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BOARD OF COUNTY COMMISSIONERS

ACTION SUMMARY

SEPTEMBER 10, 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 AMPublic Comment
10:00 AMBrightline Train Station (DEPT-3)
1:30 PMArticle 6 of the Land Development Regulations, Impact Fees (PH-8)
2:00 PMConsideration of a Resolution Encouraging Power Systems Manufacturing to
Submit an Application for an Ad Valorem Tax Exemption (DEPT-5)
5:05 PMPublic Comment
5:05 PMFirst Fiscal Year 2024/2025 Budget Public Hearing (PH-9)

CALL TO ORDER AT 9:02 AM

1. INVOCATION - Moment of Silence
2. PLEDGE OF ALLEGIANCE – Jeffrey Norwood, Veterans Services Officer
3. ADDITIONAL ITEMS – *There were no Additional Items.*
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.

PROCLAMATIONS AND SPECIAL PRESENTATIONS

PROC-1 PRESENT PROCLAMATIONS PREVIOUSLY APPROVED VIA THE CONSENT AGENDA

The Chairman will present proclamations declaring Constitution Week and Hunger Action Month in Martin County, Florida.

Agenda Item: 24-1147

ACTION TAKEN: The proclamations were presented.

COMMENTS

1. PUBLIC - PLEASE LIMIT COMMENTS TO THREE MINUTES.
2. COMMISSIONERS – The Board asked the County Administrator to review staffing of the Veterans Services Office to determine if they are understaffed.
3. COUNTY ADMINISTRATOR – The Board adopted a proclamation for Allen Gilbert.

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: 24-0758 [Supplemental Memorandum \(2 items\)](#)

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 August 12, 2024 and August 25, 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: 24-0763

CNST-3 ADOPT A PROCLAMATION DECLARING TREASURE COAST CHRISTIAN ALLIANCE DAY OF PRAYER IN MARTIN COUNTY, FLORIDA

The Board is asked to adopt a proclamation declaring Treasure Coast Christian Alliance Day of Prayer in Martin County, Florida.

Agenda Item: 24-1117

CNST-4 APPROVAL OF THE TREASURE COAST SPORTS COMMISSION CONTRACT FOR FISCAL YEAR 2025

The Treasure Coast Sports Commission, Inc. (TCSC) is the official sports marketing arm for Martin County and their annual contract is being presented to the Board of County Commissioners (BOCC) for consideration. The Tourist Development Council reviewed and approved this contract for consideration by the BOCC during their May 8, 2024 TDC meeting.

Agenda Item: 24-1247

CNST-5 REQUEST FOR APPROVAL OF POSITION CLASSIFICATION AND PAY PLAN 2024-2025

Chapter 1, Article 3, Section 1.63, General Ordinances, Martin County Code establishes the enumerated of powers for the County Administrator. Section 1.63.A.9 requires the County Administrator to recommend to the Board of County Commissioners a current Position Classification and Pay Plan for all positions in County service.

Agenda Item: 24-1290

GROWTH MANAGEMENT

CNST-6 REQUEST APPROVAL OF AN AMENDED UNITY OF TITLE FOR THE HINCK LANDLORD (DE) LIMITED PARTNERSHIP PROPERTY

Lucido & Associates, on behalf of Hinck Landlord (DE) Limited Partnership, is requesting to amend the Unity of Title affecting the subject property located at 4730 SE Boatyard Drive in Stuart to allow the conveyance of a portion of the property to a governmental entity.

Agenda Item: 24-1220

RESOLUTION NO. 24-9.1

PARKS AND RECREATION

CNST-7 REQUEST TO APPROVE MEMORANDUM OF UNDERSTANDING BETWEEN THE UNIVERSITY OF FLORIDA AND MARTIN COUNTY FOR COOPERATIVE EXTENSIONS SERVICES

This is a request for the Board to approve the renewal of the Memorandum of Understanding ('Agreement') between the University of Florida (University), through its Cooperative Extension Service (Extension Service) and Martin County (County), which Agreement establishes the respective responsibilities of each party and outlines the goals and objectives related to the provision of education programs and outreach to the public in Martin County.

