

NOTICE

There will be a Regular **Meeting of the CITY COUNCIL** of the City of Port St. Lucie on **July 28, 2008, beginning at 7:00 p.m.**, at Port St. Lucie City Hall, 121 SW Port St. Lucie Boulevard, Port St. Lucie, Florida.

AGENDA

1. **MEETING CALLED TO ORDER**
2. **ROLL CALL**
3. **INVOCATION & PLEDGE OF ALLEGIANCE**
4. **PUBLIC TO BE HEARD**
5. **PROCLAMATIONS AND SPECIAL PRESENTATIONS**
 - a) **SPECIAL PRESENTATION - 2008 KEEP PORT ST. LUCIE BEAUTIFUL SPONSORS**
6. **ADDITIONS OR DELETIONS TO AGENDA AND APPROVAL OF AGENDA**
7. **APPROVAL OF CONSENT AGENDA**
 - a) **APPROVAL OF MINUTES**
 - b) **ANNEXATION AGREEMENT BETWEEN THE CITY OF PORT ST. LUCIE AND GRAVES BROTHERS COMPANY**
 - c) **MINOR SITE PLAN, LOCATED AT THE SOUTHWEST CORNER OF CASHMERE AND ST. LUCIE WEST BOULEVARDS, IN THE DEVELOPMENT KNOWN AS ALBERTSON'S CENTER AT ST. LUCIE WEST, CONSTRUCTION OF A 3,500 SQ FT SINGLE-STORY DRIVE-THRU BANK BUILDING ON LOT 3A, P07-355, CASHMERE DEVELOPMENTS, INC.**
 - d) **PROPOSED CONTRACT FOR SALE AND PURCHASE, LOT 1, BLOCK 2272, PORT ST. LUCIE SECTION THIRTY-THREE, 4689 SW SAVONA BOULEVARD, PARCEL #6, \$26,000, PROPERTY NEEDED FOR THE REVISED BECKER ROAD WIDENING PROJECT PHASE 1, FARRUGGIA**
 - e) **LITTER CREW PROGRAM EXTENSION, RENEWAL OF TWO FULL-TIME EMPLOYMENT AGREEMENTS, WITH THREE-YEAR EXTENSIONS THROUGH FISCAL YEAR 2010/2011, ON RECOMMENDATION OF THE KEEP PORT ST. LUCIE BEAUTIFUL COMMITTEE; THE COST IS APPROXIMATELY \$47,000 ANNUALLY, USING FUNDS FROM THE FRANCHISE FEE, PUBLIC WORKS**
 - f) **RJ SULLIVAN CORPORATION, AMENDMENT #1, CHANGE ORDER #9, GLADES WWTF 12 MGD PHASE 2, ADDITIONAL WORK TO RECONNECT RECLAIMED WATER/INJECTION WELL, SITE WORK FOR FUTURE MAINTENANCE BUILDING**

PROJECT, AND A REDUCTION IN OTHER ITEMS RESULTING IN A DECREASE OF (\$182,587) FOR A NEW CONTRACT TOTAL OF \$53,905,631, AND NO CHANGE IN CALENDAR DAYS, #20040073, FUND 445-3513-5630, UTILITY SYSTEMS

g) LANZO LINING SERVICES, INC., INSTALLATION OF GRAVITY MAIN LINERS THROUGHOUT THE CITY AS BUDGET ALLOWS EACH FISCAL YEAR, #20080095, CONTRACT IS FOR FIVE YEARS WITH AN OPTION OF AN ADDITIONAL FIVE-YEAR PERIOD, FUND 438-3370-5630, UTILITY SYSTEMS

h) EXCEPTION TO THE 2005/2006 SHIP/HHR HOUSING ASSISTANCE PLANS FOR MARVA DYER FILE; FILE COMPUTED IN ERROR; THEY WERE APPROVED FOR \$60,000 INSTEAD OF A \$40,000 LOAN; LOAN IS DUE ON SALE AND WILL BE RETURNED WHEN HOME IS SOLD; STATE AUDIT RECOMMENDED COUNCIL ACTION TO APPROVE EXCEPTION FOR THIS FILE, COMMUNITY SERVICES

