



BOARD OF COUNTY COMMISSIONERS

FINAL MINUTES
11/20/2018 9:00 AM

MINUTES
COMMISSION CHAMBERS
2401 SE MONTEREY ROAD, STUART, FLORIDA 34996

COUNTY COMMISSIONERS

Edward V. Ciampi, Chairman

Harold E. Jenkins II, Vice Chairman

Doug Smith

Stacey Hetherington

Sarah Heard

Taryn Kryzda, County Administrator

Sarah W. Woods, County Attorney

Carolyn Timmann, Clerk of the Circuit Court and

Comptroller

Organization of the Board of County Commissioners

- 1. INVOCATION - Dr. Darrell Orman, First Baptist Church of Stuart**
- 2. PLEDGE OF ALLEGIANCE**
- 3. ADDITIONAL ITEMS**
- 4. APPROVAL OF AGENDA**

MOTION: A motion was made by Commissioner Smith, seconded by Vice Chairman Jenkins, for approval of the agenda (with the additional items) and the consent agenda (no pulls). The motion carried by the following vote:

Aye: 5 - Chairman Ciampi, Vice Chairman Jenkins II, Commissioner Smith, Commissioner Hetherington, and Commissioner Heard

- 5. APPROVAL OF CONSENT AGENDA**

PROCLAMATIONS AND SPECIAL PRESENTATIONS

PROC-1 ORGANIZATION OF THE BOARD OF COUNTY COMMISSIONERS

In keeping with the reorganization policy, the Board is asked to follow the steps outlined to effect its reorganization.

Agenda Item: 18-0685

RESOLUTION NOs. 18-11.19, 18-11.20, and 18-11.21

Judge Steven Levin administered the Oath of Office to Commissioner-elect Hetherington, who was accompanied by her sons. Commissioner Hetherington addressed the public following the oath.

Judge Steven Levin administered the Oath of Office to Commissioner Heard, who was accompanied by her husband. Commissioner Heard addressed the public following the oath.

The meeting went into recess for a reception in the lobby.

Chair/Vice Chair

Vice Chairman Jenkins requested that the Board continue with the status quo, asking that Chairman Ciampi continue as Chair and stating that he was willing to continue as Vice Chair.

Commissioner Smith moved for Vice Chairman Jenkins to serve as Chair, seconded by Commissioner Heard. Vice Chairman Jenkins declined the offer.

Chairman Ciampi requested that the positions be voted on separately.

MOTION: A motion was made by Commissioner Heard, seconded by Commissioner Hetherington, for Commissioner Jenkins to continue as Vice Chair. The motion carried by the following vote:

Aye: 5 - Chairman Ciampi, Vice Chairman Jenkins II, Commissioner Smith, Commissioner Hetherington, and Commissioner Heard

Agenda Item: 18-0685

MOTION: A motion was made by Vice Chairman Jenkins, seconded by Commissioner Heard, for Commissioner Ciampi to remain Chairman. The motion carried by the following vote:

Aye: 5 - Chairman Ciampi, Vice Chairman Jenkins II, Commissioner Smith, Commissioner Hetherington, and Commissioner Heard

Agenda Item: 18-0685

Signatures

MOTION: A motion was made by Commissioner Heard, seconded by Commissioner Jenkins, to add Commissioner Hetherington to the list of allowable signatures. The motion carried by the following vote:

Aye: 5 - Chairman Ciampi, Vice Chairman Jenkins II, Commissioner Smith, Commissioner Hetherington, and Commissioner Heard

Agenda Item: 18-0685

Boards and Committees

MOTION: A motion was made by Commissioner Smith, seconded by Chairman Ciampi, to appoint Commissioner Hetherington to the MPO Board. The motion carried by the following vote:

Aye: 3 - Chairman Ciampi, Commissioner Smith, and Commissioner Hetherington

Nay: 2 - Vice Chairman Jenkins II, and Commissioner Heard

Agenda Item: 18-0685

2019 Meetings Calendar

MOTION: A motion was made by Commissioner Smith, seconded by Commissioner Hetherington, to approve the calendar, change May 14th meeting to May 7th, and for staff to get back to the Board regarding July. The motion carried by the following vote:

Aye: 5 - Chairman Ciampi, Vice Chairman Jenkins II, Commissioner Smith, Commissioner Hetherington, and Commissioner Heard

