; PROVIDING FOR REPEAL OF ALL ORDINANCES IN CONFLICT; PROVIDING FOR SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE, AND FOR OTHER PURPOSES.

17. THE CREEK DISTRICT - SMALL-SCALE FUTURE LAND USE AMENDMENT (RC):
(THIS IS A SINGLE READING ITEM) (CONTINUED TO DATE CERTAIN JANUARY 17, 2023 SPECIAL CITY COMMISSION MEETING)

ORDINANCE No. 2502-2023; AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF STUART, FLORIDA, AMENDING THE FUTURE LAND USE MAP OF THE CITY'S COMPREHENSIVE PLAN THEREBY CHANGING THE FUTURE LAND DESIGNATION FROM "COMMERCIAL" TO "DOWNTOWN" FOR 20.07 ACRES OF LAND AND "DOWNTOWN" TO "RECREATION" FOR .25 ACRES OF LAND AS DEPICTED IN EXHIBIT "A" ATTACHED; DECLARING THE PLAN TO BE CONSISTENT WITH THE CITY'S COMPREHENSIVE PLAN; PROVIDING FOR REPEAL OF ALL ORDINANCES IN CONFLICT; PROVIDING FOR SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE, AND FOR OTHER PURPOSES.

ORDINANCE FIRST READING

18. EAST STUART NEIGHBORHOOD - ZONING MAP AMENDMENT (RC):
(CONTINUED TO DATE CERTAIN JANUARY 17, 2023 SPECIAL CITY COMMISSION MEETING)

ORDINANCE No. 2499-2023; AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF STUART, FLORIDA, AMENDING THE CITY'S OFFICIAL ZONING MAP TO ASSIGN "EAST STUART NEIGHBORHOOD" ZONING AND MAKE CHANGES FOR CONSISTENCY WITH FUTURE LAND USE MAP; PROVIDING FOR REPEAL OF ALL ORDINANCES IN CONFLICT; PROVIDING FOR SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE, AND FOR OTHER PURPOSES.

19. THE CREEK DISTRICT - LAND DEVELOPMENT CODE AMENDMENT (RC):
(CONTINUED TO DATE CERTAIN JANUARY 17, 2023 SPECIAL CITY COMMISSION MEETING)

ORDINANCE No. 2498-2023; AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF STUART, FLORIDA, AMENDING AND RESTATING THE CITY'S LAND DEVELOPMENT CODE; MORE SPECIFICALLY AMENDING CHAPTER II ZONING DISTRICTS USES ALLOWED, DENSITY, INTENSITY; CHAPTER III SPECIAL ZONING CODES FOR "THE CREEK DISTRICT"; AND CHAPTER XII DEFINITIONS; PROVIDING FOR SEVERABILITY; PROVIDING FOR CONFLICTING PROVISIONS; PROVIDING FOR CODIFICATION; PROVIDING FOR AN EFFECTIVE DATE, AND FOR OTHER PURPOSES.

**20. THE CREEK DISTRICT - ZONING MAP AMENDMENT (RC):
(CONTINUED TO DATE CERTAIN JANUARY 17, 2023 SPECIAL CITY
COMMISSION MEETING)**

ORDINANCE No. 2501-2023; AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF STUART, FLORIDA, AMENDING THE CITY'S OFFICIAL ZONING MAP TO ASSIGN "THE CREEK DISTRICT" ZONING AND MAKE CHANGES FOR CONSISTENCY WITH THE FUTURE LAND USE MAP; PROVIDING FOR REPEAL OF ALL ORDINANCES IN CONFLICT; PROVIDING FOR SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE, AND FOR OTHER PURPOSES.

**21. EAST STUART NEIGHBORHOOD - LAND DEVELOPMENT CODE AMENDMENT (RC):
(CONTINUED TO DATE CERTAIN JANUARY 17, 2023 SPECIAL CITY
COMMISSION MEETING)**

ORDINANCE No. 2507-2023; AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF STUART, FLORIDA, AMENDING AND RESTATING THE CITY'S LAND DEVELOPMENT CODE; MORE SPECIFICALLY AMENDING CHAPTER III SPECIAL ZONING CODES FOR THE "EAST STUART NEIGHBORHOOD"; PROVIDING FOR SEVERABILITY; PROVIDING FOR CONFLICTING PROVISIONS; PROVIDING FOR CODIFICATION; PROVIDING FOR AN EFFECTIVE DATE, AND FOR OTHER PURPOSES.

**6:51 PM MOTION: Motion to continue all Ordinances to date certain January 17, 2023.
MOVED BY: Eula Clarke
SECONDED BY: Becky Bruner
Motion approved unanimously.**

DISCUSSION AND DELIBERATION

ADJOURNMENT

6:52 PM

Mary R. Kindel, City Clerk

Troy McDonald, Mayor

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

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

Meeting Date: 1/9/2023

Prepared by: Michelle Vicat

Title of Item:

LEASE AGREEMENT RENEWAL FOR 171 SW FLAGLER AVENUE (CRARY HOUSE) WITH CONGRESSMAN BRIAN MAST (RC):

RESOLUTION No. 01-2023; A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF STUART, FLORIDA TO AUTHORIZE EXECUTION OF A LEASE AMENDMENT BETWEEN THE CITY OF STUART AND CONGRESSMAN BRIAN MAST FOR THE CRARY HOUSE LOCATED AT 171 SW FLAGLER AVENUE, STUART; PROVIDING AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

Summary Explanation/Background Information on Agenda Request:

This item is a request to extend the lease with Representative Brian Mast for the use of the Crary Building as his congressional office.