i) DAVEY RESOURCE GROUP, PLAN DEVELOPMENT OF URBAN FOREST ENHANCEMENT FOR CLIMATE PROTECTION AGREEMENT, #20080066, \$17,950; CONTRACT PERIOD IS 365 CALENDAR DAYS, FUND 401-3900-5340, PUBLIC WORKS

j) WAIVER OF BID PER SECTION 35.04(C), FOR GOOD CAUSE SHOWN, TO USE THE CITY'S CONSTRUCTION DIVISION AS THE GENERAL CONTRACTOR TO BUILD THE GLADES MAINTENANCE BUILDING AND TO OBTAIN QUOTES TO SELECT SUB-CONTRACTORS, UTILITY SYSTEMS

k) MELVIN BUSH CONSTRUCTION, INC., AMENDMENT #II, CHANGE ORDER #2, INSTALLATION OF STORMWATER DRAINAGE PIPES FOR SIDE LOT DITCHES FOR E-8 CANAL IMPROVEMENTS, PHASES I & II, FINAL TRUE-UP OF THE STORMWATER TREATMENT AREA OF THE PROJECT RESULTING IN A DECREASE OF (\$188,668.65) FOR A NEW CONTRACT TOTAL OF \$2,152,987.77, AND AN ADDITIONAL 44 CALENDAR DAYS FOR A NEW CONTRACT TIME OF 216 DAYS, #20060109, FUND 401-4126-5340, PUBLIC WORKS

l) UNDERWATER ENGINEERING SERVICES, INC., CHANGE ORDER #1, WATERWAY STORMWATER SYSTEM REPAIRS PROJECT, AN ADDITIONAL SIX CALENDAR DAYS FOR COMPLETION OF WORK ON THE E-3C/OAK HAMMOCK K-8 SCHOOL FOR A NEW TOTAL OF 67 DAYS, #20080071, FUNDING IS UNDER THE NATURAL RESOURCES CONSERVATION SERVICE PROJECT AGREEMENT #69-4209-6-1607 AND THERE IS NO ADDITIONAL COST, FUND 401-2500-5340, PUBLIC WORKS

m) SHELTRA & SONS CONSTRUCTION CO., CHANGE ORDER #4, SW DARWIN BOULEVARD IMPROVEMENTS, TRUE-UP OF CONSTRUCTION DETAILS RESULTING IN A DECREASE OF (\$159,458.54) FOR A NEW CONTRACT TOTAL OF \$1,826,365.42, FUNDED THROUGH CDBG DISASTER INITIATIVE, #20070114, FUND 118-5901-5340, COMMUNITY SERVICES

n) LAND ACQUISITION AND SELECTION COMMITTEE, APPOINTMENT OF DANNA L. SMALL TO REPLACE CITY ATTORNEY ROGER G. ORR, MAYOR

CHRISTENSEN

8. SECOND READING, PUBLIC HEARING OF ORDINANCES

a) **ORDINANCE 08-37**, PROVIDING FOR THE AMENDMENT OF SECTION 155, PORT ST. LUCIE CITY CODE; PROVIDING FOR THE PERMITTING REQUIREMENTS FOR GARAGE SALE AND RESIDENTIAL TRANSITORY SIGNAGE; PROVIDING AN EFFECTIVE DATE

b) **ORDINANCE 08-44**, ANNEXING APPROXIMATELY 303.75 ACRES IN PORTIONS OF SECTIONS 6 AND 7, TOWNSHIP 36 SOUTH, RANGE 39 EAST, LEGALLY DESCRIBED IN EXHIBIT "A", SITUATED AND BEING IN ST. LUCIE COUNTY, FLORIDA; FOR A PROJECT KNOWN AS GRAVES BROTHERS COMPANY ANNEXATION APPLICATION, P06-261; PROVIDING FOR CONDITIONS OF ANNEXATION; AND PROVIDING FOR AN EFFECTIVE DATE