Agenda Item: 24-1292

PUBLIC WORKS

CNST-8 ADOPT A RESOLUTION SUPPORTING PREFERRED TYPICAL SECTIONS AND REDUCING THE MAXIMUM SPEED LIMIT ON CR-713 (SW HIGH MEADOW AVENUE) FROM INTERSTATE 95 TO SW GOLDEN BEAR WAY

The Board of County Commissioners is asked to consider the adoption of a resolution that supports the preferred Proposed Typical Sections on CR-713 (SW High Meadow Avenue) between Interstate 95 and CR-714 (SW Martin Highway) and reduces the posted speed limit on CR-713 (SW High Meadow Avenue) between Interstate 95 and SW Golden Bear Way.

Agenda Item: 24-1207

RESOLUTION NO. 24-9.2

CNST-9 ADOPTION OF A RESOLUTION APPROVING AND ACCEPTING A UTILITY EASEMENT, FROM WINDSTONE PROPERTY OWNERS ASSOCIATION, INC., ALONG THE PLATTED ROADS WITHIN THE WINDSTONE SUBDIVISION IN PALM CITY

This is a request for the adoption of a Resolution approving and accepting a Utility Easement from Windstone Property Owners Association, Inc. ("Windstone"), a corporation existing under the laws of the State of Florida, to allow for water and sewer related services within the Windstone subdivision in Palm City.

Agenda Item: 24-1239

RESOLUTION NO. 24-9.3

BOARD AND COMMITTEE APPOINTMENT

B&C-1 BOARD OF ZONING ADJUSTMENT APPOINTMENT

After solicitation of applicants due to a member resigning, the Board is asked to make the necessary appointment to the Board of Zoning Adjustment.

Agenda Item: 24-1231

RESOLUTION NO. 24-9.4

ACTION TAKEN: The Board appointed Brian F. McHale to the Board for a term to begin immediately and end November 30, 2025, authorized the Chairman to sign the Resolution of Appointment and the certificate/letter for Mr. Sturm.

PUBLIC HEARINGS

PH-1 LEGISLATIVE PUBLIC HEARING TO CONSIDER TRANSMITTAL OF EVALUATION AND APPRAISAL REPORT (EAR) BASED COMPREHENSIVE PLAN AMENDMENT 24-03, INTERGOVERNMENTAL COORDINATION ELEMENT, A TEXT AMENDMENT

A request to consider transmittal of Comprehensive Plan Amendment 24-03, a text amendment to Chapter 3, Intergovernmental Coordination Element, of the Comprehensive Growth Management Plan based upon the 2024 Evaluation and Appraisal Report (EAR).

Agenda Item: 24-1281

ACTION TAKEN: The Board continued this public hearing to October 22, 2024.

PH-2 LEGISLATIVE PUBLIC HEARING TO CONSIDER TRANSMITTAL OF EVALUATION AND APPRAISAL REPORT (EAR) BASED COMPREHENSIVE PLAN AMENDMENT 24-06, HOUSING ELEMENT, A TEXT AMENDMENT

A request to consider transmittal of Comprehensive Plan Amendment 24-06, a text amendment to Chapter 6, Housing Element, of the Comprehensive Growth Management Plan based upon the 2024 EAR.

Agenda Item: 24-1283

ACTION TAKEN: The Board continued this public hearing to October 22, 2024 and directed staff that 6.3.C be retained in its entirety with the addition of *or* rather than *and* for 4.2.A.(9).

PH-3 LEGISLATIVE PUBLIC HEARING TO CONSIDER TRANSMITTAL OF EVALUATION AND APPRAISAL REPORT (EAR) BASED COMPREHENSIVE PLAN AMENDMENT 24-16, ARTS, CULTURE AND HISTORIC PRESERVATION, A TEXT AMENDMENT

A request to consider transmittal of Comprehensive Plan Amendment 24-16, a text amendment to Chapter 16, Arts, Culture and Historic Preservation Element, of the Comprehensive Growth Management Plan based upon the 2024 EAR.

