



BOARD OF COUNTY COMMISSIONERS

ACTION SUMMARY
APRIL 9, 2024 ~ 9:00 AM

COMMISSION CHAMBERS
2401 SE MONTEREY ROAD, STUART, FLORIDA 34996

COUNTY COMMISSIONERS

Harold E. Jenkins II, Chairman
Stacey Hetherington, Vice Chair
Doug Smith
Sarah Heard
Edward V. Ciampi

Don G. Donaldson, P.E., County Administrator
Sarah W. Woods, County Attorney
Carolyn Timmann, Clerk of the Circuit
Court and Comptroller

PRESETS

9:05 AM - Public Comment
10:30 AM – Staff Presentation on the History of Bathtub Beach
5:05 PM - Public Comment

CALL TO ORDER AT 9:01 AM

1. INVOCATION – **Pastor Aaron Meehan**, Higher Purpose Pentecostal Church
2. PLEDGE OF ALLEGIANCE – **Captain Wayne Hanners**, US Navy Veteran
3. ADDITIONAL ITEMS – **The Additional Items of CNST-17 and DEPT-4 were added to the Agenda.**
4. APPROVAL OF AGENDA – **The Agenda was approved.**
5. APPROVAL OF CONSENT AGENDA – **The Consent Agenda was approved.**
Consent Agenda items are considered routine and are enacted by one motion and will have no action noted, but the "Recommendation" as it appears on the Board item is the approved action.

COMMENTS

1. PUBLIC - PLEASE LIMIT COMMENTS TO THREE MINUTES.
2. COMMISSIONERS – **The Board authorized the Chairman to sign a letter to Governor DeSantis supporting the Village of Tequesta's request for Appropriations for Tequesta Park improvements. The Board asked staff to return with how the Board can initiate changes to the Americans with Disabilities Act. Commissioner Heard requested staff to update the residential capacity analysis. The Board requested the Clerk to provide a timeline for producing meeting minutes.**

3. COUNTY ADMINISTRATOR – The Board authorized the Chairman to sign a letter supporting Congressman Mast's Bill that changes Title 38 to reflect reporting an emergency within "72 hours following discharge" (rather than "presenting") to the emergency room. The Board agreed to send Florida Senate President Kathleen Passidomo a condolence letter for the passing of her husband. The Board authorized the County to pay for offsite water improvements for Windstone and Evergreen and to bring back a policy to address existing developments within the urban boundary.

CONSENT
ADMINISTRATION

CNST-1 **CONTRACTS THAT MEET THE THRESHOLD FOR BOARD APPROVAL**

This item is a placeholder on all Board meeting agendas to streamline the process for items that meet the Board approval threshold. Specific items requiring approval, if any, will be provided by Supplemental Memorandum. If there are no items, a Supplemental Memorandum will not be attached.

Agenda Item: 24-0494 **No items**

CNST-2 **BOARD OF COUNTY COMMISSIONERS' APPROVAL OF WARRANT LIST FOR DISBURSEMENT VIA CHECKS AND ELECTRONIC PAYMENTS TO COMPLY WITH STATUTORY REQUIREMENTS**

Pursuant to Chapter 136.06, Florida Statutes, checks and electronic payments issued by the Board of County Commissioners are to be recorded in the Board meeting minutes. In compliance with statutory requirements, the Warrant List is added to the Consent Agenda for approval by the Board of County Commissioners. This Warrant List is for disbursements made between February 26, 2024 and March 24, 2024. Additional details related to these disbursements may be viewed in the office of the Martin County Clerk of Court and Comptroller or on the Clerk's website.

Agenda Item: 24-0500

CNST-3 **ADOPT A PROCLAMATION DECLARING STAMP OUT HUNGER DAY IN MARTIN COUNTY, FLORIDA**

The Board is asked to adopt a proclamation declaring Stamp Out Hunger Day in Martin County, Florida.

Agenda Item: 24-0702

CNST-4 **ADOPT A PROCLAMATION DECLARING CHILD ABUSE PREVENTION MONTH IN MARTIN COUNTY, FLORIDA**

The Board is asked to adopt a proclamation declaring Child Abuse Prevention Month in Martin County, Florida.

Agenda Item: 24-0741

CNST-5 **ADOPT A PROCLAMATION DECLARING HURRICANE PREPAREDNESS WEEK IN MARTIN COUNTY, FLORIDA**

The Board is asked to adopt a proclamation declaring Hurricane Preparedness Week in Martin County, Florida.