c) **ORDINANCE 08-66**, AMENDING CHAPTER 153: "LANDSCAPE CODE; LAND CLEARING" OF THE CITY OF PORT ST. LUCIE MUNICIPAL CODE BY REPEALING THE EXISTING CHAPTER 153: "LANDSCAPE CODE; LAND CLEARING" IN ITS ENTIRETY AND ADOPTING A REVISED AND UPDATED CHAPTER 153: "LANDSCAPE CODE; LAND CLEARING"; PROVIDING THE INVALIDITY OF ANY PORTION SHALL NOT AFFECT THE REMAINING PORTIONS OF THIS ORDINANCE; PROVIDING FOR AN EFFECTIVE DATE

d) **ORDINANCE 08-67**, AUTHORIZING THE CITY MANAGER OF THE CITY OF PORT ST. LUCIE TO ENTER INTO THE LEASE AGREEMENT BETWEEN THE CITY OF PORT ST. LUCIE AND TREASURE COAST MODEL RAILROAD CLUB AND HISTORICAL SOCIETY, INC., A FLORIDA NOT-FOR-PROFIT CORPORATION, FOR PROPERTY LOCATED AT THE STREET ADDRESS OF 273 SW BECKER ROAD; PROVIDING AN EFFECTIVE DATE

9. OTHER PUBLIC HEARINGS

10. FIRST READING OF ORDINANCES

a) **ORDINANCE 08-68**, RENAMING THE FOLLOWING STREET: SW CARDENA AVENUE BETWEEN CAPRI STREET AND SUNGLOW STREET TO SW GARDENA AVENUE; PROVIDING AN EFFECTIVE DATE

b) **ORDINANCE 08-69**, TO REZONE APPROXIMATELY FOUR (4) ACRES OF PROPERTY LOCATED SOUTH OF THE C-24 CANAL, BETWEEN SLADE PLACE AND DAUPHIN AVENUE, FROM RS-2 (SINGLE-FAMILY RESIDENTIAL) TO OSC (OPEN SPACE CONSERVATION); FOR A PROJECT KNOWN AS CITY OF PSL OSP/RS-2 REZONING, P08-119; PROVIDING FOR AN EFFECTIVE DATE

c) **ORDINANCE 08-70**, AMENDING THE CODE OF ORDINANCES OF THE CITY OF PORT ST. LUCIE, FLORIDA; AMENDING SECTION 158.216(E) AND ADDING A NEW SECTION 158.216(K) REGARDING FENCES AND WALLS; PROVIDING AN EFFECTIVE DATE

d) **ORDINANCE 08-71**, PROVIDING FOR THE AMENDMENT OF THE

PLANNED UNIT DEVELOPMENT DOCUMENT AND CONCEPTUAL DEVELOPMENT PLAN FOR VIZCAYA FALLS LOCATED IN A PLANNED UNIT DEVELOPMENT DISTRICT; PROVIDING AN EFFECTIVE DATE, P8-094

e) ORDINANCE 08-72 - CITY COUNCIL, ORDINANCE GFC 08-01 - CITY OF PORT ST. LUCIE GOVERNMENTAL FINANCE CORPORATION, AUTHORIZING THE AMENDMENT OF LEASE SCHEDULE NO. 2007 DATED AS OF MARCH 29, 2007 RELATING TO THE LEASING BY THE CITY OF CERTAIN BUILDINGS AND FACILITIES FOR USE BY THE CITY; AUTHORIZING THE EXECUTION AND DELIVERY OF SUCH AMENDED AND RESTATED LEASE SCHEDULE NO. 2007 AND SUCH OTHER DOCUMENTS IN CONNECTION THEREWITH; AUTHORIZING THE DELIVERY BY THE TRUSTEE OF REFUNDING CERTIFICATES OF PARTICIPATION IN BASIC RENT PAYMENTS TO BE MADE BY THE CITY WITH RESPECT TO SUCH FACILITIES TO REFUND CERTAIN CERTIFICATES OF PARTICIPATION IN BASIC RENT PAYMENTS TO BE MADE BY THE CITY WITH RESPECT TO SUCH FACILITIES IN AN AMOUNT NOT EXCEEDING \$50,000,000; AUTHORIZING THE EXECUTION AND DELIVERY OF SUCH OTHER DOCUMENTS IN CONNECTION WITH SUCH REFUNDING; AND PROVIDING FOR AN EFFECTIVE DATE

