



BOARD OF COUNTY COMMISSIONERS

FINAL AGENDA

9/11/18 9:00 AM

REGULAR MEETING

COMMISSION CHAMBERS

2401 SE MONTEREY ROAD, STUART, FLORIDA 34996

COUNTY COMMISSIONERS

Edward V. Ciampi, Chairman

Harold E. Jenkins II, Vice Chairman

Doug Smith

Ed Fielding

Sarah Heard

Taryn Kryzda, County Administrator

Sarah W. Woods, County Attorney

Carolyn Timmann, Clerk of the Circuit Court and

Comptroller

PRESETS

9:05 AM - Public Comment

5:05 PM - First Fiscal Year 2018/2019 Budget Public Hearing

5:05 PM - Public Comment

CALL TO ORDER

1. INVOCATION - Reverend Anil K. Singh, Trinity United Methodist Church of Jensen Beach

2. PLEDGE OF ALLEGIANCE

3. ADDITIONAL ITEMS

4. APPROVAL OF AGENDA

5. APPROVAL OF CONSENT AGENDA

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.

PROCLAMATIONS AND SPECIAL PRESENTATIONS

**PROC-1 PRESENT PROCLAMATIONS PREVIOUSLY APPROVED VIA THE
CONSENT AGENDA**

The Chairman will present the proclamations to the recipients.

Agenda Item: 18-0682

COMMENTS

1. PUBLIC - PLEASE LIMIT COMMENTS TO THREE MINUTES.
2. COMMISSIONERS
3. COUNTY ADMINISTRATOR

CONSENT

ADMINISTRATION

CNST-1 **INDUSTRIAL DEVELOPMENT AUTHORITY APPOINTMENTS**

After solicitation for applicants, the Board is asked to make the necessary appointments to the Industrial Development Authority.

Agenda Item: 18-0518

CNST-2 **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: 18-0596

SUPPLEMENTAL MEMO (2 items)

CNST-3 **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 August 3, 2018 and August 24, 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: 18-0597

CNST-4 **BOARD OF COUNTY COMMISSION MINUTES TO BE APPROVED**

The Board is asked to approve minutes from the following Board of County Commission Meetings: August 7, 14 and 21, 2018.

Agenda Item: 18-0683

CNST-5 **POSITION CLASSIFICATION AND PAY PLAN**

Martin County's Code, Chapter One, Article Three, Section 1.63 establishes the enumeration of powers for the position of County Administrator. Within Section 1.63, number nine requires that the County Administrator (Administrator) recommend to the Board of County Commissioners (Board) a current position classification and pay plan for all positions in County service.

Agenda Item: 18-0702

CNST-6 **APPROVE THE AMENDED STATE HOUSING INITIATIVE PARTNERSHIP PROGRAM (SHIP) CLOSEOUT REPORT FOR FY 14/15**

The 2014/2015 SHIP program is complete. Florida Housing Finance Corporation (FHFC) has requested amendments to the Final Annual "Closeout" Report. Board approval is required for the Report to be submitted to the State, as required by SHIP regulations.

Agenda Item: 18-0705

CNST-7 ADOPT PROCLAMATIONS

The Board is asked to adopt a proclamation commending Blake Adams upon the achievement of Eagle Scout and adopt a proclamation declaring Fire Prevention Week in Martin County.

Agenda Item: 18-0731

BUILDING

CNST-8 REQUEST FOR FINE REDUCTION STIPULATION AND AGREED RECOMMENDED ORDER REGARDING THE CODE ENFORCEMENT CASE OF SHARON M KRAMER

Pursuant to the provisions of Section 1.98.B, General Ordinance, 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 Sharon M. Kramer.

Agenda Item: 18-0711

CNST-9 REQUEST FOR FINE REDUCTION STIPULATION AND AGREED RECOMMENDED ORDER REGARDING THE CODE ENFORCEMENT CASE OF JEANINE JOHNSTON

Pursuant to the provisions of Section 1.98.B, General Ordinance, Martin County Code, the Board of County Commissioners is asked to consider approval of a Fine Reduction and Agreed Recommended Order regarding the Code Enforcement case of Jeanine Johnston.

Agenda Item: 18-0712

CNST-10 REQUEST FOR FINE REDUCTION STIPULATION AND AGREED RECOMMENDED ORDER REGARDING THE CODE ENFORCEMENT CASE OF WYNN FAMILY TRUST

Pursuant to the provisions of Section 1.98.B, General Ordinance, Martin County Code, the Board of County Commissioners is asked to consider approval of a Fine Reduction and Agreed Recommended Order regarding the Code Enforcement case of Wynn Family Trust.

