

**CITY OF PORT ST. LUCIE  
CITY COUNCIL REGULAR ACTION AGENDA  
NOVEMBER 13, 2012**

**6. ADDITIONS OR DELETIONS TO AGENDA AND APPROVAL OF AGENDA**

**ACTION:** Motion passed unanimously to approve the Agenda, with Item 11 a) removed at the request of the Legal Department.

**7. APPROVAL OF CONSENT AGENDA**

**a) APPROVAL OF MINUTES - AUGUST 13, SEPTEMBER 24, 2012**

**b) MINOR SITE PLAN, PRIMA VISTA KINGDOM HALL,** LOCATED ON THE SOUTH SIDE OF PRIMA VISTA BOULEVARD, EAST OF AILEEN STREET, WEST OF DOREEN STREET, AND NORTH OF VIOLET STREET, CONSTRUCTION OF A 4,512 SQ FT ONE STORY CHURCH WITH 1,900 SQ FT OF ENCLOSED ASSEMBLY AREA, P12-014, BARRY ZIMMERMAN (TR), JAMES MOSELY (TR), MICHAEL PERRY (TR)

**c) CITY COUNCIL AND COMMUNITY REDEVELOPMENT AGENCY MEETING SCHEDULE FOR 2013,** CITY CLERK

**d) MAJOR SITE PLAN, TRADITION CHARTER SCHOOL,** LOCATED SOUTH OF TRADITION PARKWAY AND WEST OF STONY CREEK WAY, CONSTRUCTION OF A TWO-STORY 65,350 SQ FT CHARTER SCHOOL FOR GRADES KINDERGARTEN THROUGH 8<sup>TH</sup>, PSL ACQUISITIONS I, LLC, P12-081

**e) AT&T (F/K/A) BELL SOUTH TELECOMMUNICATIONS,** AMENDMENT #1, RENEWAL OF AGREEMENT FOR SMARTRING SERVICES, #20060108, \$3,374.44 PER MONTH, FUND 001-1900-5410, OMB

**f) COCA-COLA ENTERPRISES, INC. D/B/A FLORIDA COCA-COLA BOTTLING COMPANY,** RENEWAL, #20080093, DRINK MACHINE VENDING SERVICES, THE CITY WILL RECEIVE A COMMISSION AND OTHER CONSIDERATIONS FOR EACH CASE OF DRINKS SOLD IN THE VENDING MACHINES AT VARIOUS CITY PARKS, CONTRACT PERIOD IS 10/1/12 THROUGH 9/30/13, PARKS & RECREATION DEPARTMENT

**g) CITY OF FORT PIERCE PAL,** REQUEST FOR CITY SPONSORSHIP FOR LOCATING TEMPORARY SIGNAGE IN THE CITY RIGHTS-OF-WAY FOR THE 6<sup>TH</sup> ANNUAL ST. LUCIE COUNTY TOY RUN TO BE HELD DECEMBER 9, 2012, CITY MANAGER

**h) PURCHASE OF FORECLOSED PROPERTY,** NEIGHBORHOOD STABILIZATION PROGRAM 3 - (NSP3), 250 SW DE GOUVEA TERRACE, PURCHASE PRICE IS LESSER OF \$100,000 OR 99% OF APPRAISED VALUE, LEGAL DEPARTMENT

**i) FOX TAIL LANDSCAPING, INC.,** LOT MOWING FOR NSP HOUSES,

RE-ASSIGN FIXED PRICE CONTRACT WITH NATIVE SON LANDSCAPE MANAGEMENT, LLC DUE TO SALE OF BUSINESS, #20110069, ALL PRICING AS SET FORTH IN ORIGINAL CONTRACT WILL BE HONORED, COMMUNITY SERVICES

**j) FOX TAIL LANDSCAPING, INC.,** LOT MOWING FOR CODE ENFORCEMENT LOCATIONS, RE-ASSIGN FIXED PRICE CONTRACT WITH NATIVE SON LANDSCAPE MANAGEMENT, LLC DUE TO SALE OF BUSINESS, #20100015, ALL PRICING SET FORTH IN ORIGINAL CONTRACT WILL BE HONORED, BUILDING DEPARTMENT