11. RESOLUTIONS

a) RESOLUTION 08-R57, DECLARING SUPPORT FOR A COUNTYWIDE ORDINANCE RELATING TO THE RESIDENCES OF SEXUAL OFFENDERS AND SEXUAL PREDATORS WITHIN THE COUNTY, ALLOWING SEXUAL OFFENDERS AND SEXUAL PREDATORS TO LIVE NOT CLOSER THAN 2,500 FEET FROM SPECIFIED LOCATIONS IN ST. LUCIE COUNTY; PROVIDING AN EFFECTIVE DATE

b) RESOLUTION 08-R62, A PUBLIC HEARING, GRANTING A SPECIAL EXCEPTION USE PROVIDED FOR IN SECTION 158.255 TO ALLOW A RESTAURANT IN THE LMD (LIMITED MIXED USE) ZONING DISTRICT FOR COURTYARD OF SULTAN, LLC, LOCATED ON THE SOUTH SIDE OF SULTAN DRIVE, NORTH OF THE C-24 CANAL, AND WEST OF PORT ST. LUCIE BOULEVARD, AND LEGALLY DESCRIBED AS LOTS 28-33, BLOCK 1291, SECTION 12, CITY OF PORT ST. LUCIE; PROVIDING AN EFFECTIVE DATE

c) RESOLUTION 08-R65, A PUBLIC HEARING, GRANTING A SPECIAL EXCEPTION USE PROVIDED FOR IN SECTION 158.124(C)(11) AND (12) TO ALLOW A CONVENIENCE STORE WITH FUEL PUMPS IN THE CG (GENERAL COMMERCIAL) ZONING DISTRICT FOR CASTLE CREEK PARTNERS, LLC, LEGALLY DESCRIBED AS A PORTION OF SECTION 14, TOWNSHIP 37, RANGE 40, ON A PARCEL IDENTIFIED AS 2780 SE MORNINGSIDE BOULEVARD (P08-122); PROVIDING AN EFFECTIVE DATE

d) RESOLUTION 08-R66, A PUBLIC HEARING, GRANTING A SPECIAL EXCEPTION USE PROVIDED FOR IN SECTION III (A)(2)(B) OF THE COPPER CREEK PUD (PLANNED UNIT DEVELOPMENT) TO ALLOW FUEL SALES, ASSOCIATED WITH BUILDING K, P07-212; PROVIDING AN EFFECTIVE DATE

e) RESOLUTION 08-R67, A PUBLIC HEARING, GRANTING A SPECIAL EXCEPTION USE PROVIDED FOR IN SECTION III (A)(2)(B) OF THE COPPER CREEK PUD (PLANNED UNIT DEVELOPMENT) TO ALLOW A DRIVE-THROUGH

FACILITY ASSOCIATED WITH BUILDING K, P07-212; PROVIDING AN EFFECTIVE DATE

f) RESOLUTION 08-R68, A PUBLIC HEARING, GRANTING A SPECIAL EXCEPTION USE PROVIDED FOR IN SECTION III (A)(2)(B) OF THE COPPER CREEK PUD (PLANNED UNIT DEVELOPMENT) TO ALLOW A DRIVE-THROUGH FACILITY ASSOCIATED WITH BUILDING B, P07-212; PROVIDING AN EFFECTIVE DATE

g) RESOLUTION 08-R69, A PUBLIC HEARING, GRANTING A SPECIAL EXCEPTION USE PROVIDED FOR IN SECTION III (A)(2)(B) OF THE COPPER CREEK PUD (PLANNED UNIT DEVELOPMENT) TO ALLOW A DRIVE-THROUGH FACILITY ASSOCIATED WITH BUILDING F, P07-212; PROVIDING AN EFFECTIVE DATE