Agenda Item: 18-0713

CNST-11 REQUEST FOR FINE REDUCTION STIPULATION AND AGREED RECOMMENDED ORDER REGARDING THE CODE ENFORCEMENT CASE OF 2121 PELICAN TERRACE LAND TRUST JONATHAN DAVID GEORGE TTEE

Pursuant to the provisions of Section 1.98.B, General Ordinance, 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 2121 Pelican Terrace Land Trust, Jonathan David George TTEE.

Agenda Item: 18-0715

COUNTY ATTORNEY

CNST-12 REQUEST APPROVAL OF 2 JOINT RESOLUTIONS BY THE MARTIN COUNTY SCHOOL BOARD, BOARD OF COUNTY COMMISSIONERS AND CITY OF STUART COMMISSIONERS (1) SUPPORTING LEGISLATIVE SOLUTIONS FOR SCHOOL DISTRICT CAPITAL NEEDS; (2) SUPPORTING LEGISLATIVE SOLUTIONS FOR SCHOOL DISTRICT OPERATING NEEDS

On June 12, 2018 during the City, County, School Board joint meeting the School Board, City and County agreed to notify the Florida legislature and Governor of their support for legislative solutions for the Martin County School District's Capital Needs and Operating Needs. The School District prepared and approved Resolutions 18-003 and 18-004 on June 19, 2018. The City of Stuart approved the Resolutions on July 23, 2018. Board approval is requested for both Resolutions.

Agenda Item: 18-0719

CNST-13 REQUEST APPROVAL OF INTERLOCAL AGREEMENT WITH ST. LUCIE COUNTY FOR PRETRIAL PROGRAM SERVICES

The Public Safety Coordinating Council unanimously recommended transmittal of a pretrial release program to the Board on October 23, 2017. The Martin County Sheriff's office and St. Lucie County have developed a proposed Interlocal to provide for implementation by St. Lucie County of a pretrial release program for Martin County pretrial defendants for one year. The Sheriff has requested approval of the Interlocal.

Agenda Item: 18-0733

CNST-14 APPROVAL FOR PROPERTY APPRAISER'S OFFICE TO AUTOMATICALLY RENEW APPLICATIONS FOR CONSERVATION EXEMPTION AND ASSESSMENT CLASSIFICATION

Florida Statutes requires a majority vote of the governing body to approve automatic renewal of exemption and assessment applications. Automatic renewals have previously been approved for applications for homestead and other exemptions and for agricultural classification. The Property Appraiser's Office is requesting approval to automatically renew applications for conservation exemption and assessment classification.

Agenda Item: 18-0737

CNST-19 REQUEST APPROVAL OF SECOND AMENDED AND RESTATED AGREEMENT WITH THE MEDICAL EXAMINER, INDIAN RIVER STATE COLLEGE, ST. LUCIE, INDIAN RIVER AND OKEECHOBEE COUNTIES

A Second Amended and Restated Interlocal Agreement for the provision of medical examiner services within the Medical Examiner District 19 between Indian River State College, the District 19 Medical Examiner, and Martin, St. Lucie, Indian River and Martin Counties is for Board consideration.

Agenda Item: 18-0754

ADDITIONAL ITEM

CNST-20 APPROVE THE REQUEST BY THE MARTIN COUNTY SCHOOL BOARD FOR REVISED REFERENDUM LANGUAGE ON A ONE HALF CENT SALES SURTAX ON THE NOVEMBER 16, 2018 BALLOT

The County Attorney received correspondence from the Martin County School Board Attorney that the ballot language approved for the November 6, 2018 General Election Ballot referendum on the question of the levy of a one half cent school sales surtax for a 7

year period which set forth a February 1, 2019 start date was incorrect and according to the Florida Department of Revenue must be changed to January 1, 2019.

Agenda Item: 18-0755

ADDITIONAL ITEM

PUBLIC WORKS

CNST-15 ACCEPTANCE OF A DRAINAGE EASEMENT FROM DAN ROTHELL IRA, LLC., AS TO A 50% INTEREST AND BAXTER ROTHELL IRA, LLC., AS TO A 50% INTEREST (ROTHELL) AND APPROVAL OF A RELEASE OF EASEMENT FOR THE PROPERTY LOCATED ON SW INDIAN MOUND DRIVE, INDIANTOWN

This is a request for the adoption of a resolution accepting and approving a one hundred (100') foot Drainage Easement from Rothell, and the Release of Easement issued in 1963 and recorded in the Official Records of Martin County, Florida, at OR BK 125, PG 551, which was located improperly on the SW Indian Mound Drive property.