Agenda Item: 18-0685

2019 Holidays

MOTION: A motion was made by Commissioner Heard, seconded by Commissioner Jenkins, for approval of the holidays. The motion carried by the following vote:

Aye: 5 - Chairman Ciampi, Vice Chairman Jenkins II, Commissioner Smith, Commissioner Hetherington, and Commissioner Heard

Agenda Item: 18-0685

Rules of Procedure

MOTION: A motion was made by Commissioner Heard, seconded by Vice Chairman Jenkins, to adopt the amended rules of procedure. The motion carried by the following vote:

Aye: 5 - Chairman Ciampi, Vice Chairman Jenkins II, Commissioner Smith, Commissioner Hetherington, and Commissioner Heard

Agenda Item: 18-0685

MOTION: A motion was made by Commissioner Smith for staff to bring back an agenda item regarding the rules regarding the placement of agenda items. The motion failed for lack of a second.

Agenda Item: 18-0685

MOTION: A motion was made by Vice Chairman Jenkins that any

commissioner can bring an item forward through the County Administrator or County Attorney that does not require a tremendous amount of staff time. The motion failed for lack of a second.

Agenda Item: 18-0685

MOTION: A motion was made by Commissioner Heard to make no changes to the policy. The motion failed for lack of a second.

Agenda Item: 18-0685

District Board Appointments

Commissioner Heard announced John Honan as her Board of Zoning Adjustment appointment and Jim Moir as her Local Planning Agency appointment.

Commissioner Hetherington will make her appointments at a future meeting.

COMMENTS

1. PUBLIC - PLEASE LIMIT COMMENTS TO THREE MINUTES.

Economic Council Interim CEO Ted Astolfi offered his congratulations to Commissioners Hetherington and Heard.

Palm City Chamber President and One Martin President Rick Hartman spoke about contentiousness at County Commission meetings and requested courtesy, open mindedness, and respectful listening.

2. COMMISSIONERS

3. COUNTY ADMINISTRATOR

CONSENT

ADMINISTRATION

CNST-1 CONTRACTS THAT MEET THE THRESHOLD FOR BOARD APPROVAL

This item is a placeholder on all Board meeting agendas in an effort 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: 19-0006

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 October 1, 2018 and October 26, 2018.

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: 19-0009

This item was approved by the first motion of the meeting.

FIRE RESCUE

CNST-3 CONSIDERATION OF AN AGREEMENT WITH THE CITY OF STUART AND MARTIN COUNTY FOR THE USE OF THE STUART EMERGENCY OPERATIONS CENTER AS A BACKUP COUNTY EMERGENCY OPERATIONS CENTER

As part of the requirements within Chapter 252, Florida Statutes, and Rule 27P-6.006 F.A.C., which require the development and maintenance of a Comprehensive Emergency Management Plan (CEMP), the compliance criteria for the CEMP also includes identifying a backup EOC facility. This Agreement would provide for the City of Stuart's EOC to serve as a backup facility.

Agenda Item: 19-0078

This item was approved by the first motion of the meeting.

PUBLIC WORKS

CNST-4 ADOPT A RESOLUTION APPROVING AND ACCEPTING A UTILITY EASEMENT FROM FORESTAR USA REAL ESTATE GROUP, INC. AND APPROVING A RELEASE OF EASEMENT AGREEMENT AND UTILITY EASEMENT FOR UTILITY RELATED EQUIPMENT IN JENSEN BEACH

This is a request for the adoption of a resolution accepting and approving a new Utility Easement from Forestar USA Real Estate Group Inc. (Forestar) to reflect the actual location of utility-related equipment that serves water and wastewater customers inclusive of Indian River Plantation, Sewall's Point and Ocean Breeze Park located in Jensen Beach and approving a Release of the Easement Agreement and Utility Easement accepted in 2011.

Agenda Item: 19-0066

RESOLUTION NO. 18-11.10

This item was approved by the first motion of the meeting.

BOARD AND COMMITTEE APPOINTMENTS

B&C-1 AGRICULTURE AND NATURAL RESOURCES ADVISORY COMMITTEE APPOINTMENT

The Board is asked to confirm the appointment to the Agriculture and Natural Resources Advisory Committee.

Agenda Item: 19-0086

RESOLUTION NO. 18-11.22

Administration Executive Aide Donna Gordon presented the item to the Board.