Agenda Item: 24-0779

CNST-6 ADOPT FOUR PROCLAMATIONS COMMENDING YOUNG MEN FROM TROOP 811 UPON THE ACHIEVEMENT OF EAGLE SCOUT

The Board extends greetings and congratulations to scouts achieving the rank of Eagle Scout. Troop 840 would like to announce that Egan Hammond, Ethan Kolenut, George Secor, and Kyle Secor have each earned the rank of Eagle Scout.

Agenda Item: 24-0784

CNST-7 ADOPT FOUR PROCLAMATIONS COMMENDING YOUNG MEN FROM TROOP 840 UPON THE ACHIEVEMENT OF EAGLE SCOUT

The Board extends greetings and congratulations to scouts achieving the rank of Eagle Scout. Troop 840 would like to announce that Austin James Fleming, Patrick Cooper Moeller, Andres George Snow III, and Talan Jarrauld Woodcock have each earned the rank of Eagle Scout.

Agenda Item: 24-0794

CNST-8 ADOPT A PROCLAMATION DECLARING EVERGLADES DARK SKY MONTH IN MARTIN COUNTY, FLORIDA

The Board is asked to adopt a proclamation declaring Everglades Dark Sky Month in Martin County, Florida.

Agenda Item: 24-0801

BUILDING

CNST-9 REQUEST FOR APPROVAL OF FINE REDUCTION STIPULATION AND AGREED RECOMMENDED ORDER REGARDING THE CODE ENFORCEMENT CASE OF MARY RIGGS MAYO AND MICHAEL MAYO CASE NUMBER ENF2022040288

Pursuant to the provisions of Section 1.98B, General Ordinances, Martin County Code, the Board of County Commissioners is asked to consider approval of a Fine Reduction Stipulation and Agreed Recommended Order regarding the Code Enforcement case of Mary Riggs Mayo and Michael Mayo.

Agenda Item: 24-0692

CNST-10 REQUEST FOR APPROVAL OF FINE REDUCTION STIPULATION AND AGREED RECOMMENDED ORDER REGARDING THE CODE ENFORCEMENT CASE OF BAF 3 LLC CASE NUMBER ENF2021100063

Pursuant to the provisions of Section 1.98B, General Ordinances, Martin County Code, the Board of County Commissioners is asked to consider approval of a Fine Reduction Stipulation and Agreed Recommended Order regarding the Code Enforcement case of BAF 3 LLC.

Agenda Item: 24-0693

COUNTY ATTORNEY

CNST-11 AMENDMENT TO THE BOARD DIRECTED DONATION POLICY

This amendment modifies the current Donation Policy by adding language which allows the County Administrator, or his/her designee, to authorize additional recognition to donors whose donations are valued at \$15,000 or more; removes reference to a no longer existent Martin County Code; and changes the wording of 'Fixed Asset Division' to the 'Purchasing Division'.

Agenda Item: 24-0795

PUBLIC WORKS

CNST-12 ACCEPTANCE AND APPROVAL OF A SECOND AMENDMENT TO OPTION TO LEASE WITH THE MARTIN COUNTY POLICE ATHLETIC LEAGUE, INC., EXTENDING THE TERM OF THE OPTION TO LEASE ON COUNTY OWNED REAL PROPERTY IN GOLDEN GATE

This request is for the approval of a Second Amendment to Option to Lease between Martin County and Martin County Police Athletic League, Inc. (MCPAL), extending the term of the Option to Lease for two additional years. The subject property is owned by Martin County and located in Golden Gate.

Agenda Item: 24-0700

CNST-13 APPROVAL OF A REVOCABLE ACCESS AND MAINTENANCE EASEMENT BETWEEN MARTIN COUNTY AND MCARTHUR GOLF CLUB, L.L.C., FOR MAINTENANCE ASSOCIATED WITH SERVICE ACCESS TO MCARTHUR'S WEST GOLF COURSE AND MAINTENANCE FACILITIES

Request acceptance of a Revocable Access and Maintenance Easement from Martin County to provide McArthur Golf Club, L.L.C., a Delaware limited liability company, necessary access, and maintenance over County property, for McArthur to maintain its west golf course and maintenance facilities, installation of a stop sign and gate at entrance of SE Circle Street. Access will be limited and shall not be available for public use.

Agenda Item: 24-0711

CNST-14 FINAL APPROVAL OF A CONTRACT AND ADOPTION OF A RESOLUTION APPROVING AND ACCEPTING A SPECIAL WARRANTY DEED FOR THE ACQUISITION OF A ONE-HALF ACRE VACANT LOT IN PALM BEACH HEIGHTS FOR CONSERVATION PURPOSES

This is a request for final approval of a Vacant Land Contract and adoption of a resolution approving and accepting a Special Warranty Deed from Frank P. Pacheco, for the acquisition of a vacant one-half-acre parcel in the amount of \$4,000.00, located in Palm Beach Heights (Pal-Mar) for conservation purposes.