Agenda Item: 18-0550

CNST-16 APPROVAL OF A CONTRACT FOR THE ACQUISITION OF A VACANT PARCEL IN HOBE SOUND AND ADOPTION OF A RESOLUTION APPROVING AND ACCEPTING A WARRANTY DEED FROM FRANK MONEAU AND TAMARA MONEAU, AS TENANTS IN COMMON

This is a request for the approval of a contract for the acquisition of vacant property in Hobe Sound adjacent to the Hobe Sound Scrub Preserve (former Hamm Property) off of Dixie Highway and for the adoption of a resolution approving and accepting a Warranty Deed from Frank Moneau and Tamara Moneau, as tenants-in-common.

Agenda Item: 18-0678

CNST-17 APPROVAL OF A MAINTENANCE MAP FOR A PORTION OF SW OLD JUPITER-INDIANTOWN ROAD (WESTERN MARTIN COUNTY)

Pursuant to the provisions of Section 95.361, Florida Statutes, staff requests approval of a Maintenance Map for a portion of SW Old Jupiter-Indiantown Road (Western Martin County). Approval will establish prima facie evidence of ownership of the land by the County to the extent and width that it has been actually maintained for the prescribed period.

Agenda Item: 18-0693

CNST-18 REQUEST THAT THE BOARD GRANT A TEMPORARY CONSTRUCTION EASEMENT TO THE TOWN OF JUPITER ISLAND FOR ITS BEACH NOURISHMENT PROJECT AT HOBE SOUND BEACH

This is a request that the Board grant a Temporary Construction Easement (TCE) to the Town of Jupiter Island for its Beach Nourishment Project at Hobe Sound Beach.

Agenda Item: 18-0701

BOARD AND COMMITTEE APPOINTMENTS

B&C-1 NEIGHBORHOOD ADVISORY COMMITTEE APPOINTMENTS

After solicitation of applicants, the Board is asked to make the necessary appointments to the Golden Gate, Hobe Sound, Jensen Beach, Old Palm City, Port Salerno, and Rio Neighborhood Advisory Committees.

PUBLIC HEARINGS

PH-1 PUBLIC HEARING TO CONSIDER A FINAL ASSESSMENT RESOLUTION RELATING TO THE IMPOSITION OF FIRE PROTECTION ASSESSMENTS TO FUND THE PROVISION OF FIRE PROTECTION SERVICES

The Board of County Commissioners will conduct a public hearing to consider adoption of the Final Assessment Resolution for the imposition of fire protection assessments within the boundaries of the Martin County Municipal Service Benefit Unit for Fire Protection Services (MSBU). The Final Assessment Resolution confirms the legislative findings and apportionment methodology adopted in the Initial Assessment Resolution, which was approved on July 24, 2018, establishes the rates and other terms and conditions for the fire protection assessments, and approves the final assessment roll for the Fiscal Year beginning October 1, 2018.

Agenda Item: 18-0706

PH-2 PUBLIC HEARING AND FINAL ASSESSMENT RESOLUTION FOR THE S.W. HONEY TERRACE MUNICIPAL SERVICE BENEFIT

The Board of County Commissioners is requested to hold a public hearing and adopt the Final Assessment Resolution for the S.W. Honey Terrace Municipal Service Benefit Unit to allow a road paving project and to certify the special assessment roll to the Tax Collector.

Agenda Item: 18-0672

SUPPLEMENTAL MEMO

PH-3 PUBLIC HEARING AND FINAL ASSESSMENT RESOLUTION FOR THE S.E. FLAMINGO DRIVE/S.E. KARIN STREET MUNICIPAL SERVICE BENEFIT UNIT

The Board of County Commissioners is requested to hold a public hearing and adopt the Final Assessment Resolution for the S.E. Flamingo Drive and S.E. Karin Street Municipal Service Benefit Unit to allow a road paving project and to certify the special assessment roll to the Tax Collector.

Agenda Item: 18-0680

SUPPLEMENTAL MEMO

PH-4 PUBLIC HEARING AND FINAL ASSESSMENT RESOLUTION FOR THE MACK DAIRY ROAD MUNICIPAL SERVICE BENEFIT UNIT

The Board of County Commissioners is requested to hold a public hearing and adopt the Final Assessment Resolution for the Mack Dairy Road Municipal Service Benefit Unit to allow for roadway improvements generally described as milling, resurfacing and widening of Mack Dairy Road from Indiantown Road to approximately 200 feet north of Old Indiantown Road as part of a plan to transfer operations and maintenance of Mack Dairy Road to Palm Beach County.