h) RESOLUTION 08-R70, A PUBLIC HEARING, GRANTING A SPECIAL EXCEPTION USE PROVIDED FOR IN SECTION III (A)(2)(B) OF THE COPPER CREEK PUD (PLANNED UNIT DEVELOPMENT) TO ALLOW A DRIVE-THROUGH FACILITY ASSOCIATED WITH BUILDING H, P07-212; PROVIDING AN EFFECTIVE DATE

i) RESOLUTION 08-R71, A PUBLIC HEARING, GRANTING A SPECIAL EXCEPTION USE PROVIDED FOR IN SECTION III (A)(2)(B) OF THE COPPER CREEK PUD (PLANNED UNIT DEVELOPMENT) TO ALLOW A DRIVE-THROUGH FACILITY ASSOCIATED WITH BUILDING I, P07-212; PROVIDING AN EFFECTIVE DATE

12. UNFINISHED BUSINESS

13. NEW BUSINESS

a) AMENDED 2007-2009 SHIP HOUSING PLAN, PROPOSAL TO PROVIDE LESS FUNDING FOR HOME PURCHASE ASSISTANCE DUE TO DROP IN HOUSING PRICES, AND TO MAKE SOME CLARIFYING AND TECHNICAL CHANGES, COMMUNITY SERVICES

b) DISCUSSION CONCERNING ZONING TEXT AMENDMENT FOR ADDITION OF "FEATHER FLAGS" TO MODEL HOME ORDINANCE, PLANNING & ZONING DEPT.

c) REQUEST FOR DISCUSSION CONCERNING WASTING OF TAXPAYERS' DOLLARS ON BONDS, WESTMORELAND TURNABOUT, AND SAM'S CLUB WATER DRAINAGE ISSUES, DAVE MITTLER/JOHN METHVIN

d) NATURAL RESOURCES CONSERVATION SERVICE EMERGENCY WATERSHED PROTECTION PROGRAM, AMENDMENT #13, PROJECT AGREEMENT 69-4209-6-1607, PROVIDING AN ADDITIONAL \$1,000,000 IN FUNDING ASSISTANCE AND EXTENDING THE PROJECT AGREEMENT THROUGH 9/30/08, CONCLUDE CLEANUP AND RESTORATION OF THE E-8 CANAL BETWEEN SAVONA BOULEVARD AND KENSINGTON STREET, FUND 401-2500-5340, PUBLIC WORKS

e) **WAIVER OF BID PER SECTION 35.04(C)**, FOR GOOD CAUSE SHOWN, TO PURCHASE SERVICES FROM ABACO BOATWORKS, INC., FOR UTILITY FINANCE DEPARTMENT UPDATES TO THE UTILITY BILLING SYSTEM, #20080130, COST FOR FISCAL YEAR 2008 IS \$54,000, PLUS AN ADDITIONAL \$75,000 FOR EXPANDED USE OF THE COMPUTER PROGRAM SERVICE FOR FISCAL YEAR 2009, FOR A TOTAL PURCHASE OF \$129,000, FUND 431-1345-5340, FINANCE DEPARTMENT

14. **COUNCIL REPORTS ON COMMITTEE ASSIGNMENTS**

15. **ADJOURN**

NOTICE: No stenographic record by a certified court reporter will be made of the foregoing meeting. Accordingly, any person who may seek to appeal any decision involving the matters noticed herein will be responsible for making a verbatim record of the testimony and evidence at said meeting upon which any appeal is to be based.

NOTICE: Public and Press are invited to review all the backup material for Council Meetings. Copies are available on Thursday, Friday, and Monday before any Council Meeting in the City Clerk's Office in City Hall. On Meeting nights a copy of backup material is in the Reception Area for further review during the meeting. PLEASE LEAVE THE AGENDA BACKUP MATERIAL IN GOOD ORDER FOR OTHERS TO REVIEW.

NOTICE: Anyone wishing to speak during Public to be Heard or the First Reading of Ordinances is required to sign on the sheet supplied by the City Clerk in the front of the Chambers (at the lectern).

AS A COURTESY TO THE PEOPLE RECORDING THE MEETING, PLEASE TURN OFF ALL CELL PHONES, PAGERS AND BEEPERS