Agenda Item: 24-1285

ACTION TAKEN: The Board continued this public hearing to October 22, 2024.

PH-4 LEGISLATIVE PUBLIC HEARING TO CONSIDER TRANSMITTAL OF EVALUATION AND APPRAISAL REPORT (EAR) BASED COMPREHENSIVE PLAN AMENDMENT 24-17, PUBLIC SCHOOLS FACILITIES ELEMENT, A TEXT AMENDMENT

A request to consider transmittal of Comprehensive Plan Amendment 24-17, a text amendment to Chapter 17, Public Schools Facilities Element, of the Comprehensive Growth Management Plan based upon the 2024 EAR.

Agenda Item: 24-1286

ACTION TAKEN: The Board continued this public hearing to October 22, 2024.

PH-5 LEGISLATIVE PUBLIC HEARING TO CONSIDER TRANSMITTAL OF EVALUATION AND APPRAISAL REPORT (EAR) BASED COMPREHENSIVE PLAN AMENDMENT 24-05, TRANSPORTATION ELEMENT, A TEXT AMENDMENT

A request to consider transmittal of Comprehensive Plan Amendment 24-05, a text amendment to Chapter 5, Transportation Element, of the Comprehensive Growth Management Plan based upon the 2024 EAR. The proposed revisions reflect the updated Transportation Map Series. Other changes are listed in the staff report. No goals, objectives, or policies are being proposed for removal.

Agenda Item: 24-1259

ACTION TAKEN: The Board continued this public hearing to October 22, 2024, amended the Goals and Objectives to improve bicycle/pedestrian safety on bridges and major roadways (as well as added the safety topic to the legislative priorities), and included other comments made that can be incorporated.

PH-6 LEGISLATIVE PUBLIC HEARING TO CONSIDER TRANSMITTAL OF EVALUATION AND APPRAISAL REPORT (EAR) BASED COMPREHENSIVE PLAN AMENDMENT 24-01, PREAMBLE, A TEXT AMENDMENT

A request to consider transmittal of Comprehensive Plan Amendment 24-01, a text amendment to Chapter 1, Preamble, of the Comprehensive Growth Management Plan based upon the 2024 EAR.

Agenda Item: 24-1280

ACTION TAKEN: The Board continued this public hearing to October 22, 2024.

PH-7 LEGISLATIVE PUBLIC HEARING TO CONSIDER TRANSMITTAL OF EVALUATION AND APPRAISAL REPORT (EAR) BASED COMPREHENSIVE PLAN AMENDMENT 24-07, RECREATION ELEMENT, A TEXT AMENDMENT

A request to consider transmittal of Comprehensive Plan Amendment 24-07, a text amendment to Chapter 7, Recreation Element, of the Comprehensive Growth Management Plan based upon the 2024 EAR.

Agenda Item: 24-1284

ACTION TAKEN: The Board continued this public hearing to October 22, 2024.

PH-8 PUBLIC HEARING TO CONSIDER ADOPTION OF AMENDMENTS TO ARTICLE 6 OF THE LAND DEVELOPMENT REGULATIONS, IMPACT FEES

This public hearing will consider proposed changes to the text of Article 6, Impact Fees, Land Development Regulations, Martin County Code, and changes to the schedule of Impact Fees, Figure 6.1, consistent with changes to Florida Statutes.

Agenda Item: 24-1244

1:30 PM PRESET

ACTION TAKEN: The Board adopted the Ordinance amending Article 6, of the Land Development Regulations, Martin County Code including Figure 6.1 establishing a new schedule of impact fees.