Agenda Item: 18-0707

SUPPLEMENTAL MEMO

PH-5 PUBLIC HEARING AND FINAL ASSESSMENT RESOLUTION FOR THE HIBISCUS PARK / PARAMOUNT ESTATES WATER MAIN MUNICIPAL SERVICE BENEFIT UNIT

Board action is requested to adopt the final assessment resolution for the Hibiscus Park / Paramount Estates Water Main Municipal Service Benefit Unit to allow installation of water lines.

Agenda Item: 18-0717

PH-6

PUBLIC HEARING AND FINAL ASSESSMENT RESOLUTION FOR THE JAMES VILLAS WATER MAIN MUNICIPAL SERVICE BENEFIT UNIT

Board action is requested to adopt the final assessment resolution for the James Villas Water Main Municipal Service Benefit Unit to allow installation of water lines.

Agenda Item: 18-0718

PH-7

SECOND PUBLIC HEARING TO CONSIDER ADOPTION OF AN ORDINANCE CREATING ARTICLE 11, PLANNED MIXED-USE VILLAGE

This is a request to create Article 11, Planned Mixed-Use Village within the land development regulations. The proposed article will establish development standards and a development review process for implementing the Planned Mixed-Use Village zoning designation proposed in CPA 18-4, Pineland Prairie Text Amendments to implement the Mixed-Use Village future land use designation.

Agenda Item: 18-0703

SUPPLEMENTAL MEMO

PH-8

APPROVE THE STATE HOUSING INITIATIVE PARTNERSHIP PROGRAM (SHIP) REPORTS AND TRANSMITTAL TO THE STATE

This is a request for review and approval for submittal of SHIP program reports. The SHIP 2015/2016, 2016/2017 and 2017/2018 grants are currently active. The annual reports for these programs are ready for submission to the Florida Housing Finance Corporation (FHFC). Board approval of the reports is required for submission.

Agenda Item: 18-0730

PH-9

FIRST FISCAL YEAR 2018/2019 BUDGET PUBLIC HEARING

There will be an outline of the public hearing procedures followed by an overview and review/approval of the Resolutions.

Agenda Item: 18-0692

PUBLIC HEARING QUASI-JUDICIAL

PHQJ-1

PUBLIC HEARING TO CONSIDER AMENDMENT OF THE MARTIN COUNTY ZONING ATLAS TO CHANGE THE ZONING DISTRICT FOR 3,411 ACRES EAST AND WEST OF SW CITRUS BLVD. AND SOUTH OF THE MARTIN COUNTY, FL BOUNDARY WITH ST. LUCIE COUNTY, FL, CONCURRENTLY WITH CPA 18-03, PINELAND PRAIRIE FUTURE LAND USE MAP AMENDMENT

The Applicants request that the Board of County Commissioners adopt a resolution changing the zoning district to PMUV (Planned Mixed Use Village) Zoning District on ±502 acres from LI (Limited Industrial), ±125 acres from AR-5A (Agricultural Ranchette), and ±2,784 acres from A-2 (Agricultural) Zoning Districts. The LPA recommended approval. Staff recommends approval.

Agenda Item: 18-0710

**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: 18-0598

SUPPLEMENTAL MEMO (9 items)

**DEPT-2 MARTIN COUNTY TANGIBLE PERSONAL PROPERTY GRANT
PROGRAM**

In 2014, Martin County developed a Tangible Personal Property Grant Program which was then used in 2015 to incentivize Florida Power & Light's (FPL) utilization of their property in Indiantown as a major storage facility for one year. The program was revised later in 2015 and a five year agreement approved. With the incorporation of Indiantown, the program and agreement currently in place must be revised to be valid. The County Attorney is revising the Grant Program and Grant Agreement. Staff is proposing an agreement with FPL which authorizes a rebate of 50% of the County-wide millage rate.

Agenda Item: 18-0734

SUPPLEMENTAL MEMO

**DEPT-3 PETITION TO U.S. FISH AND WILDLIFE SERVICE TO ADD SPECIES IN
THE INDIAN RIVER LAGOON TO THE FEDERAL ENDANGERED LIST**

On August 21, 2018, the Board requested that an agenda item be prepared to discuss the process submit a petition to the U.S. Fish and Wildlife Service (USFWS) to add species in the Indian River Lagoon to the federal endangered list.

Agenda Item: 18-0735

PUBLIC - PLEASE LIMIT COMMENTS TO THREE MINUTES.

ADJOURN