Funding Source:

N/A

Recommended Action:

Approve Resolution No. 01-2023

ATTACHMENTS:

1. R01-2023 Mast Lease for Crary House
2. Stuart Office Lease Extension - 117th to 118th_ (002)



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

RESOLUTION NUMBER 01-2023

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF STUART, FLORIDA TO AUTHORIZE EXECUTION OF LEASE AMENDMENT BETWEEN THE CITY OF STUART AND CONGRESSMAN BRIAN MAST FOR THE CRARY HOUSE LOCATED AT 171 SW FLAGLER AVENUE, STUART; PROVIDING AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

* * * * *

WHEREAS, the City owns the building at 171 SW Flagler Avenue in the City of Stuart, more commonly known as the “Crary House;” it having been donated to the City by Donna Dorney, in loving memory of her parents, Mildred Marie Moore and Elmer E. Moore; and

WHEREAS, Congressman Brian Mast seeks to use the Crary House as his District Office, and to execute a lease agreement with the City of Stuart for the 1,400 square foot building during his term of office; and

WHEREAS, the City Commission finds that it is befitting to use the Crary House as an office for a sitting Member of Congress, since one of the former owners, Evans Crary, was a state legislator beginning in 1936.

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

SECTION 1: The Mayor and City Clerk are hereby authorized and directed to execute a Lease Amendment between the City of Stuart and Congressman Brian Mast extending the lease from January 2, 2023 to January 2, 2025. A copy of the executed Lease Agreement will be on file in the Office of the City Clerk.

SECTION 2: This resolution shall take effect upon adoption.

Commissioner _____ offered the foregoing resolution and moved its adoption.

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

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

YES	NO	ABSENT	ABSTAIN

ADOPTED this ____ day of January, 2023.

ATTEST:

MARY R. KINDEL
CITY CLERK

TROY MCDONALD
MAYOR

APPROVED AS TO FORM
AND CORRECTNESS:

MICHAEL J. MORTELL, ESQ.
CITY ATTORNEY

District Office Lease Amendment – Instructions

THE OFFICE OF ADMINISTRATIVE COUNSEL MUST APPROVE THE DISTRICT OFFICE LEASE AMENDMENT AND ATTACHMENT PRIOR TO SIGNATURE.

The term for a District Office Lease Amendment for the 118th Congress may not commence prior to January 3, 2023.

Members should endeavor to lease space through the last day of a congressional term rather than the last day of a calendar year. For the 118th Congress, leases should end on January 2, 2025, not December 31, 2024.

- The Member/Member-elect is required to personally sign all documents.
- A District Office Lease Attachment (“Attachment”) for the 118th Congress must accompany an Amendment.
- Prior to either party signing a District Office Lease Amendment (“Amendment”), the Member/Member-elect must submit the proposed Amendment, accompanied by a copy of the District Office Lease Attachment for the 118th Congress, to the Office of Administrative Counsel (“Administrative Counsel”) via e-mail in PDF form (leases@mail.house.gov or fax (202-226-0357)) for review and approval.
- If Administrative Counsel determines that the proposed terms and conditions of the Amendment comply with applicable law and House Rules and Regulations, Administrative Counsel will notify the Member/Member-elect to proceed with signing of the Amendment.
- After the Amendment and the Attachment are signed by both parties, the Amendment and Attachment must be submitted to Administrative Counsel via e-mail in PDF form (leases@mail.house.gov) or fax (202-226-0357) for final approval.
- If approved, Administrative Counsel will notify the Office of Finance that monthly rental payments may begin. If changes are necessary, Administrative Counsel will contact the office of the Member/Member-elect.
- If you have any additional questions about District Office Leases, please contact Administrative Counsel by e-mail at leases@mail.house.gov.

Instructions for completing the Amendment:

- Section 1 — Insert the time period covering the previous lease that is being amended and the office’s street address, including the city, state and ZIP.
- Section 2 — Insert the new termination date (if the lease is being extended). The Amendment must terminate on or before January 2, 2025. If the purpose of the Amendment is not to change the termination date, insert “N/A” in the space provided.
- Section 3 — Insert the monthly rent amount for the extended term. In the blank space, insert any changes or additions to the terms of the lease. If there are no other changes to your existing lease, write “NONE” in the space provided.