MOTION: A motion was made by Commissioner Heard, seconded by Commissioner Smith, to approve the appointment of Glenn Coldren. The motion carried by the following vote:

Aye: 5 - Chairman Ciampi, Vice Chairman Jenkins II, Commissioner Smith, Commissioner Hetherington, and Commissioner Heard

PUBLIC HEARINGS

PH-1 **FIRST PUBLIC HEARING TO REQUEST BOARD APPROVAL FOR THE HEALTH AND HUMAN SERVICES DIVISION TO PROCEED WITH A COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) APPLICATION FOR FLORIDA DEPARTMENT OF ECONOMIC OPPORTUNITY (FDEO) FISCAL YEAR 2017-2018**

Two public hearings are required to ensure citizen input on any proposed Community Development Block Grant (CDBG) application. This is the first public hearing on this subject to allow the citizens to express their views concerning the community's economic and community development needs. The Health and Human Services Division proposes to apply for an Economic Development CDBG grant in FY 2017-2018.

Agenda Item: 19-0070

This item was continued to December 11th.

Chairman Ciampi solicited public comment; none was heard.

MOTION: A motion was made by Commissioner Heard, seconded by Vice Chairman Jenkins, to continue the item to December 11th. The motion carried by the following vote:

Aye: 5 - Chairman Ciampi, Vice Chairman Jenkins II, Commissioner Smith, Commissioner Hetherington, and Commissioner Heard

PH-2 **LEGISLATIVE PUBLIC HEARING TO CONSIDER TRANSMITTAL OF COMPREHENSIVE PLAN AMENDMENT 18-14, DIXIE HIGHWAY, RIO**

An application to amend the Future Land Use Map was initiated by the Board of County Commissioners for 0.28 acres owned by Martin County Community Redevelopment Agency located in Rio. The property is located on 977 NE Dixie Highway, in Jensen Beach, Rio. Staff recommends that the dual designation of General Institutional and General Commercial future land use designation be changed to solely General Commercial future land use designation. The Local Planning Agency recommended that the future land use designation be changed to General Commercial.

Agenda Item: 19-0087

This item was continued to December 11th.

Chairman Ciampi solicited public comment; none was heard.

MOTION: A motion was made by Commissioner Heard, seconded by Vice

Chairman Jenkins, to continue the item to December 11th. The motion carried by the following vote:

Aye: 5 - Chairman Ciampi, Vice Chairman Jenkins II, Commissioner Smith, Commissioner Hetherington, and Commissioner Heard

**PH-3 PUBLIC HEARING TO CONSIDER ADOPTION OF ORDINANCE
AMENDING SECTION 71.243.B, CHAPTER 71, FINANCE AND
TAXATION, ARTICLE 6, TOURIST DEVELOPMENT TAXES, GENERAL
ORDINANCES, MARTIN COUNTY CODE TO CHANGE THE
CATEGORIES OF USE AND PERCENTAGES OF TAX REVENUES**

The Board of County Commissioners (Board) is requested to adopt proposed amendments to Chapter 71, Finance and Taxation, Article 6, Tourist Development Taxes, General Ordinances, Martin County Code to modify the existing allocations for the uses of funds and percentages of tax revenues for tourist development taxes.

Agenda Item: 19-0088

This item was continued to December 11th.

Chairman Ciampi solicited public comment; none was heard.

MOTION: A motion was made by Commissioner Heard, seconded by Vice Chairman Jenkins, to continue the item to December 11th. The motion carried by the following vote:

Aye: 5 - Chairman Ciampi, Vice Chairman Jenkins II, Commissioner Smith, Commissioner Hetherington, and Commissioner Heard

PUBLIC HEARING QUASI-JUDICIAL

**PHQJ-1 REQUEST ABANDONMENT OF A PORTION OF THE PLATTED SE
LAKE DRIVE RIGHT-OF-WAY, LYING WITHIN THE LIMITS OF
OLYMPIA PLAT NO. 3 AND ACCEPTANCE OF REAL PROPERTY AS
DEDICATED RIGHT-OF-WAY**

This is a request for the Board to consider a Petition to Abandon a portion of platted SE Lake Drive right-of-way and accepting real property as dedicated right-of-way and a waiver of the required privilege fee in conjunction with the abandonment.