**k) ANDREW THOMAS CONSTRUCTION, INC.,** NUISANCE HOME REPAIRS FOR THE PROPERTY LOCATED AT 1997 SE BOLTON AVENUE, \$2,500, LEGAL DEPARTMENT

**l) INDIAN RIVER CRIME LABORATORY,** #95-31218, LABORATORY SERVICES AND EVIDENCE ANALYSIS FOR THE FISCAL YEAR BEGINNING OCTOBER 2012 THROUGH SEPTEMBER 2013, TOTAL AMOUNT DUE OF \$260,762.34 WITH QUARTERLY PAYMENTS OF \$65,190.59, FUND 001-2105-5310, POLICE DEPARTMENT

**m) MELVIN BUSH CONSTRUCTION, INC.,** AMENDMENT #22, CHANGE ORDER #1, FINAL TRUE UP FOR REPLACEMENT OF METAL CULVERT PIPES ON LYNATE DRIVE, #20070008, \$19,961.29 FOR A NEW CONTRACT TOTAL OF \$81,315.89, AND 9 ADDITIONAL CALENDAR DAYS FOR A NEW CONTRACT TOTAL OF 29 CALENDAR DAYS, FUNDED BY CDBG, FUND 118-5900-5340, ENGINEERING DEPARTMENT

**n) AMERICAN EARTH MOVERS, INC.,** CHANGE ORDER #1, EASTERN WATERSHED IMPROVEMENT PROJECT (EWIP) LOUTUS POND STA & BLACKWELL WATERWAY IMPROVEMENTS PROJECT, #20110077, \$43,537.49 FOR A NEW CONTRACT AMOUNT OF \$2,794,886.54, AND 25 ADDITIONAL CALENDAR DAYS FOR A NEW CONTRACT PERIOD OF 265 CALENDAR DAYS, FUND 401/403-4126-5630/5688, ENGINEERING DEPARTMENT

**ACTION:** Motion passed unanimously to approve the Consent Agenda.

**8. SECOND READING, PUBLIC HEARING OF ORDINANCES**

**a) ORDINANCE 12-67,** AUTHORIZING THE CONVEYANCE OF A STORM WATER DRAINAGE EASEMENT FROM THE CITY OF PORT ST. LUCIE TO MANN RESEARCH CENTER, LLC; PROVIDING AN EFFECTIVE DATE.

**ACTION:** Motion passed unanimously to approve Ordinance 12-67.

**b) ORDINANCE 12-68,** PROVIDING FOR THE NINTH AMENDMENT OF THE MASTER PLANNED UNIT DEVELOPMENT DOCUMENT AND CONCEPTUAL DEVELOPMENT PLAN FOR TRADITION LOCATED IN A MASTER PLANNED UNIT DEVELOPMENT DISTRICT; PROVIDING AN EFFECTIVE DATE.

**ACTION:** Motion passed unanimously to approve Ordinance 12-68.

**c) ORDINANCE 12-69,** AUTHORIZING THE CITY MANAGER OF THE CITY OF PORT ST. LUCIE TO ENTER INTO A LEASE AGREEMENT BETWEEN THE CITY OF PORT ST. LUCIE AND COLLEGE PREPARATORY ACADEMY OF THE TREASURE COAST; PROVIDING AN EFFECTIVE DATE.

**ACTION:** Motion passed by roll call vote to approve Ordinance 12-69, with Councilwoman Martin, Councilman Kelly, and Vice Mayor Bartz voting in favor, and Mayor Faiella abstaining.

**9. OTHER PUBLIC HEARINGS**

**a) PORT ST. LUCIE RESIDENTIAL STREET LIGHTING ASSESSMENT AREA, BOUNDARY #305,** SE AIRES LANE

**ACTION:** Motion passed unanimously to approve Residential Street Lighting Assessment Area, Boundary #305, SE Aires Lane.

**b) PORT ST. LUCIE RESIDENTIAL STREET LIGHTING ASSESSMENT AREA, BOUNDARY #306,** NW GISELA LANE

**ACTION:** Motion passed unanimously to approve Residential Street Lighting Assessment Area, Boundary #306, NW Gisela Lane.