District Office Lease Amendment

(Page 1 of 2 – 118th Congress)

1. **Prior Lease Term.** The undersigned Landlord (“Lessor”) and Member of the U. S. House of Representatives (“Lessee”) agree that they previously entered into a District Office Lease (“Lease”) (along with the District Office Lease Attachment), which covered the period from _____ to _____ for the lease of office space located at _____ in the city, state and ZIP of _____.
2. **Extended Term.** If applicable, the above referenced Lease is extended through and including _____, 20_____. (This District Office Lease Amendment (“Amendment”) may not provide for an extension beyond January 2, 2025, which is the end of the constitutional term of the 118th Congress.)
3. **Rent and Any Other Changes.** The monthly rent for the extended term of the Lease shall now be _____. All other provisions of the existing Lease shall remain unchanged and in full effect, except for the following additional terms, which are modified as indicated in the space below [If no additional terms are to be modified, write the word “NONE” below].
4. **District Office Lease Attachment for 118th Congress.** This Amendment shall have no force and effect unless and until accompanied by an executed District Office Lease Attachment for the 118th Congress and the District Office Lease Attachment for the 118th Congress attached hereto supersedes and replaces any prior District Office Lease Attachment.
5. **Counterparts.** This Amendment may be executed in any number of counterparts and by facsimile copy, each of which shall be deemed to be an original but all of which together shall be deemed to be one and the same instrument.
6. **Section Headings.** The section headings of this Amendment are for convenience of reference only and shall not be deemed to limit or affect any of the provisions hereof.

[Signature page follows.]

U.S. House of Representatives
Washington, D.C. 20515
District Office Lease Amendment
(Page 2 of 2 – 118th Congress)

IN WITNESS WHEREOF, the parties have duly executed this District Office Lease Amendment as of the later date written below by the Lessor or the Lessee.

Print Name of Lessor/Landlord/Company

Print Name of Lessee

By: _____

Lessor Signature

Name:

Title:

Lessee Signature

Date

Date

***This District Office Lease Amendment must be accompanied with an executed
District Office Lease Attachment.***

District Office Lease Attachment- Instructions

The District Office Lease Attachment (“Attachment”) must accompany *every* Lease or Amendment submitted for a Member/Member-elect’s District Office.

THE OFFICE OF ADMINISTRATIVE COUNSEL MUST APPROVE ANY LEASE, AMENDMENT, OR ATTACHMENT PRIOR TO SIGNATURE.

The term of a District Office Lease or Amendment for the 118th Congress may not commence prior to January 3, 2023.

Members should endeavor to lease space through the last day of a congressional term rather than the last day of a calendar year. For the 118th Congress, leases should end on January 2, 2025, not December 31, 2024.

- The Member/Member-elect is required to personally sign the documents.
- The Lessor must complete the amenities checklist in Section A (“Lease Amenities”), including both the “required amenities” and “optional amenities” portions.
- Section B (“Additional Lease Terms”) of the Attachment SHALL NOT have any provisions deleted or changed.
- Prior to either party signing a Lease or an Amendment, the Member/Member-elect must submit the proposed Lease or Amendment, accompanied by the Attachment, to the Office of Administrative Counsel (“Administrative Counsel”) via e-mail in PDF form (leases@mail.house.gov) or fax (202-226-0357) for review and approval.
- If Administrative Counsel determines that the proposed terms and conditions of the Lease or Amendment comply with applicable law and House Rules and Regulations, Administrative Counsel will notify the Member/Member-elect to proceed with the execution of the Lease or Amendment.
- Once signed by both parties, the Lease or the Amendment, accompanied by the Attachment, must be submitted to Administrative Counsel via e-mail in PDF form (leases@mail.house.gov) or fax (202-226-0357) for final approval.
- Without a properly signed and submitted Attachment, the Lease or Amendment cannot be approved by Administrative Counsel and payments will not be made.
- If approved, Administrative Counsel will notify the Office of Finance that monthly rental payments can begin. If changes are necessary, Administrative Counsel will contact the office of the Member/Member-elect.
- The parties agree that any changes for default, early termination, or cancellation of the Lease or Amendment which result from actions taken by or on behalf of the Lessee shall be the Lessee’s sole responsibility and are not reimbursable from the Members’ Representational Allowance.
- Lessor shall provide a copy of any assignment, estoppel certificate, notice of a bankruptcy or foreclosure, or notice of a sale or transfer of the leased premises to Administrative Counsel via e-mail in PDF form (leases@mail.house.gov).

District Office Lease Attachment

(Page 1 of 5 – 118th Congress)

SECTION A **(Lease Amenities)**

Section A sets forth the amenities provided by the Lessor to be included in the Lease. Except as noted below, the amenities listed are not required for all district offices.

To be completed by the Lessor (required amenities):

- ☐ * **High-Speed Internet Available Within the Leased Space.**

Please list any internet providers known to provide service to the property:

- ☐ * **Interior Wiring CAT 5e or Better within Leased Space.**

To be completed by the Lessor (optional amenities):

- ☐ Amenities are separately listed elsewhere in the Lease.
(The below checklist can be left blank if the above box is checked.)