Agenda Item: 24-0742

RESOLUTION NO. 24-4.1

CNST-15 SECOND AMENDMENT TO THE INTERLOCAL AGREEMENT FOR CREATION OF THE MARTIN COUNTY METROPOLITAN PLANNING ORGANIZATION

At the April 9, 2024, BOCC meeting, Martin Metropolitan Planning Organization (MPO) Staff will request that the BOCC approve the Second Amendment to the Interlocal Agreement for Creation of the Martin County MPO, which will add a fifth Martin County Commissioner as a voting member to the MPO Board.

Agenda Item: 24-0754

UTILITIES AND SOLID WASTE

CNST-16 INITIAL ASSESSMENT RESOLUTION FOR THE HARBOR ESTATES/GAINES AVENUE WATER MAIN EXTENSION MUNICIPAL BENEFIT UNIT

Board action is requested to adopt the initial assessment resolution for the Harbor Estates/Gaines Avenue Area Water Main Municipal Service Benefit Unit to allow installation of water lines.

Agenda Item: 24-0680

RESOLUTION NO. 24-4.2

PARKS AND RECREATION

CNST-17 U.S. SAILING CENTER OF MARTIN COUNTY REQUEST FOR SPECIAL USE PERMIT

The U.S. Sailing Center of Martin County is replacing their dock throughout the month of April 2024. During construction they will be unable to use their leased waterfront property to operate their sailing programs. They have requested use of the public beach South of the Indian RiverSide Park Fishing Pier for limited programs during specified times and days detailed in the special use permit.

Agenda Item: 24-0814 **Additional Item**

BOARD AND COMMITTEE APPOINTMENTS

B&C-1 LIBRARY BOARD OF TRUSTEES APPOINTMENTS

After solicitation of applicants due to terms expiring, the Board is asked to make the necessary appointments to the Library Board of Trustees.

Agenda Item: 24-0606

RESOLUTION NO. 24-4.3

ACTION TAKEN: The Board re-appointed Nelson Pole and Diane Tomasik for terms to begin April 21, 2024 and end April 20, 2027 and authorized the Chairman to sign the Resolution of Appointment.

PUBLIC HEARING

PH-1 PUBLIC HEARING TO CONSIDER ADOPTION OF AN ORDINANCE CALLING FOR REFERENDUM ON A TEN-YEAR HALF-CENT SALES TAX FOR CONSERVATION LANDS

This agenda item brings forward a draft ordinance calling for a referendum on the question of whether to levy a ten-year one-half percent (one-half cent) local government infrastructure sales surtax for the acquisition of conservation lands to be placed on the November 5, 2024 General Election Ballot.

Agenda Item: 24-0744

ORDINANCE NO. 1221

ACTION TAKEN: The Board approved the Ordinance to place the question of a sales tax on the November 5, 2024 ballot for consideration by Martin County voters changing the makeup of the Environmental Lands Oversight Committee to be:

Four (4) members shall be appointed from dedicated environmental organizations with missions focused on education, research, preserving, restoring, acquiring, and protecting the public's local water quality, the natural environment and to enhancing and restoring local ecosystems.

Three (3) members shall be appointed with one member representing each of the following: an organization with a mission focused on fiscal oversight of government budgets and spending; an organization with mission focused on the real estate industry; and an organization with a mission focused on responsible business growth and economic development.

Two (2) members shall be appointed from organizations with a mission focused on educating, promoting, and protecting the interests of agricultural farmers and ranchers.

PUBLIC HEARINGS QUASI-JUDICIAL

PHQJ-1 PUBLIC HEARING TO CONSIDER ADOPTION OF AN AMENDMENT TO THE MARTIN COUNTY ZONING ATLAS TO CHANGE THE ZONING DISTRICT CLASSIFICATION FOR APEX PAVERS INC. (A085-002)

This is a request by McCarthy Summers et al. on behalf of Apex Pavers, Inc., for a proposed amendment to the county zoning atlas to change the existing zoning district of an approximately 1.7-acre undeveloped site from A-1A, Agricultural District and B-1, Business District to GC, General Commercial District, or the most appropriate zoning district. The GC zoning district is consistent with the site's current future land use designation of General Commercial. The subject property is located at 624 SE Monterey Road in Stuart. Included with this application is a request for a Certificate of Public Facilities Exemption.

Agenda Item: 24-0746

RESOLUTION NO. 24-4.4

ACTION TAKEN: The Board received and filed the Agenda Item and all attachments as an exhibit and approved the request to rezone from A-1A, Agricultural District and B-1, Business District to GC, General Commercial District.