ORDINANCE NO. 1230

PH-9 FIRST FISCAL YEAR 2024/2025 BUDGET PUBLIC HEARING

This is the first of two public hearings regarding the fiscal year 2024/2025 budget. There will be an outline of the public hearing procedures followed by an overview and review/approval of the Resolutions.

Agenda Item: 24-1038

5:05 PM PRESET

ACTION TAKEN: The Board adopted the Resolutions and approved the Budget.

RESOLUTION NOS. 24-9.18 through 24-9.51

**DEPARTMENTAL QUASI-JUDICIAL
GROWTH MANAGEMENT**

DPQJ-1 REQUEST PLAT APPROVAL FOR THE 95 RIVERSIDE PLANNED UNIT DEVELOPMENT (PUD) PHASE IV PROJECT (N027-014)

This is a request by HJA Design Studio, LLC, on behalf of Pulte Home Company, LLC, for approval of the 95 Riverside PUD Phase IV Plat. The plat is to be consistent with the Phase IV Final Site Plan which contains 98 single-family townhomes on an approximately 12.40-acre site. The 95 Riverside PUD is located on the north side of SW Kanner Highway/SR 76, on SW Lost River Road, approximately 0.17 miles east of the I-95 interchange in Stuart. Included is a request for a Certificate of Public Facilities Exemption.

Agenda Item: 24-1262

RESOLUTION NOS. 24-9.6 and 24-9.7

ACTION TAKEN: The Board received and filed the Agenda Item and all attachments as an exhibit; approved the 95 Riverside PUD, Phase IV Plat and Phase IV Revised Final Site Plan including the Contract for Construction of Required Improvements and Infrastructure; approved the Release and Termination of Access Easement; approved the Release and Termination of Pedestrian Access Easement; and authorized the Chairman to sign all documents necessary to complete the transaction.

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: 24-0770 Supplemental Memorandum (10 items)

ACTION TAKEN:

1. Permission to Apply for a State of Florida Department of Transportation (FDOT) Public Transportation Grant Agreement for FY25 Section 5311 Non-Urbanized Area Formula Funds for Operating Assistance - The Board authorized the County Administrator or designee to file an application for the FDOT FY25 Section 5311 non-urbanized area public transportation grant and authorized the County Administrator or designee to execute and file with its application, any corresponding documents the Florida Department of Transportation will require before awarding a Public Transportation grant agreement. RESOLUTION NO. 24-9.8
2. Permission to Accept the Indian River Lagoon (IRL) License Plate Program Grant for the Indian River Lagoon Estuary Restoration Project - The Board authorized the Chairman to execute the South Florida Water Management District #4600005036 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. 24-9.9
3. Permission to Accept the Florida Department of Environmental Protection (FDEP) Grant 25MI1 St. Lucie Inlet Management Plan Implementation Project - The Board authorized the Chairman to execute FDEP grant 25MI1 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. 24-9.10
4. Permission to Accept the Florida Department of Environmental Protection (FDEP) Grant 24MI2 Martin County Shore Protection Project - The Board authorized the Chairman to execute FDEP grant 24MI2 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. 24-9.11
5. Permission to Accept the Florida Department of Environmental Protection (FDEP) Grant 24MI3 Martin County Shore Protection Project - The Board authorized the Chairman to execute FDEP grant 24MI3 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. 24-9.12
6. Permission to Accept the Centers for Disease Control (CDC) Drug-Free Communities (DFC) Grant (5 NH28CE003044-05-00) – The Board adopted the Budget Resolution. RESOLUTION NO. 24-9.13

7. Permission to Accept the Federal Transit Administration (FTA) FY21 Section 5307 Urbanized Formula Grant - The Board authorized the County Administrator or designee to execute and file the 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. 24-9.14
8. Permission to Accept the E911 State Grant for Call-Taker Console Refresh - The Board authorized the Chairman to execute the grant contract 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. 24-9.15
9. Permission to Accept the E911 State Grant for Smart Transcription - The Board authorized the Chairman to execute the grant contract 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. 24-9.16
10. Permission to Accept the E911 State Grant for Geographic Information System (GIS) Data Services - The Board authorized the Chairman to execute the grant contract 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. 24-9.17

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: 24-0775 Supplemental Memorandum (2 items)

ACTION TAKEN:

A. CONTRACTS OVER \$1,000,000

1. Palm City II Landfill & Transfer Station Administration Building Construction (RFB2024-3605) - The Board awarded the contract to the lowest, responsive, and responsible bidder, One Call Florida, Inc., in the amount of \$2,195,207.50; approved a CIP modification; approved a budget transfer of \$1,850,000.00 from Project #4904, Relocation of Recycling, to Admin Building Construction project #4015; and authorized the County Administrator or designee to execute all documents related to this request.
2. US-1 & SE Constitution Boulevard Intersection Improvements (RFB2024-3609) – The Board awarded the contract to the lowest, responsive, and responsible bidder, Carr Construction, LLC, in the amount of \$1,076,974.44 and authorized the County Administrator or designee to execute all documents related to this request.

DEPT-3 BRIGHTLINE TRAIN STATION - FIRST AMENDMENT TO NOVEMBER 25, 2018 SETTLEMENT AGREEMENT AND AMENDED INTERLOCAL AGREEMENT

Staff is requesting the Board of County Commissioners consider approving the First Amendment to the Settlement Agreement with Brightline and an Amended Interlocal Agreement with the City of Stuart. These documents will finalize the County's obligations related to the development of the train station and related parking for establishment of Brightline rail service in Martin County.

Agenda Item: 24-1304 Supplemental Memorandum

10:00 AM PRESET

ACTION TAKEN: The Board withdrew this item and asked staff to begin conversations/negotiations with the City of Stuart and, if needed, individual conversations/negotiations with Brightline.

DEPT-4 APPROVAL OF COLLECTIVE BARGAINING AGREEMENT BETWEEN MARTIN COUNTY AND TEAMSTERS LOCAL 769 FOR UPCOMING THREE-YEAR TERM

The current Collective Bargaining Agreement (CBA) between Martin County and Teamsters Local 769 (Teamsters) expires on September 30, 2024. The parties have been negotiating since November 08, 2023, for a new agreement beginning on October 1, 2024, through September 30, 2027. A tentative agreement has been reached and will be presented to the Martin County Teamsters' membership for vote on August 22, 2024. The proposed CBA is being presented to the Board of County Commissioners (Board) for approval.

Agenda Item: 24-1196 Supplemental Memorandum

ACTION TAKEN: The Board approved the Collective Bargaining Agreement between Martin County and Teamsters Local 769 effective October 1, 2024, through September 30, 2027; approved the same salary adjustment proposed for Teamsters for non-bargaining employees, the County Administrator, and the County Attorney for Fiscal Years 2025, 2026 and 2027; and approved the sick leave provision outlined in the proposed CBA for non-bargaining employees governed by the Human Resources Manual, the County Administrator, and the County Attorney.

DEPT-5 CONSIDERATION OF A RESOLUTION ENCOURAGING POWER SYSTEMS MANUFACTURING TO SUBMIT AN APPLICATION FOR AN AD VALOREM TAX EXEMPTION IN ACCORDANCE WITH STATE AND COUNTY LAWS

Staff will present a resolution for the Board of County Commissioner's consideration that if approved would encourage Power Systems Manufacturing to apply for an economic development ad valorem exemption in accordance with Chapter 71, Article 13, General Ordinances, Martin County Code and Section 196.1995 Fla. Stat.

Agenda Item: 24-1189

2:00 PM PRESET

ACTION TAKEN: The Board adopted the Resolution with #4 being corrected in the resolution and authorized the Chairman to sign documents as approved by the County Attorney.

RESOLUTION NO. 24-9.5

PUBLIC - PLEASE LIMIT COMMENTS TO THREE MINUTES.

ADJOURNED AT 5:29 PM

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