The Lease includes (please check and complete all that apply):

- ☐ Lockable Space for Networking Equipment.
- ☐ Telephone Service Available.
- ☐ Parking. ☐ _____ Assigned Parking Spaces
 ☐ _____ Unassigned Parking Spaces
 ☐ General Off-Street Parking on an As-Available Basis
- ☐ Utilities. Includes: _____
- ☐ Janitorial Services. Frequency: _____
- ☐ Trash Removal. Frequency: _____
- ☐ Carpet Cleaning. Frequency: _____
- ☐ Window Washing. ☐ Window Treatments.
- ☐ Tenant Alterations Included In Rental Rate.
- ☐ After Hours Building Access.
- ☐ Office Furnishings. Includes: _____
- ☐ Cable TV Accessible. If checked, Included in Rental Rate: ☐ Yes ☐ No
- ☐ Building Manager. ☐ Onsite ☐ On Call Contact Name: _____

Phone Number: _____ Email Address: _____

District Office Lease Attachment

(Page 2 of 5 – 118th Congress)

SECTION B **(Additional Lease Terms)**

1. **Incorporated District Office Lease Attachment.** Lessor (Landlord) and Lessee (Member/Member-elect of the U.S. House of Representatives) agree that this District Office Lease Attachment (“Attachment”) is incorporated into and made part of the Lease (“Lease”) and, if applicable, District Office Lease Amendment (“Amendment”) to which it is attached.
2. **Performance.** Lessor expressly acknowledges that neither the U.S. House of Representatives (the “House”) nor its Officers are liable for the performance of the Lease. Lessor further expressly acknowledges that payments made by the Chief Administrative Officer of the House (the “CAO”) to Lessor to satisfy Lessee’s rent obligations under the Lease – which payments are made solely on behalf of Lessee in support of his/her official and representational duties as a Member of the House – shall create no legal obligation or liability on the part of the CAO or the House whatsoever. Lessee shall be solely responsible for the performance of the Lease and Lessor expressly agrees to look solely to Lessee for such performance.
3. **Modifications.** Any amendment to the Lease must be in writing and signed by the Lessor and Lessee. Lessor and Lessee also understand and acknowledge that the Administrative Counsel for the CAO (“Administrative Counsel”) must review and give approval of any amendment to the Lease prior to its execution.
4. **Compliance with House Rules and Regulations.** Lessor and Lessee understand and acknowledge that the Lease shall not be valid, and the CAO will not authorize the disbursement of funds to the Lessor, until Administrative Counsel has reviewed the Lease to determine that it complies with the Rules of the House and the Regulations of the Committee on House Administration, and approved the Lease by signing the last page of this Attachment.
5. **Payments.** The Lease is a fixed term lease with monthly installments for which payment is due in arrears on or before the end of each calendar month. In the event of a payment dispute, Lessor agrees to contact the Office of Finance, U.S. House of Representatives, at 202-225-7474 to attempt to resolve the dispute before contacting Lessee.
6. **Void Provisions.** Any provision in the Lease purporting to require the payment of a security deposit shall have no force or effect. Furthermore, any provision in the Lease purporting to vary the dollar amount of the rent specified in the Lease by any cost of living clause, operating expense clause, pro rata expense clause, escalation clause, or any other adjustment or measure during the term of the Lease shall have no force or effect.
7. **Certain Charges.** The parties agree that any charge for default, early termination or cancellation of the Lease which results from actions taken by or on behalf of the Lessee shall be the sole responsibility of the Lessee and shall not be paid by the CAO on behalf of the Lessee.
8. **Death, Resignation or Removal.** In the event Lessee dies, resigns or is removed from office during the term of the Lease, the Clerk of the House may, at his or her sole option, either: (a) terminate the Lease by giving thirty (30) days’ prior written notice to Lessor; or (b) assume the obligation of the Lease and continue to occupy the premises for a period not to exceed sixty (60) days following the certification of the election of the Lessee’s successor. In the event the Clerk elects to terminate the Lease, the commencement date of such thirty (30) day termination notice

District Office Lease Attachment

(Page 3 of 5 – 118th Congress)

shall be the date such notice is delivered to the Lessor or, if mailed, the date on which such notice is postmarked.