Agenda Item: 18-0535

RESOLUTION NO. 18-11.16

Ex parte communication disclosure forms were filed by all five Commissioners. There were no interveners. There were no notices required. The participants were sworn in by the deputy clerk.

COUNTY: County Surveyor Tom Walker provided the staff's presentation to the Board. County Engineer Lisa Wichser and Assistant County Attorney Elizabeth Lenihan assisted with Board questions.

The following County Exhibits were entered into the record: (1) agenda item, (2) Tom Walker resume, (3) proof of publication.

Chairman Ciampi solicited public comment; none was heard.

MOTION: A motion was made by Commissioner Smith, seconded by Vice Chairman Jenkins, for staff's recommendation. The motion carried by the following vote:

Aye: 5 - Chairman Ciampi, Vice Chairman Jenkins II, Commissioner Smith, Commissioner Hetherington, and Commissioner Heard

DEPARTMENTAL

ADMINISTRATION

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

This is a placeholder on all Board meeting agendas in an effort 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: 19-0002

RESOLUTION NO. 18-11.17

Budget Manager Jennifer Manning and Community Development Manager Susan Kores presented the items to the Board.

State Aid to Libraries Grant Agreement

MOTION: A motion was made by Commissioner Heard, seconded by Vice Chairman Jenkins, for approval of item #1. The motion carried by the following vote:

Aye: 5 - Chairman Ciampi, Vice Chairman Jenkins II, Commissioner Smith, Commissioner Hetherington, and Commissioner Heard

Agenda Item: 19-0002

Mapp Road Town Center

MOTION: A motion was made by Commissioner Smith, seconded by Commissioner Hetherington, for approval of item #2a. The motion carried by the following vote:

Aye: 4 - Chairman Ciampi, Vice Chairman Jenkins II, Commissioner Smith, and Commissioner Hetherington

Nay: 1 - Commissioner Heard

Agenda Item: 19-0002

Banner Lake/Pettway Neighborhood Restoration Projects

MOTION: A motion was made by Commissioner Heard, seconded by Vice Chairman Jenkins, for approval of item #2b. The motion carried by the following vote:

Aye: 5 - Chairman Ciampi, Vice Chairman Jenkins II, Commissioner Smith, Commissioner Hetherington, and Commissioner Heard

Agenda Item: 19-0002

CRA Code Updates

MOTION: A motion was made by Commissioner Smith, seconded by Vice Chairman Jenkins, for approval of item #2c. The motion carried by the following vote:

Aye: 4 - Chairman Ciampi, Vice Chairman Jenkins II, Commissioner Smith, and Commissioner Hetherington

Nay: 1 - Commissioner Heard

Supplemental Memo (2 items)

DEPT-2 COMMUNITY REDEVELOPMENT AGENCY NEIGHBORHOOD ADVISORY COMMITTEE MEMBERSHIP

On September 11th, the Board of County Commissioners (BOCC) adopted Resolution 18-9.29 updating the number of appointed Neighborhood Advisory Committee (NAC) members along with the appointment of new NAC members. At that time, the BOCC requested an agenda item regarding NAC appointments.

Agenda Item: 19-0050

RESOLUTION NO. 18-11.18

Community Development Manager Susan Kores presented the item to the Board. Assistant County Attorney Elizabeth Lenihan assisted with Board questions.

MOTION: A motion was made by Commissioner Smith, seconded by Commissioner Hetherington, to change Port Salerno from seven to nine [NAC members], and for staff to come back in six months, and for staff to draft a resolution to change the number. The motion carried by the following vote:

Aye: 5 - Chairman Ciampi, Vice Chairman Jenkins II, Commissioner Smith, Commissioner Hetherington, and Commissioner Heard

DEPT-3 CONSIDER ADOPTION OF THE 2019 STATE LEGISLATIVE PRIORITIES

Each year, the Board considers its State Legislative Priorities prior to the convening of the Florida Legislature. The State Legislative Priorities Document will be provided to the Board of County Commissioners prior to their meeting.

Agenda Item: 19-0085

This item was continued to December 11th.

MOTION: A motion was made by Commissioner Heard, seconded by Vice Chairman Jenkins, to continue DEPT-3 and DEPT-4 to December 11th.