**c) PORT ST. LUCIE RESIDENTIAL STREET LIGHTING ASSESSMENT AREA, BOUNDARY #307** NW HOPKINS AVENUE

**ACTION:** Motion passed unanimously to approve Residential Street Lighting Assessment Area, Boundary #307, NW Hopkins Avenue.

**d) PORT ST. LUCIE RESIDENTIAL STREET LIGHTING ASSESSMENT AREA, BOUNDARY #308,** NW WHITECAP DRIVE

**ACTION:** Motion passed unanimously to approve Residential Street Lighting Assessment Area, Boundary #308, NW Whitecap Drive.

**e) PORT ST. LUCIE RESIDENTIAL STREET LIGHTING ASSESSMENT AREA, BOUNDARY #309,** NW EAST DELWOOD DRIVE

**ACTION:** Motion passed unanimously to approve Residential Street Lighting Assessment Area, Boundary #309, NW East Delwood Drive.

**f) PORT ST. LUCIE RESIDENTIAL STREET LIGHTING ASSESSMENT AREA, BOUNDARY #310,** NW BECKHAM COURT

**ACTION:** Motion passed unanimously to approve Residential Street Lighting Assessment Area, Boundary #310, NW Beckham Court.

**g) PORT ST. LUCIE RESIDENTIAL STREET LIGHTING ASSESSMENT AREA, BOUNDARY #311, NW CANADA STREET**

**ACTION:** Motion passed unanimously to approve Residential Street Lighting Assessment Area, Boundary #311, NW Canada Street.

**10. FIRST READING OF ORDINANCES**

**a) ORDINANCE 12-70,** TO REZONE .459 ACRES OF PROPERTY LOCATED ON THE EAST SIDE OF LENNARD ROAD, NORTH OF LONGHORN AVENUE, SOUTH OF MELALEUCA BOULEVARD, AND WEST OF LUCAYA STREET; AND IS LEGALLY DESCRIBED AS LOTS 9 AND 10, BLOCK 1543, PORT ST. LUCIE SECTION 30; FROM RS-2 (SINGLE FAMILY RESIDENTIAL) TO P (PROFESSIONAL), FOR A PROJECT KNOWN AS HAIR BY MARIA REZONING APPLICATION, P12-090; PROVIDING FOR AN EFFECTIVE DATE.

**ACTION:** Motion passed unanimously to approve Ordinance 12-70.

**11. RESOLUTIONS**

**a) RESOLUTION 12-R119,** AUTHORIZING AN INTERLOCAL AGREEMENT BETWEEN THE SCHOOL BOARD OF ST. LUCIE COUNTY AND THE CITY OF PORT ST. LUCIE FOR MUTUAL UTILIZATION OF THEIR RESPECTIVE FACILITIES FOR THE BENEFIT OF THE GENERAL PUBLIC; PROVIDING AN EFFECTIVE DATE.

**CLERK'S NOTE:** Resolution 12-R119 was removed from the Agenda at the request of the Legal Department.

**b) RESOLUTION 12-R120,** IDENTIFYING CERTAIN PROPERTY WITHIN THE CITY OF PORT ST. LUCIE A THREAT TO THE HEALTH, SAFETY, AND GENERAL WELFARE OF THE COMMUNITY PURSUANT TO CHAPTER 40 OF THE PORT ST. LUCIE CITY CODE; PROVIDING FOR A HEARING DATE TO DETERMINE WHETHER THE AFFECTED PROPERTY SHOULD BE FOUND A PUBLIC NUISANCE; PROVIDING NOTICE TO THE OWNERS AND MORTGAGEE(S) OF THE PROPERTY OF SAID HEARING DATE; PROVIDING AN EFFECTIVE DATE.

**ACTION:** Motion passed unanimously to approve Resolution 12-R120.

**12. UNFINISHED BUSINESS**

There was nothing scheduled for this item.