9. **Term.** The term of the Lease may not exceed the constitutional term of the Congress to which the Lessee has been elected. The Lease may be signed by the Member-elect before taking office. Should the Member-elect not take office to serve as a Member of the 118th Congress, the Lease will be considered null and void.
10. **Early Termination.** If either Lessor or Lessee terminates the Lease under the terms of the Lease, the terminating party agrees to promptly file a copy of any termination notice with the Office of Finance, U.S. House of Representatives, Attn: Kellie Wilson, via e-mail at FCLeasePayments@mail.house.gov, and with the Administrative Counsel by e-mail at leases@mail.house.gov.
11. **Assignments.** Lessor shall provide thirty (30) days prior written notice to Lessee before assigning any of its rights, interests or obligations under the Lease, in whole or in part, by operation of law or otherwise. Lessor shall promptly file a copy of any such assignment notice with Administrative Counsel by e-mail at leases@mail.house.gov. Lessee and the House shall not be responsible for any misdirected payments resulting from Lessor's failure to file an assignment notice in accordance with this section.
12. **Sale or Transfer of Leased Premises.** Lessor shall provide thirty (30) days prior written notice to Lessee in the event (a) of any sale to a third party of any part of the leased premises, or (b) Lessor transfers or otherwise disposes of any of the leased premises, and provide documentation evidencing such sale or transfer in such notice. Lessor shall promptly file a copy of any such sale or transfer notice with Administrative Counsel by e-mail at leases@mail.house.gov.
13. **Bankruptcy and Foreclosure.** In the event (a) Lessor is placed in bankruptcy proceedings (whether voluntarily or involuntarily), (b) the leased premises is foreclosed upon, or (c) of any similar occurrence, Lessor agrees to promptly notify Lessee in writing. Lessor shall also promptly file a copy of any such notice via e-mail with the Office of Finance, U.S. House of Representatives, Attn: Kellie Wilson, via e-mail at FCLeasePayments@mail.house.gov, and with Administrative Counsel by e-mail at leases@mail.house.gov.
14. **Estoppel Certificates.** Lessee agrees to sign an estoppel certificate relating to the leased premises (usually used in instances when the Lessor is selling or refinancing the building) upon the request of the Lessor. Such an estoppel certificate shall require the review of Administrative Counsel, prior to Lessee signing the estoppel certificate. Lessor shall promptly provide a copy of any such estoppel certificate to Administrative Counsel by e-mail at leases@mail.house.gov.
15. **Maintenance of Common Areas.** Lessor agrees to maintain in good order, at its sole expense, all public and common areas of the building including, but not limited to, all sidewalks, parking areas, lobbies, elevators, escalators, entryways, exits, alleys and other like areas.
16. **Maintenance of Structural Components.** Lessor also agrees to maintain in good order, repair or replace as needed, at its sole expense, all structural and other components of the premises including, but not limited to, roofs, ceilings, walls (interior and exterior), floors, windows, doors, foundations, fixtures, and all mechanical, plumbing, electrical and air conditioning/heating

District Office Lease Attachment

(Page 4 of 5 – 118th Congress)

systems or equipment (including window air conditioning units provided by the Lessor) serving the premises.

17. **Lessor Liability for Failure to Maintain.** Lessor shall be liable for any damage, either to persons or property, sustained by Lessee or any of his or her employees or guests, caused by Lessor's failure to fulfill its obligations under Sections 15 and 16.
18. **Initial Alterations.** Lessor shall make any initial alterations to the leased premises, as requested by Lessee and subject to Lessor's consent, which shall not be unreasonably withheld. The cost of such initial alterations shall be included in the annual rental rate.
19. **Federal Tort Claims Act.** Lessor agrees that the Federal Tort Claims Act, 28 U.S.C. §§ 2671-80, satisfies any and all obligations on the part of the Lessee to purchase private liability insurance. Lessee shall not be required to provide any certificates of insurance to Lessor.
20. **Limitation of Liability.** Lessor agrees that neither Lessee nor the House nor any of the House's officers or employees will indemnify or hold harmless Lessor against any liability of Lessor to any third party that may arise during or as a result of the Lease or Lessee's tenancy.
21. **Compliance with Laws.** Lessor shall be solely responsible for complying with all applicable permitting and zoning ordinances or requirements, and with all local and state building codes, safety codes and handicap accessibility codes (including the Americans with Disabilities Act), both in the common areas of the building and the leased space of the Lessee.
22. **Electronic Funds Transfer.** Lessor agrees to accept monthly rent payments by Electronic Funds Transfer and agrees to provide the Office of Finance, U.S. House of Representatives, with all banking information necessary to facilitate such payments.
23. **Refunds.** Lessor shall promptly refund to the CAO, without formal demand, any payment made to the Lessor by the CAO for any period for which rent is not owed because the Lease has ended or been terminated.
24. **Conflict.** Should any provision of this Attachment be inconsistent with any provision of the attached Lease or attached Amendment, the provisions of this Attachment shall control, and those inconsistent provisions of the Lease or the Amendment shall have no force and effect to the extent of such inconsistency.
25. **Construction.** Unless the clear meaning requires otherwise, words of feminine, masculine or neuter gender include all other genders and, wherever appropriate, words in the singular include the plural and vice versa.
26. **Fair Market Value.** The Lease or Amendment is entered into at fair market value as the result of a bona fide, arms-length, marketplace transaction. The Lessor and Lessee certify that the parties are not relatives nor have had, or continue to have, a professional or legal relationship (except as a landlord and tenant).
27. **District Certification.** The Lessee certifies that the office space that is the subject of the Lease is located within the district the Lessee was elected to represent unless otherwise authorized by Regulations of the Committee on House Administration.

District Office Lease Attachment
(Page 5 of 5 – 118h Congress)

28. **Counterparts.** This Attachment may be executed in any number of counterparts and by facsimile copy, each of which shall be deemed to be an original but all of which together shall be deemed to be one and the same instrument.
29. **Section Headings.** The section headings of this Attachment are for convenience of reference only and shall not be deemed to limit or affect any of the provisions hereof.

IN WITNESS WHEREOF, the parties have duly executed this District Office Lease Attachment as of the later date written below by the Lessor or the Lessee.