The motion carried by the following vote:

Aye: 5 - Chairman Ciampi, Vice Chairman Jenkins II, Commissioner Smith, Commissioner Hetherington, and Commissioner Heard

DEPT-5 IMPACT FEE INTERLOCAL AGREEMENT WITH THE CITY OF STUART

Martin County and the City of Stuart have been working together for more than two years to revise the Interlocal Agreement for collection and allocation of Impact Fees. Both parties are in agreement and the Interlocal is being brought to both entities for adoption.

Agenda Item: 19-0058

County Administrator Taryn Kryzda presented the item to the Board.

MOTION: A motion was made by Commissioner Smith, seconded by Commissioner Hetherington, for staff's recommendation. The motion carried by the following vote:

Aye: 5 - Chairman Ciampi, Vice Chairman Jenkins II, Commissioner Smith, Commissioner Hetherington, and Commissioner Heard

Additional Item

DEPT-6 TANGIBLE PERSONAL PROPERTY GRANT PROGRAM

On June 19, 2018 the Board of County Commissioners approved a one-year Tangible Personal Grant program agreement with Florida Power & Light with the direction to return with a multiple-year agreement. Staff and Florida Power & Light have been working on such an agreement and are proposing a five-year agreement for the Board of County Commissioners to approve.

Agenda Item: 19-0101

County Administrator Taryn Kryzda presented the item to the Board.

The following members of the public addressed the Board on this item: Business Development Board Executive Director Tim Dougher, Indiantown Realty Corporation Principal/Broker Kevin Powers, and Economic Council Interim CEO Ted Astolfi.

FPL Regional Manager for External Affairs Amy Brunjes, Senior Director of Property and Indirect Tax Tom Flowers, and Casey Tomasiak, with FPL Property Tax, addressed the Board regarding the agreement.

MOTION: A motion was made by Chairman Ciampi, seconded by Commissioner Hetherington, to accept the agreement that has been sent from FPL to us, I believe it's a cleaned-up version, it has 55% for the first year, 60% for the remaining four, and 50% for the Fire MSTU across all five years. The motion carried by the following vote:

Aye: 4 - Chairman Ciampi, Vice Chairman Jenkins II, Commissioner Smith, and Commissioner Hetherington

Nay: 1 - Commissioner Heard

Additional Item

UTILITIES AND SOLID WASTE

DEPT-4 SEPTIC TO SEWER PROGRAM UPDATE

Staff is prepared to update the Board on the Septic to Sewer Program and present additional initiatives for Board consideration.

Agenda Item: 19-0076

This item was continued to December 11th (see item DEPT-3).

COUNTY ATTORNEY

DEPT-7 REQUEST FOR PRIVATE ATTORNEY-CLIENT SESSION

CONCERNING THE CASE OF MARTIN COUNTY, INDIAN RIVER COUNTY, INDIAN RIVER COUNTY EMERGENCY SERVICES DISTRICT AND CARE V. U.S. DEPT. OF TRANSPORTATION AND FEDERAL RAILROAD ADMINISTRATION; CASE NO.: 1:18:CV-333

The County Attorney intends to meet with the Board of County Commissioners and the County Administrator in a private attorney-client session, in accordance with Section 286.011(8), Florida Statutes, to obtain advice about settlement negotiations and/or strategy related to litigation expenditures in the case: Martin County, et. al. v. US Dept. of Transportation, et. al., Case No.: 1:18:cv-333, United States District Court for the District of Columbia.

Agenda Item: 19-0108

County Attorney Sarah Woods introduced the item and requested a motion to approve the session.

Ms. Woods announced the beginning of session at 3:18 p.m. The Board returned from the session at 4:21 p.m.

MOTION: A motion was made by Vice Chairman Jenkins, seconded by Commissioner Smith, that this agenda item be approved [meet in Executive Session]. The motion carried by the following vote:

Aye: 5 - Chairman Ciampi, Vice Chairman Jenkins II, Commissioner Smith, Commissioner Hetherington, and Commissioner Heard

Agenda Item: 19-0108

DEPT-8 BRIGHTLINE PROJECT SETTLEMENT AGREEMENT

RESOLUTION NO. 18-11.13

County Attorney Sarah Woods presented the item to the Board. Public Works Director Terry Rauth, Senior Assistant County Attorney David Arthur, and Senior Assistant County Attorney Ruth Holmes assisted with the presentation and addressed Board questions.