**13. NEW BUSINESS**

**a) WAIVER OF BID,** CHAPTER 35.11(B) EMERGENCY, **FELIX ASSOCIATES OF FLORIDA, INC.,** HEMET STREET EMERGENCY SEWER LATERAL AND ROAD REPAIRS, \$42,001.35, #20130011, FUND 438-3316-

5630, UTILITY SYSTEM DEPARTMENT

**ACTION:** Motion passed unanimously to approve Item 13 a).

**b) FUTURE WATER SUPPLY PLAN FOR THE CITY,** UTILITY SYSTEM DEPARTMENT

**ACTION:** Motion passed unanimously to approve the acquisition of the requested properties in Item 13 b).

**c) ST. LUCIE RIVER ISSUES TEAM (SLRIT) GRANT,** IN THE AMOUNT OF \$100,000 TO INSTALL BAFFLE BOXES IN UP TO THREE D CANALS, THIS IS A 50/50 MATCHING GRANT, ENGINEERING DEPARTMENT

**ACTION:** Motion passed unanimously to approve Item 13 c).

**d) CURRY CONTROLS COMPANY,** PURCHASE AND INSTALLATION OF SUPERVISORY CONTROL AND DATA ACQUISITION RADIOS (SCADA) AT EXISTING UTILITY SITES, #20120087, \$334,490 PLUS A ONE TIME \$10 INDEMNIFICATION FEE, CONTRACT PERIOD IS FOR 24 MONTHS WITH A 24 MONTH OPTION OF RENEWAL, FUND 438-3380-5630, UTILITIES SYSTEM DEPARTMENT

**ACTION:** Motion passed unanimously to approve Item 13 d).

**e) AT&T MOBILITY, SPRINT SOLUTIONS, T-MOBILE USA, VERIZON WIRELESS, DISCOUNT CELL, INC., TESSCO INCORPORATED,** PURSUANT TO CHAPTER 35.06, OFFER EQUAL TO OR LOWER THAN STATE CONTRACT PRICE, MASTER SERVICE AGREEMENT #1907, WESTERN STATES CONTRACTING ALLIANCE (WSCA) FOR WIRELESS VOICE SERVICE, WIRELESS BROADBAND SERVICE, ACCESSORIES AND EQUIPMENT, #20130012, NO EXPENSE, OMB

**ACTION:** Motion passed unanimously to approve Item 13 e).

**f) SPRINT SOLUTIONS, INC.,** PURSUANT TO CHAPTER 35.06, OFFER EQUAL TO OR LOWER THAN STATE CONTRACT PRICE, MASTER SERVICE AGREEMENT #1907, WESTERN STATES CONTRACTING ALLIANCE (WSCA) FOR WIRELESS VOICE SERVICES, WIRELESS BROADBAND SERVICE, ACCESSORIES AND EQUIPMENT, #20130008, \$12,000, FUND VARIOUS-VARIOUS, PARKS AND RECREATION

**ACTION:** Motion passed unanimously to approve Item 13 f).

**g) AT&T MOBILITY NATIONAL ACCOUNTS, LLC,** PURSUANT TO CHAPTER 35.06, OFFER EQUAL TO OR LOWER THAN STATE CONTRACT PRICE, MASTER SERVICE AGREEMENT #1907, WESTERN STATES CONTRACTING ALLIANCE (WSCA) FOR WIRELESS VOICE SERVICES, WIRELESS BROADBAND SERVICE, ACCESSORIES AND EQUIPMENT,

#20120088, FUND 001-2105-5410, POLICE DEPARTMENT

**ACTION:** Motion passed unanimously to approve Item 13 g).

h) **NATURE'S KEEPER, INC.**, PRIMARY CONTRACTOR, **PALM CITY SOD OF CENTRAL FLORIDA, INC.**, SECONDARY CONTRACTOR, SUPPLY AND INSTALLATION OF SOD, #20120055, ANNUAL EXPENSE \$272,145, CONTRACT PERIOD IS FOR 24 MONTHS WITH TWO 24 MONTH OPTIONS FOR RENEWAL THROUGH 2016, FUND VARIOUS-VARIOUS-VARIOUS, OMB

**ACTION:** Motion passed unanimously to approve Item 13 h).

i) **SHIP PROGRAM**, REQUEST FOR FORGIVENESS OF SHIP SECOND MORTGAGE LOAN REPAYMENT TO ALLOW A SHORT SALE IN RETURN FOR A PAYOFF OF \$2,500 TOWARD THE REMAINING BALANCE OF \$10,349, COMMUNITY SERVICES

**ACTION:** Motion passed unanimously to approve Item 13 i).