_____ <i>Print Name of Lessor/Landlord</i>	_____ <i>Print Name of Lessee</i>
By: _____ <i>Lessor Signature</i> Name: Title:	_____ <i>Lessee Signature</i>
_____ <i>Date</i>	_____ <i>Date</i>

From the Member's Office, who is the point of contact for questions?		
Name _____	Phone (____) _____	E-mail _____@mail.house.gov

This District Office Lease Attachment and the attached Lease or Amendment have been reviewed and are approved, pursuant to Regulations of the Committee on House Administration.

Signed _____ Date _____, 20____.
(Administrative Counsel)

U.S. House of Representatives

Substitute W-9 and ACH Vendor/Miscellaneous Payment Enrollment Form

Internal Revenue Code 6109, 31 U.S.C. 3322, 31 CFR 210 and the 1996 Debt Collection Improvement Act require all entities that do business with the United States Government to provide a Tax Identification Number (TIN) and Electronic Funds Transfer (EFT) information for payment. PL 93-579 protects your privacy and mandates that the information never be published or used for any other purpose than to pay you. **Please complete all sections below, sign and return via the email or fax number listed.**

RETURN FORM TO: VendorEFT@mail.house.gov

FAX NUMBER: (202) 225-6914

SECTION I UNITED STATES HOUSE OF REPRESENTATIVES INFORMATION

ADDRESS	US HOUSE OF REPRESENTATIVES - ACCOUNTING, 3110 O'NEILL FEDERAL BUILDING, WASHINGTON, DC 20515		
AGENCY IDENTIFIER	53-6002523	AGENCY LOCATION CODE	4832 TELEPHONE NUMBER (202) 226-2277

SECTION II PAYEE/COMPANY INFORMATION

NAME (AS SHOWN ON YOUR INCOME TAX RETURN) BUSINESS NAME/DISREGARDED ENTITY NAME or DBA, IF DIFFERENT THAN ABOVE <table style="width: 100%;"> <tr> <td style="width: 50%;">TYPE OF TAX IDENTIFICATION NUMBER SOCIAL SECURITY NUMBER (or) EIN</td> <td style="width: 50%;">ENTER TAX IDENTIFICATION NUMBER</td> </tr> </table> ADDRESS/CITY/STATE/ZIP CONTACT PERSON NAME EMAIL <table style="width: 100%;"> <tr> <td style="width: 50%;">TELEPHONE NUMBER</td> <td style="width: 50%;">FAX NUMBER</td> </tr> </table> REMIT TO ADDRESS 		TYPE OF TAX IDENTIFICATION NUMBER SOCIAL SECURITY NUMBER (or) EIN	ENTER TAX IDENTIFICATION NUMBER	TELEPHONE NUMBER	FAX NUMBER	CHECK APPROPRIATE BOX FOR FEDERAL TAX CLASSIFICATION (required) <table style="width: 100%;"> <tr> <td style="width: 15%;">Individual/ Sole Proprietor</td> <td style="width: 15%;">C Corporation</td> <td style="width: 15%;">S Corporation</td> <td style="width: 15%;">Partnership</td> <td style="width: 40%;">Trust/Estate</td> </tr> </table> Limited Liability Company Enter tax classification (C=C corporation, S=S corporation, P= Partnership) Exempt payee OTHER (Other entities. Enter your business name below as shown on required federal tax documents "Name" line. <i>This name should match the name shown on the charter or other legal document creating the entity.</i> You may enter any business, trade, or DBA name on the "Business name/ disregarded entity name" line.) PURCHASE ORDER ADDRESS/CITY/STATE/ZIP EMAIL <table style="width: 100%;"> <tr> <td style="width: 50%;">TELEPHONE NUMBER</td> <td style="width: 50%;">FAX NUMBER</td> </tr> </table>		Individual/ Sole Proprietor	C Corporation	S Corporation	Partnership	Trust/Estate	TELEPHONE NUMBER	FAX NUMBER
TYPE OF TAX IDENTIFICATION NUMBER SOCIAL SECURITY NUMBER (or) EIN	ENTER TAX IDENTIFICATION NUMBER													
TELEPHONE NUMBER	FAX NUMBER													
Individual/ Sole Proprietor	C Corporation	S Corporation	Partnership	Trust/Estate										
TELEPHONE NUMBER	FAX NUMBER													

SECTION III FINANCIAL INSTITUTION INFORMATION

BANK NAME (Branch City, State)				
ACH COORDINATOR NAME	TELEPHONE NUMBER			
NINE-DIGIT ROUTING TRANSIT NUMBER 				
DEPOSITOR ACCOUNT TITLE				
DEPOSITOR ACCOUNT NUMBER	LOCKBOX NUMBER			
<table style="width: 100%;"> <tr> <td style="width: 33%;">TYPE OF ACCOUNT</td> <td style="width: 33%;">CHECKING SAVINGS</td> <td style="width: 34%;">LOCKBOX</td> </tr> </table>		TYPE OF ACCOUNT	CHECKING SAVINGS	LOCKBOX
TYPE OF ACCOUNT	CHECKING SAVINGS	LOCKBOX		