County Attorney Sarah Woods provide a brief outline of the terms of the settlement agreement. Brightline agrees to: vehicle presence detection and/or exit gates at 17 of the county's crossings; sidewalks at every road crossing requested by the county; protective fencing/up to \$1million of fencing costs; 50/50 costshare on an aerial pedestrian bridge; notify first responders of any accidents and provide the county with police/medical examiner reports and to meet with Martin County annually to evaluate if any safety measures are warranted to prevent similar accidents; \$251,000/year cap on maintenance costs at road crossings for the first 14 years after the start of passenger service to Orlando; elevation of the St. Lucie River Bridge and the Loxahatchee River Bridge; consistent bridge opening for 15 consecutive minutes every hour between 6:00 a.m. to 10:00 a.m subject to the concurrence of FECR and the U.S. Coast Guard (one opening per hour for Loxahatchee River Bridge with closure no more than 30 minutes and will use best efforts to come up with a regular operating schedule); bridge monitor, will build one station in the Treasure Coast within five years of passenger train operation to Orlando and will pay at least 50% of the cost of the station (with at least two northbound and two southbound stops per day). The County agrees to: dismiss our federal litigation on or before November 26th; each party will bear their own attorney's fees; not oppose or challenge, or encourage others to oppose or challenge, any pending or future federal, state, or local approvals, permits, or financing of the project or seek further state reviews of the project (during the period of construction and for five years after the revenue operations begin); issue a single right-of-way permit for the work that we've asked them to do; insure that our flood plain requirement will be complied with; will not encourage to or pass any resolutions or adopt official acts that would publicly support federal or state legislation or new County laws or regulations that would directly and adversely impact the Brightline project (during the period of construction and the first three years of operation to Orlando); agree to a mutual release; with jurisdiction and venue in St Lucie County. Public Works Director Terry Rauth outlined the safety improvements for the Board.

The following members of the public addressed the Board on this item: Bob Snyder and Bob Ditmars, both of Care Florida, who stressed the importance of the quiet zones issue.

MOTION: A motion was made by Commissioner Smith, seconded by Vice Chairman Jenkins, to adopt the resolution approving the settlement agreement, authorizing the execution by the Chair, and authorizing the County Attorney to make non-substantive changes to the settlement agreement and its exhibits. The motion carried by the following vote:

Aye: 4 - Chairman Ciampi, Vice Chairman Jenkins II, Commissioner Smith, and Commissioner Hetherington

Nay: 1 - Commissioner Heard

Additional Item

DEPARTMENTAL QUASI-JUDICIAL

GROWTH MANAGEMENT

DPQJ-1 BH STORAGE STUART MAJOR REVISED FINAL SITE PLAN (S181-006)

This application is a request by BH Storage Stuart, LLC, for approval of a revised major final site plan for a 88,025 square-foot residential storage facility project on two parcels totaling approximately 3.5 acres located on the east side of SE Federal Hwy approximately 1200 feet north of SE Salerno Rd in Stuart.

Agenda Item: 19-0049

RESOLUTION NO. 18-11.14

Ex parte communication disclosure forms were filed by all five commissioners. The proof of notification was turned in at LPA meeting. There were no interveners. The participants were sworn in by the deputy clerk.

COUNTY: Principal Planner Catherine Riiska provided the staff's presentation to the Board. Senior Assistant County Attorney Krista Storey assisted with Board questions.

The following County Exhibits were entered into the record: (1) agenda item/staff report, (2) Catherine Riiska resume.

APPLICANT: Lucido & Associates Landscape Architect Doug Fitzwater addressed the Board on behalf of the applicant. Owner J.V. Baldwin assisted with Board questions.

Chairman Ciampi solicited public comment; none was heard.

MOTION: A motion was made by Commissioner Smith, seconded by Vice Chairman Jenkins, for staff's recommendation. The motion carried by the following vote:

Aye: 5 - Chairman Ciampi, Vice Chairman Jenkins II, Commissioner Smith, Commissioner Hetherington, and Commissioner Heard

DPQJ-2 HOBE SOUND BTS RETAIL PUD FINAL SITE PLAN (K024-003 F/K/A HERITAGE RIDGE PUD PARCEL C-4 LOT 2)

This is a request for approval of a planned unit development (PUD) final site plan. The subject site is a parcel of approximately 4.06 acres located on the southeast corner of SE Federal Highway and SE Constitution Blvd in Stuart, known as Lot 2 of Parcel C-4 of the Heritage Ridge PUD. Proposed is the subdivision of the lot into two lots and the development of a retail use within one of the resulting lots.