PHQJ-2 PUBLIC HEARING TO CONSIDER ADOPTION OF AN AMENDMENT TO THE MARTIN COUNTY ZONING ATLAS TO CHANGE THE ZONING CLASSIFICATION FOR MR. ERIC BRUSH (G088-001)

This is a request by Cotleur & Hearing on behalf of Mr. Eric Brush for a proposed amendment to the county zoning atlas to change the zoning district classification for an approximately 20.1-acre undeveloped site from A-2 (Agricultural) to AR-5A (Agricultural Ranchette). The site is located west of SW Greenridge Lane, approximately 0.64 miles southwest of the intersection of SW Greenridge Lane and SW 96th Street, in Palm City. Included is a request for a Certificate of Public Facilities Exemption.

Agenda Item: 24-0745

RESOLUTION NO. 24-4.5

ACTION TAKEN: The Board received and filed the Agenda Item and all attachments as an exhibit and adopted a Resolution amending the Martin County Zoning Atlas to change the zoning district designation on the site from A-2, Agricultural District, to AR-5A, Agricultural Ranchette District.

**DEPARTMENTAL
ADMINISTRATION**

DEPT-1 OFFICE OF MANAGEMENT AND BUDGET ITEMS WHICH REQUIRE BOARD APPROVAL

This is a placeholder on all Board meeting agendas to streamline the process for grant applications, awards, budget resolutions, budget transfers from reserves, and CIP amendments. Specific items requiring approval, if any, will be provided by Supplemental Memorandum.

Agenda Item: 24-0509 **Supplemental Memorandum (3 items)**

ACTION TAKEN:

1. **Permission to Apply for the FY25 Federal Environmental Infrastructure Community Funding Appropriation** - The Board authorized the Environmental Resource Division to submit an Environmental Infrastructure Community Funding Partnership appropriation request to Congress and authorized the Environmental Resource Division to issue a letter of interest to USACE for evaluation of capacity.
2. **Permission to Accept the E911 State Grant for Rapid SOS Premium** - The Board authorized the Chairman to execute the DMS grant agreement as well as any non-monetary grant related documents upon review and concurrence of the County Attorney's Office and adopted the Budget Resolution.

RESOLUTION NO. 24-4.6

3. **Request for Funds from Reserves** - The Board authorized the transfer of funds from Community Broadband Reserves for the repairs.

DEPT-2 CONTRACTS THAT MEET THE THRESHOLD FOR BOARD APPROVAL \$1 MILLION OR GREATER

This item is a placeholder on all Board meeting agendas to streamline the process for items that meet the Board approval threshold. Specific items requiring approval, if any, will be provided by Supplemental Memorandum. If there are no items, a Supplemental Memorandum will not be attached.

Agenda Item: 24-0515 Supplemental Memorandum (2 items)

ACTION TAKEN:

A. CONTRACTS OVER \$1,000,000

1. INDIAN RIVERSIDE PARK LAGOON BOARDWALK EXPANSION (RFB2024-3571) – The Board awarded the contract to the lowest, responsive, and responsible bidder, Custom Built Marine Construction, Inc., in the amount of \$1,110,257.30 and authorized the County Administrator or designee to execute all documents related to this request.

B. CONTRACT AMENDMENTS OVER 10% OF ORIGINAL CONTRACT VALUE

1. GOLDEN GATE NEIGHBORHOOD RESURFACING (RFB2023-3520) - The Board approved Change Order #3 to M&M Asphalt Maintenance, Inc. (d/b/a All County Paving), in the amount of \$228,477.95 and authorized the County Administrator or designee to execute all documents related to this request.

PUBLIC WORKS

DEPT-3 STAFF PRESENTATION ON THE HISTORY OF BATHTUB BEACH

As requested by Commissioner Smith, County staff and staff from Olsen and Associates will present information on the history of Bathtub Reef Beach and the engineering challenges associated with the unique natural resource.

Agenda Item: 24-0713 Supplemental Memorandum

ACTION TAKEN: The Board heard the presentation.

ADMINISTRATION

DEPT-4 2024 LEGISLATIVE SESSION FINAL REPORT

The Florida Legislature has adjourned for the 2024 Session. This presentation will highlight Martin County's legislative accomplishments during the legislative session.

Agenda Item: 24-0821 Additional Item

ACTION TAKEN: The Board heard the presentation. The Board asked for an Agenda Item to review the Live Local Act.

PUBLIC - PLEASE LIMIT COMMENTS TO THREE MINUTES.

ADJOURNED AT 2:43 PM

The next meeting is April 30, 2024.

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