SECTION IV SOCIO-ECONOMIC INFORMATION

Type of Business	Large Business-No Socio-Economic Designations Minority SmBusiness Sm-Disadv/Minority Sm-Disadv Only SmMin Only					
Sm-Disadvantaged Business Prog	8 (a) Firm	HUBZone Program	HUBZone Eligible	Emerging Small Business		Women-Owned Business
Other Preference Programs	Buy Indian	Directed to JWOD Non-Profit	No Preference/Not Listed	Small Business Set-Aside	Very Small Business Set-Aside	
Veteran Owned Status	Non-Vet Owned SmBus	Other Vet Owned SmBus	Serv-Disabled Vet Other Bus	Serv-Disabled Vet Owned SB	Vet-Owned Other Bus	
Size of Business:	(A) 50 or less	(B) 51-100	(C) 101-250	(D) 251-500	(E) 501-750	(F) 751-1,000
	(N) 1.1-2 million	(P) 2.1-3.5 million	(R) 3.1-5 million	(S) 5.1-10 million	(T) 10.1-17 million	(Z) Over 17 million

SECTION V CERTIFICATION OF DATA BY PAYEE/COMPANY

NAME	TITLE/POSITION	
SIGNATURE	DATE	TELEPHONE NUMBER

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

Meeting Date: 1/9/2023

Prepared by: Timothy Voelker

Title of Item:

BUDGET AMENDMENT FOR THE DIXIE HIGHWAY WATERMAIN AND FORCEMAIN RELOCATIONS (RC):

RESOLUTION No. 02-2023; A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF STUART, FLORIDA, AUTHORIZING BUDGET ADMENDMENT NO. 5 TO THE 2022-2023 ENTERPRISE FUND; APPROPRIATING AND AUTHORIZING THE EXPENDITURE OF FUNDS FOR THE DIXIE HIGHWAY WATERMAIN AND FORCEMAIN RELOCATIONS PROJECT; PROVIDING AN EFFECTIVE DATE, AND FOR OTHER PURPOSES.

Summary Explanation/Background Information on Agenda Request:

This amendment is necessary to fund the Dixie Highway Watermain and Forcemain Relocations project. The project is located along County Road A1A at 5A Cutoff. Martin County and the Florida Department of Transportation are currently working on a roadway project along A1A that will replace the existing stormwater culverts at 5A Cutoff. During the project, it was discovered that water and sewer pipes owned and operated by the City are in conflict with the stormwater culvert and need to be relocated. Upon inspection, it was determined that the pipes are very old and should be replaced anyway. Fortunately, the City was provided ARPA funds which qualify for expenditure on the project. The City of Stuart previously adopted Resolution No. 64-2022 Budget Amendment No. 15 on July 25, 2022, which authorized the expenditure of funds for the project. Bids for the project were opened on August 31, 2022 and came in higher than the original project budget; therefore, an additional budget amendment is required to complete the project.

Funding Source:

From: ARPA (Rescue Plan) Funds	\$195,000.00
To: Distribution/Collection Team, Capital Outlay (410-56300-630)	\$195,000.00

Recommended Action:

Move approval of Resolution No. 02-2023, Budget Amendment. No. 5.

ATTACHMENTS:

1. R02-2023 BA #5



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

RESOLUTION NUMBER 02-2023

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF STUART, FLORIDA, AUTHORIZING BUDGET ADMENDMENT NO. 5 TO THE 2022-2023 ENTERPRISE FUND; APPROPRIATING AND AUTHORIZING THE EXPENDITURE OF FUNDS FOR THE DIXIE HIGHWAY WATERMAIN AND FORCEMAIN RELOCATIONS PROJECT; PROVIDING AN EFFECTIVE DATE, AND FOR OTHER PURPOSES.

* * * * *

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

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

WHEREAS, the City of Stuart previously adopted Resolution No. 64-2022 Budget Amendment No. 15, which authorized the expenditure of funds for the watermain and forcemain relocations along Dixie Hwy at 5A Cutoff, which is currently in conflict with a stormwater culvert; and

WHEREAS, bids for the project were opened on August 31, 2022 and came in higher than the original project budget; therefore, a budget amendment is needed.

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

SECTION 1: The 2022-2023 Year Budget of the Enterprise Fund of the City of Stuart, Florida, being Resolution No. 02-2023 of the City Commission of the City of Stuart, Florida, as amended, hereinafter the "Budget," is hereby further amended, as follows:

From: ARPA (Rescue Plan) Funds	\$195,000.00
To: Distribution/Collection Team, Capital Outlay (410-56300-630)	\$195,000.00

SECTION 2: This resolution shall take effect on adoption.

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

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

YES	NO	ABSENT	ABSTAIN

ADOPTED this 9th day of January, 2023.

ATTEST:

MARY R. KINDEL
CITY CLERK

TROY MCDONALD
MAYOR

APPROVED AS TO FORM
AND CORRECTNESS:

MICHAEL J. MORTELL, ESQ.
CITY ATTORNEY

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

Meeting Date: 1/9/2023

Prepared by:

Title of Item:

EXTENDING ZONING IN PROGRESS:

RESOLUTION No. 04-2023; A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF STUART, FLORIDA, EXTENDING THE ZONING IN PROGRESS AUTHORIZED IN RESOLUTIONS 93-2022 and 95-2022, PROVIDING FOR AN EFFECTIVE DATE, AND FOR OTHER PURPOSES.