Agenda Item: 19-0067

RESOLUTION NOs. 18-11.11 and 18-11.12

Ex parte communication disclosures were filed by all five commissioners. There were no notices required. There were no interveners. The participants were sworn in by the deputy clerk.

COUNTY: Principal Planner Catherine Riiska provided the staff's presentation to the Board. Senior Assistant County Attorney Krista Storey, Traffic Analysis Manager Lukas Lambert, and County Engineer Lisa Wichser assisted with Board questions.

The following County Exhibits were entered into the record: (1) agenda item/staff report, (2) Catherine Riiska resume.

APPLICANT: Attorney Bob Raynes, AICP Certified Land Planner Josh Long, Zaremba Group Principal/Vice President Matt Casey, and Avid Group Engineer Jorge Hernandez provided the applicant's presentation to the Board. Traffic Analysis Manager Lukas Lambert answered questions as part of the presentation.

The following Applicant Exhibits were entered into the record: (A) staff report, (B) Joshua Long resume, (C) Jorge Hernandez resume.

The following members of the public addressed the Board with concerns about the project: Nelson Pole, Martin Post, Karen Katz, Agneta Pendleton, Mary Regina Maxwell, Robert Dixon, Loretto Mead, Jeanne Masson, Judy Barrie, Betsy Greene, Robert Souza, John O'Connor, and Karen Adler.

MOTION: A motion was made by Commissioner Smith, seconded by Commissioner Heard, for staff's recommendation as it's been presented, with some of the suggestions, I think there was a 'no truck' sign ['No Right Turn' for the trucks on Constitution Blvd.] that the applicant had agreed that they would install, and then with that motion that I or other commissioners will work with staff and work with FDOT on the discussion trying to see if we can't get a light approved for that intersection. The motion carried by the following vote:

Aye: 5 - Chairman Ciampi, Vice Chairman Jenkins II, Commissioner Smith, Commissioner Hetherington, and Commissioner Heard

Agenda Item: 19-0067

MOTION: A motion was made by Commissioner Smith, seconded by Vice Chairman Jenkins, for staff to start the process of notifying FDOT of our request for a traffic signal at the intersection of US#1 and Constitution.

Aye: 5 - Chairman Ciampi, Vice Chairman Jenkins II, Commissioner Smith, Commissioner Hetherington, and Commissioner Heard

DPQJ-3 HOBE SOUND BTS RETAIL PLAT (K024-003, F/K/A HERITAGE RIDGE PUD PARCEL C-4 LOT 2)

This is an application to re-plat the existing Lot 2 of Parcel C-4 within the Heritage Ridge PUD development into two separate lots consistent with a proposed PUD final site plan to subdivide the lot into two lots and to develop one of the lots in conformance with the General Commercial development standards.

Agenda Item: 19-0068

Ex parte communication disclosure forms were filed by all five commissioners. There

were no notices required. There were no interveners. The participants were sworn in by the deputy clerk.

COUNTY: Principal Planner Catherine Riiska provided the staff's presentation to the Board. County Engineer Lisa Wichse and Senior Assistant County Attorney Krista Storey assisted with Board questions.

The following County Exhibits were entered into the record: (1) agenda item/staff report, (2) Catherine Riiska resume.

APPLICANT: Attorney Bob Raynes addressed the Board on behalf of the applicant.

The following Applicant Exhibit was entered into the record: (1) agenda item/staff report (same as County Exhibit #1).

The following members of the public addressed the Board on this item: Robert Dixon, Nelson Pole, and Robert Souza.

MOTION: A motion was made by Commissioner Smith, seconded by Commissioner Heard, for staff's recommendation for item DPQJ-3. The motion carried by the following vote:

Aye: 5 - Chairman Ciampi, Vice Chairman Jenkins II, Commissioner Smith, Commissioner Hetherington, and Commissioner Heard

**DPQJ-4 JENSEN DUNES PUD REVISED PUD ZONING AGREEMENT, REVISED
MASTER SITE PLAN AND PHASING PLAN (J046-008)**

Request for approval of the Second Amendment to the PUD Zoning Agreement and Revised Master Site Plan and Phasing Plan. The 34.3 acre subject property is located on the north side of Cedar Street between the FEC Railroad and Savannah Road and south and west of the Town of Ocean Breeze in Jensen Beach. Included in the application is a request for a deferral of a Certificate of Public Facilities Reservation.

