City of Stuart

AGENDA

REGULAR MEETING OF THE STUART CITY COMMISSION
SEPTEMBER 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 - ISABELLA HODGES, 'STARS OVER STUART' STUDENT SINGING "DANNY BOY"

PROCLAMATIONS

2. HUNGER ACTION MONTH - SEPTEMBER

3. TREASURE COAST DAY OF PRAYER - SEPTEMBER 26, 2024

PRESENTATIONS

4. SERVICE AWARDS - SEPTEMBER 2024

5. LOSOM UPDATE

COMMENTS BY CITY COMMISSIONERS

COMMENTS BY CITY MANAGER

APPROVAL OF AGENDA

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

CONSENT CALENDAR

6. APPROVAL OF 8/26/2024 SCM - BUDGET WORKSHOP #2 AND 08/26/2024 CCM MINUTES (RC)

7. COLLABORATION WITH FEMA UNDER BRIC PROGRAM (RC):

RESOLUTION No. 83-2024; A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF STUART, FLORIDA, AUTHORIZING THE CITY OF STUART TO ENTER A NON-FINANCIAL DIRECT TECHNICAL ASSISTANCE AGREEMENT TO COLLABORATE WITH THE FEDERAL EMERGENCY MANAGEMENT AGENCY (FEMA) UNDER THE BUILDING RESILIENT INFRASTRUCTURE AND COMMUNITIES (BRIC) PROGRAM; PROVIDING AN EFFECTIVE DATE, AND FOR OTHER PURPOSES.

8. APPENDIX A UPDATE (RC):

RESOLUTION No. 85-2024; A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF STUART, FLORIDA ADOPTING TYPES, FEES, RATES AND CHARGES AS APPENDIX “A” TO THE CITY CODE OF ORDINANCES, AS PROVIDED AND PERMITTED IN VARIOUS CHAPTERS OF THE CITY’S CODE OF ORDINANCES; PROVIDING FOR CONFLICTS, PROVIDING FOR CODIFICATION; PROVIDING AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

9. OPPOSITION TO DEP DEVELOPMENT PROPOSAL AT JONATHAN DICKINSON STATE PARK (RC):

RESOLUTION No. 93-2024; A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF STUART, FLORIDA OPPOSING ANY PROPOSAL BROUGHT FORWARD BY

THE FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION TO CONVERT HUNDREDS OF ACRES OF CONSERVED LAND WITHIN JONATHAN DICKINSON STATE PARK INTO THREE PUBLIC GOLF COURSES; PROVIDING AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

END OF CONSENT CALENDAR

COMMISSION ACTION

10. RESCIND INTERLOCAL AGREEMENT WITH MARTIN COUNTY FOR TRAIN STATION (RC):

RESOLUTION No. 90-2024; A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF STUART, FLORIDA, RESCINDING THE INTERLOCAL AGREEMENT WITH MARTIN COUNTY, DATED DECEMBER 12, 2023, AUTHORIZING THE SUBMISSION OF A JOINT PROPOSAL TO BRIGHTLINE TRAINS LLC FOR THE DEVELOPMENT OF A TRAIN STATION IN DOWNTOWN STUART; PROVIDING FOR CONFLICT; PROVIDING AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

11. RESCIND GROUND LEASE AGREEMENT WITH BRIGHTLINE TRAINS FLORIDA, LLC (RC):

RESOLUTION No. 92-2024; A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF STUART, FLORIDA, RESCINDING THE GROUND LEASE AGREEMENT WITH BRIGHTLINE TRAINS FLORIDA, LLC, DATED AUGUST 12, 2024, PROVIDING FOR THE LONG-TERM LEASE OF PROPERTY AND CONSTRUCTION OF A TRAIN STATION IN DOWNTOWN STUART ON FLAGLER AVENUE; PROVIDING FOR CONFLICT; PROVIDING AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

12. RESCIND AMENDED INTERLOCAL AGREEMENT WITH MARTIN COUNTY FOR TRAIN STATION (RC):

RESOLUTION No. 91-2024; A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF STUART, FLORIDA, RESCINDING THE AMENDED INTERLOCAL AGREEMENT WITH MARTIN COUNTY RELATING TO THE DEVELOPMENT OF A TRAIN STATION IN DOWNTOWN STUART; PROVIDING FOR CONFLICT; PROVIDING AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

13. DECLARATION OF ZONING IN PROGRESS (RC):

RESOLUTION No. 95-2024; A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF STUART, FLORIDA, DECLARING “ZONING IN PROGRESS” UNDER SECTION 1.04.04, STUART LAND DEVELOPMENT CODE, FOR NEW DEVELOPMENT EXCEPT FOR SINGLE-FAMILY DWELLINGS OR REQUESTS THAT DO NOT INCREASE THE DENSITY OR INTENSITY OF AN EXISTING USE OR STRUCTURE; DIRECTING CITY STAFF TO REVIEW AND PROPOSE CERTAIN AMENDMENTS TO THE STUART LAND DEVELOPMENT CODE, THE COMPREHESIVE PLAN AND THE CODE OF ORDINANCES; PROVIDING FOR AN EFFECTIVE DATE, AND FOR OTHER PURPOSES.

ORDINANCE SECOND READING

14. **POSTPONED - THIS MATTER WILL BE RE-NOTICED FOR A FUTURE DATE.**
710 SE MARTIN LUTHER KING JR. BOULEVARD - REZONE TO BUSINESS AND

MIXED-USE (BMU) ZONING DISTRICT :

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, FROM COMMERCIAL PLANNED UNIT DEVELOPMENT TO BUSINESS AND MIXED-USE ZONING DESIGNATION; PROVIDING DIRECTIONS TO THE CITY CLERK; PROVIDING FOR REPEAL OF ALL ORDINANCES IN CONFLICT; PROVIDING FOR AN EFFECTIVE DATE, AND FOR OTHER PURPOSES.

ORDINANCE FIRST READING

15. ABANDONMENT OF S.E. ARAPAHO AVENUE - CARLA WILLIAMSON AND TODD BRITT (RC)

ORDINANCE NO. 2534-2024: AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF STUART, FLORIDA, TO PROVIDE FOR THE ABANDONMENT OF CERTAIN PUBLIC RIGHT-OF-WAY WITHIN THE CITY BEING THAT CERTAIN 50-FOOT RIGHT-OF-WAY, AS SET FORTH ON THE PLAT OF ELDORADO HEIGHTS, AS RECORDED IN PLAT BOOK 1, PAGE 5, OF MARTIN COUNTY, FLORIDA PUBLIC RECORDS, AS DESCRIBED IN EXHIBIT “A” ATTACHED HERETO AND DEPICTED IN EXHIBIT “B” ATTACHED HERETO; AND REQUESTING THE $19,000 PRIVILEGE FEE FOR ABANDONING PUBLIC PROPERTY TO BE WAIVED IN ITS ENTIRETY; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

DISCUSSION AND DELIBERATION

ADJOURNMENT

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

PUBLIC COMMENT: If a member of the public wishes to comment upon ANY subject matter, including quasi-judicial matters, please submit a Request to Speak form. These forms are available in the back of the Commission Chambers, and should be given to the City Clerk prior to introduction of the item number you would like to address.

CONSENT CALENDAR: Those matters included under the Consent Calendar are self-explanatory, non-controversial, and are not expected to require review or discussion. All items will be enacted by one motion. If discussion on an item is desired by any City Commissioner that item may be removed by a City Commissioner from the Consent Calendar and considered separately. If an item is quasi-judicial it may be removed by a Commissioner or any member of the public from the Consent Calendar and considered separately.

QUASI-JUDICIAL HEARINGS: Some of the matters on the Agenda may be "quasi-judicial" in nature. City Commissioners will disclose all ex-parte communications, and may be subject to voir dire by any interested party regarding those communications. All witnesses testifying will be "sworn" prior to their testimony. However, the public is permitted to comment without being sworn. Unsworn testimony will be given appropriate weight and credibility by the City Commission.

INVOCATION: Any invocation that may be offered at the opening of the Commission meeting shall be the voluntary offering of a private citizen, to and for the benefit of the Commission. The views or beliefs expressed by the invocation speaker have not been previously reviewed or approved by the Commission, and the Commission is not allowed by law to endorse the religious beliefs or views of this, or any other speaker.