Summary Explanation/Background Information on Agenda Request:

The Land Development Regulations for the City of Stuart limit a zoning in progress to an initial period of 90 days. However, the process can be extended for an additional 90 days for good cause shown. In the pending matters, there is good cause to extend Resolutions 93-2022 and 95-2022 because the City has held workshops, collected data and otherwise reviewed professionally accepted data and analysis and is in need of additional time to finalize any text amendments pertaining to the issues raised.

Funding Source:

Not applicable

Recommended Action:

Adopt the Resolution extending the Zoning in Progress for one or both issues.

ATTACHMENTS:

1. R04-2023 - Extending Zoning in Progress



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

RESOLUTION NUMBER 04-2023

**A RESOLUTION OF THE CITY COMMISSION OF THE CITY
OF STUART, FLORIDA, EXTENDING THE ZONING IN
PROGRESS AUTHORIZED IN RESOLUTIONS 93-2022 and 95-
2022, PROVIDING FOR AN EFFECTIVE DATE, AND FOR
OTHER PURPOSES.**

* * * * *

WHEREAS, On October 10, 2022, the City Commission adopted Resolutions 93-2022 and 95-2022 initiating the Zoning in Progress procedure authorized in section 1.04.04 of the Stuart Land Development Code; and

WHEREAS, the City Commission adopted the Zoning in Progress procedure on October 12, 2022 for a period of 90 day, and

WHEREAS, the City Commission has held workshops, accepted public input and evaluated professionally acceptable material 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, the City Commission has determined that it is necessary to extend the zoning in progress for an additional three months.

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

SECTION 1: Resolution 93-2022 granting a Zoning in Progress for the City Commission to review densities and intensities allowed in Urban Planned Unit Developments shall be extended for 90 days from the date of this Resolution or until such time as the Commission has adopted text amendments related thereto.

SECTION 2: Resolution 95-2022 granting a Zoning in Progress for the City Commission to review densities authorized by the City Commission above the maximum set forth for each land use without Commission action (in general allowing density above 15 units per acre) shall be extended for 90 days from the date of this Resolution or until such time as the Commission has adopted text amendments related thereto.

SECTION 3: Applications seeking any increase in density that requires Commission Approval will continue to be accepted by the City however, the staff shall notify the applicant that no public hearings will be set on the matter and no permits shall be issued until such time as the zoning in progress has expired or the City Commission has adopted the text amendments which will apply to the parcel.

SECTION 4: This Resolution shall take effect upon its adoption.

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

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

YES	NO	ABSENT	ABSTAIN

ADOPTED this _____ day of _____.

ATTEST:

MARY R. KINDEL
CITY CLERK

TROY MCDONALD
MAYOR

APPROVED AS TO FORM
AND CORRECTNESS:

MICHAEL J. MORTELL, ESQ.
CITY ATTORNEY

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

Meeting Date: 1/9/2023

Prepared by: David Dyess

Title of Item:

DISCUSSION ON CDBG-CV GRANT

Summary Explanation/Background Information on Agenda Request:

Discussion on the CDBG-CV Grant regarding the site location for a vocational training center.

Funding Source:

N/A

Recommended Action:

Discuss

ATTACHMENTS:

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

Meeting Date: 1/9/2023

Prepared by: David Dyess

Title of Item:

POLICY DIRECTION REGARDING VEGETATION CONTROL

Summary Explanation/Background Information on Agenda Request:

At a previous commission meeting, direction was given to stop all spraying of the storm water containment ponds for vegetation control. Staff was instructed to initiate a pilot project using Hospital Pond to evaluate the viability of other methods to control vegetation. Staff has not completed the pilot program but has been continuing to develop the plan for implementation. In the mean time, other containment areas have developed large areas of vegetation because there has been no vegetation control. At one point, we had to make an emergency decision to spray Memorial Park pond due to the entire pond turning green.

During a previous manager's comment, the issue of vegetation control, particularly in the Poppleton Creek pond was raised by the City Manager. After some discussion and additional data a clear consensus or policy was not adopted by the Commission. Several locations currently exist where the vegetation is beginning to hinder storm water flow and needs to be addressed immediately.

These figures are provided for just maintaining Poppleton Creek Pond:
Manual Removal - initial treatment \$27,420.00 yearly maintenance \$139,320.00
Spray - initial treatment \$355.14 yearly maintenance \$4,261.68

Funding Source:

Future budget amendment from fund balance if manual removal is decided
Currently budgeted if spraying is selected.

Recommended Action:

Create City policy for maintenance and vegetation control for ponds, lakes and storm water containment areas.
Staff recommends that the City return to spraying while it completes the evaluation and implementation of the Hospital Pond program.

ATTACHMENTS:

1. Photos of Poppleton Creek Pond and a storm water canal off Bruner Pond