Agenda Item: 19-0092

Ex parte communication disclosure forms were filed by all five commissioners. There were no notices required. There were no interveners. The participants were sworn in by the deputy clerk.

COUNTY: Development Review Administrator Paul Schilling provided the staff's presentation to the Board. County Engineer Lisa Wichser and Senior Assistant County Attorney Krista Storey assisted with Board questions.

The following County Exhibits were entered into the record: (1) agenda item/staff report, (2) Paul Schilling resume.

APPLICANT: Lucido & Associates Senior Vice President Morris Crady provided the applicant's presentation to the Board.

Chairman Ciampi solicited public comment; none was heard.

MOTION: A motion was made by Commissioner Hetherington, seconded by Chairman Ciampi, that this agenda item be approved.. The motion carried by the following vote:

Aye: 4 - Chairman Ciampi, Vice Chairman Jenkins II, Commissioner Smith, and Commissioner Hetherington

Nay: 1 - Commissioner Heard

DPQJ-6 MANATEE ISLES PLAT (S216-011)

Request for plat approval for the Manatee Isles project consistent with the approved minor final site plan approved on October 2, 2018. The 2.3 acre development is located on the northeast corner of SE Capstan Avenue and SE Azimuth Way in Port Salerno. Included with this application is a request for a Certificate of Public Facilities Exemption.

Agenda Item: 19-0098

Ex parte communication disclosure forms were filed by all five commissioners. There were no notices required. There were no interveners. The participants were sworn in by the deputy clerk.

COUNTY: Principal Planner Peter Walden provided the staff's presentation to the Board. Senior Assistant County Attorney Krista Storey assisted with Board questions.

The following County Exhibits were entered into the record: (1) agenda item/staff report, (2) Peter Walden resume.

APPLICANT: Attorney Terry McCarthy provided the applicant's presentation to the Board.

Chairman Ciampi solicited public comment; none was heard.

MOTION: A motion was made by Commissioner Smith, seconded by Vice Chairman Jenkins, for staff's recommendation. The motion carried by the following vote:

Aye: 5 - Chairman Ciampi, Vice Chairman Jenkins II, Commissioner Smith, Commissioner Hetherington, and Commissioner Heard

Additional Item - continued from Nov 13, 2018

PUBLIC WORKS

DPQJ-5 PLAT OF STUART 95 PLAZA, P.U.D. (C), PLAT 1

The Board of County Commissioners is asked to approve the Plat of Stuart 95 Plaza, P.U.D.(C), Plat 1, which dedicates the right-of-way for SW Jack James Drive from SW Old Kansas Avenue to SR-76 (SW Kanner Highway) to Martin County for the public's use.

Agenda Item: 19-0073

RESOLUTION NO. 18-11.15

Ex parte communication disclosure forms were filed by all five commissioners. There were no notices required. There were no interveners. The participants were sworn in by the deputy clerk.

COUNTY: County Engineer Lisa Wichser and Senior Assistant County Attorney Elizabeth Lenihan provided the staff's presentation to the Board.

The following County Exhibits were entered into the record: (1) agenda item/staff report, (2) Lisa Wichser resume.

APPLICANT: As this item was requested by staff, there was no applicant presentation.

Chairman Ciampi solicited public comment; none was heard.

MOTION: A motion was made by Commissioner Smith, seconded by Vice Chairman Jenkins, that this agenda item be approved.. The motion carried by the following vote:

Aye: 5 - Chairman Ciampi, Vice Chairman Jenkins II, Commissioner Smith, Commissioner Hetherington, and Commissioner Heard

PUBLIC - PLEASE LIMIT COMMENTS TO THREE MINUTES.

ADJOURN

The Board of County Commissioners Meeting of November 20, 2018 adjourned at 7:21 p.m.

Carolyn Timman, Clerk of the
Circuit Court and Comptroller
/mkv

Edward V. Ciampi, Chairman
Board of County Commissioners

Minutes approved on:
