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BOARD OF COUNTY COMMISSIONERS

ACTION SUMMARY

NOVEMBER 7, 2023 ~ 9:00 AM

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

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
5:05 PM - Public Comment

CALL TO ORDER AT 9:02 AM

1. INVOCATION – **Pastor Jim Harp**, Stuart Alliance Church
2. PLEDGE OF ALLEGIANCE
3. ADDITIONAL ITEMS – [The Additional Item of DEPT-4 was 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.

PROCLAMATIONS AND SPECIAL PRESENTATIONS

PROC-1 PRESENT PROCLAMATIONS PREVIOUSLY APPROVED VIA THE CONSENT AGENDA

The Board is asked to present proclamations declaring Veterans Day, Nurse Practitioners Week, Alzheimer's Disease Awareness Month, and recognizing Bible Reading Marathon Week in Martin County, Florida.

Agenda Item: 24-0032

[ACTION TAKEN: The proclamations were presented.](#)

PROC-2 PRESENTATION OF MARTIN COUNTY FIRE RESCUE COMBAT CHALLENGE TEAM AWARDS FROM THE 2023 WORLD FIREFIGHTER CHALLENGE

The Board is asked to hear the presentation of Martin County Fire Rescue's Combat Challenge Team's awards from the recent 2023 World Firefighter Challenge that took place at Stuart Beach.

Agenda Item: 24-0235

ACTION TAKEN: The Board heard the presentation.

PROC-3 UNITED WAY PRESENTATION - TOP 10 MOST GENEROUS WORKPLACES

United Way has recognized the Martin County Board of County Commissioners as being a Top 10 Most Generous Workplace for philanthropic contributions to and through United Way of Martin County during 2022-2023.

Agenda Item: 24-0239

ACTION TAKEN: The Board heard the presentation.

COMMENTS

1. PUBLIC - PLEASE LIMIT COMMENTS TO THREE MINUTES.
2. COMMISSIONERS –The Board directed staff to add a third CARES class to the 2024 schedule. The Board authorized staff to submit a Legislative Appropriation of \$2M for the Gomez Neighborhood Pettway Area potable water connection project (with \$130,000 contribution from the County). The Board asked staff to submit a grant application for the Florida Black History Museum Task Force to consider Martin County (the one room schoolhouse) as a location for the Black History Museum to be operated by the State of Florida. The Board removed Commissioner Jenkins' appointment from the Local Planning Agency and appointed Bob Thornton as his representative on the Local Planning Agency.
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 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: 24-0004 Supplemental Memorandum (1 item)

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 10, 2023 and October 23, 2023. 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: 24-0010

CNST-3 BOARD OF COUNTY COMMISSION MINUTES TO BE APPROVED

The Board is asked to approve minutes from the June 6, 2023 regular meeting.

Agenda Item: 24-0148

CNST-4 DRUG AND ALCOHOL ABUSE AWARENESS COMMITTEE APPOINTMENT

After solicitation of applicants, the Board is asked to make the necessary appointment to the Drug and Alcohol Abuse Awareness Committee.

Agenda Item: 24-0075

[RESOLUTION NO. 23-11.1](#)

CNST-5 CONSTRUCTION INDUSTRY LICENSING BOARD APPOINTMENTS

After solicitation of applicants, the Board is asked to make the necessary appointments to the Construction Industry Licensing Board.

Agenda Item: 24-0079

[RESOLUTION NO. 23-11.2](#)

CNST-6 APPROVAL OF REVISED LOCAL HOUSING ASSISTANCE PLAN (LHAP) FY 2023-2026

Local Housing Assistance Plan (LHAP) governs Martin County's State Housing Initiative Partnership Program (SHIP) programming and expenditures. The revised 2023-2026 LHAP was prepared by staff and reviewed and approved by the Affordable Housing Advisory Committee (AHAC) and Florida Housing Finance Corporation (FHFC), which approved the revisions to the LHAP on September 25, 2023.

Agenda Item: 24-0233

[RESOLUTION NO. 23-11.3](#)

CNST-7 APPROVAL OF REVISED LOCAL HOUSING ASSISTANCE PLAN (LHAP) FY 2020-2023

The Local Housing Assistance Plan (LHAP) governs Martin County's State Housing Initiative Partnership Program (SHIP) programming and expenditures. The revised 2020-2023 LHAP was prepared by staff and reviewed by the Affordable Housing Advisory Committee (AHAC) and Florida Housing Finance Corporation (FHFC), which approved the revisions to the LHAP on September 25, 2023.

Agenda Item: 24-0234

[RESOLUTION NO. 23-11.4](#)

CNST-8 ADOPT A PROCLAMATION DECLARING PREMATUREITY AWARENESS MONTH IN MARTIN COUNTY, FLORIDA

The Board is asked to adopt a proclamation declaring Prematurity Awareness Month in Martin County, Florida.

Agenda Item: 24-0250

BUILDING

CNST-9 REQUEST FOR APPROVAL OF FINE REDUCTION STIPULATION AND AGREED RECOMMENDED ORDER REGARDING THE CODE ENFORCEMENT CASE OF SHAHID SHAIKH HALEEM (ESTATE) CASE NUMBER ENF2020090500-01

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 Shahid Shaikh Haleem (Estate).

Agenda Item: 24-0245

CNST-10 REQUEST FOR APPROVAL OF FINE REDUCTION STIPULATION AND AGREED RECOMMENDED ORDER REGARDING THE CODE ENFORCEMENT CASE OF MARJORIE GARLAND CASE NUMBERS 08-0025896,09-0031436, 10-0040735

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 Marjorie Garland.

Agenda Item: 24-0249

CNST-11 REQUEST FOR APPROVAL OF FINE REDUCTION STIPULATION AND AGREED RECOMMENDED ORDER REGARDING THE CODE ENFORCEMENT CASE OF DENNIS ROSE III CASE NUMBER ENF2019030201-01

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 Dennis Rose III.

Agenda Item: 24-0263

COUNTY ATTORNEY

CNST-12 APPROVAL OF AN INTERLOCAL AGREEMENT BETWEEN MARTIN COUNTY AND THE VILLAGE OF INDIANTOWN FOR COLLECTION OF IMPACT FEES

County and Village staff have negotiated an Interlocal Agreement authorizing the Village to collect countywide impact fees. This agreement, similar to the City of Stuart's Interlocal Agreement, reduces the Road Transportation, Active Parkland and Public Building impact fees in an effort not to duplicate similar fees within the Village boundaries.

Agenda Item: 24-0273

PUBLIC WORKS

- CNST-13 APPROVAL OF A SOVEREIGNTY SUBMERGED LANDS EASEMENT (SSLE) WITH THE TRUSTEES OF THE INTERNAL IMPROVEMENT TRUST FUND (TIITF) FOR THE TWIN RIVERS HYBRID LIVING SHORELINE PROJECT**
Request approval of a SSLE for a breakwater. The lease provides access for the construction and use of the breakwater on the southeast section of Twin Rivers Park to stabilize the shoreline.
Agenda Item: 24-0186

BOARD AND COMMITTEE APPOINTMENTS

- B&C-1 BOARD OF ZONING ADJUSTMENT APPOINTMENT**
After solicitation of applicants, the Board is asked to make the necessary appointment to the Board of Zoning Adjustment.
Agenda Item: 24-0080 **RESOLUTION NO. 23-11.11**
ACTION TAKEN: The Board re-appointed Mac Ross for a term to begin December 1, 2023 and end November 30, 2027 and authorized the Chairman to sign the Resolution of Appointment.

- B&C-2 INDUSTRIAL DEVELOPMENT AUTHORITY APPOINTMENT**
After solicitation of applicants, the Board is asked to make the necessary appointment to the Industrial Development Authority.
Agenda Item: 24-0078 **RESOLUTION NO. 23-11.12**
ACTION TAKEN: The Board appointed Kelly A. Layman to a four-year term to begin November 24, 2023 and end November 23, 2027 and authorized the Chairman to sign the Resolution of Appointment and certificate of appreciation and Chair letter for Mr. Jacob Bynum.

- B&C-3 TREASURE COAST HEALTH COUNCIL APPOINTMENT**
After solicitation of applicants, the Board is asked to make the necessary appointment to the Treasure Coast Health Council.
Agenda Item: 24-0077
ACTION TAKEN: The Board re-appointed Dr. Teena White for a term to begin November 18, 2023 and end November 17, 2025.

PUBLIC HEARINGS

- PH-1 LEGISLATIVE PUBLIC HEARING TO CONSIDER TRANSMITTAL OF COMPREHENSIVE PLAN AMENDMENT (CPA) 22-11, THREE LAKES GOLF CLUB**
This is a request for an amendment to the Future Land Use Map (FLUM) on 1,216-acres. The request will change the future land use designation from Agricultural to Rural Lifestyle. The property is located on the east and west side of SW Kanner Highway and the north side of SW Bridge Road, east of the Okeechobee Waterway and west of SW Pratt Whitney Road.
Agenda Item: 24-0213
ACTION TAKEN: The Board approved transmittal of CPA 22-11, Three Lakes Golf Club, to the State Land Planning Agency and other state and regional reviewing agencies.

PH-2 LEGISLATIVE PUBLIC HEARING TO CONSIDER ADOPTION OF COMPREHENSIVE PLAN AMENDMENT (CPA) 22-02 95 RIVERSIDE PUD/PULTE I-95

This request is for a small-scale amendment to the Future Land Use Map (FLUM) on 12.402 acres. The request will change the future land use designation from General Commercial to Commercial Office/Residential (allowing 10 units per acre). The proposed change is located on the northwest side of SW Kanner Highway/SR76, northeast of SW Lost River Road and the I-95 interchange. Access to the site is from SW Lost River Road.

Agenda Item: 24-0240

ORDINANCE NO. 1207

ACTION TAKEN: The Board approved the Ordinance adopting CPA 22-02, 95 Riverside PUD/Pulte I-95, which assigns the Commercial Office/Residential future land use designation to the property.

PUBLIC HEARINGS QUASI-JUDICIAL

PHQJ-1 REQUEST FOR APPROVAL OF THE NINTH AMENDMENT TO THE NINETY-FIVE RIVERSIDE PLANNED UNIT DEVELOPMENT (PUD) ZONING AGREEMENT INCLUDING REVISED MASTER/PHASING PLAN AND PHASE IV FINAL SITE PLAN (N027-013)

This is a request by HJA Design Studio, LLC on behalf of Pulte Home Company, LLC for approval of a Ninth Amendment to the Ninety-Five Riverside PUD Zoning Agreement including a revised master/phasing plan and Phase IV final site plan to allow for the construction of 98 townhomes on an approximately 12.33-acre site. The site is located at 7439 SW Lost River Road, on the northwest corner of SW Kanner Highway/SR 76 and SW Lost River Road, approximately 0.17 miles east of the I-95 interchange, in Stuart. Included in this application is a request for a Certificate of Public Facilities Reservation.

Agenda Item: 24-0241

RESOLUTION NO. 23-11.5

ACTION TAKEN: The Board received and filed the Agenda Item and all attachments as an exhibit; approved the Ninth Amendment to the Ninety-Five Riverside PUD Zoning Agreement, including a revised Master/Phasing plan and an amended PAMP; adopted a Resolution approving the Phase IV final site plan for the Ninety-Five Riverside PUD project; and the Board directed staff to follow up with FDOT to maximize safety improvements of the intersection.

PHQJ-2 REQUEST BY FLORIDA POWER AND LIGHT COMPANY FOR MAJOR FINAL SITE PLAN APPROVAL FOR THE FAWN SOLAR FACILITY PROJECT (F110-004)

This is a request for approval of a major final site plan for the development of an unmanned 74.5 MW solar energy facility on approximately 600 acres of agricultural land. The proposed development is located along the north side of SW Citrus Boulevard at 16364 SW Citrus Boulevard in Palm City. The proposed project is approximately 4.7 miles east of the intersection of SW Warfield Boulevard. Included with this application is a request for a Certificate of Public Facilities Reservation.

Agenda Item: 24-0126

RESOLUTION NO. 23-11.6

ACTION TAKEN: The Board received and filed the Agenda Item and all attachments as an exhibit and approved the Final Site Plan for the FPL Fawn Solar Facility project.

DEPARTMENTAL QUASI-JUDICIAL
GROWTH MANAGEMENT

DPQJ-1 **REQUEST APPROVAL OF THE SECOND AMENDMENT TO THE HIGHPOINTE PLANNED UNIT DEVELOPMENT (PUD) ZONING AGREEMENT, INCLUDING REVISED MASTER SITE PLAN, REVISED PHASING PLAN, AMENDED PRESERVE AREA MANAGEMENT PLAN, AND PHASE 2 FINAL SITE PLAN (C148-013)**

This is a request by Cottleur and Hearing, on behalf of Christ Fellowship Church Inc, for approval of the Second Amendment to the Highpointe PUD Zoning Agreement, including Revised Master Site Plan, Revised Phasing Plan and Amended Preserve Area Management Plan, and a Phase 2 Final Site Plan to construct 190 single-family homes, an amenities center, and associated infrastructure. The 145.31-acre subject site is located within the 321-acre PUD, along SW Pratt Whitney Road, in Stuart. Included is a request for a Certificate of Public Facilities Reservation for Phase 2.

Agenda Item: 24-0201

RESOLUTION NO. 23-11.7

ACTION TAKEN: The Board received and filed the Agenda Item and all attachments as an exhibit; approved the Second Amendment to the Highpointe PUD including a Revised Master Site Plan, a Revised Phasing Plan, and an Amended Preserve Area Management Plan; adopted the Resolution approving the Phase 2 Final Site Plan for the Highpointe PUD; and amended Exhibit 5 Special Condition 2.C.4 changing the size of the sign to be 144x84.

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: 24-0020 **Supplemental Memorandum (5 items)**

ACTION TAKEN:

1. Permission to Apply for the FY 2024 Section 319 Grant Administered by the Nonpoint Source Management Program, Florida Department of Environmental Protection (FDEP) - The Board authorized the Ecosystem Restoration and Management division to apply for the FY 2024 Section 319 Grant administered by the Nonpoint Source Management Program.
2. Permission to Accept the State of Florida Department of Environmental Protection (FDEP) Florida Resilient Coastlines Program; Resilience Infrastructure Grant #22FRP115 for Cypress Creek Restoration - The Board authorized the Chairman to execute the State of Florida Department of Environmental Protection 22FRP115 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. 23-11.8**
3. Permission to Accept the Florida Department of Environmental Protection (FDEP) Beach Management Funding Assistance Program Grant #23MI1 for the Martin

County 2022 Hurricane Ian and Nicole Recovery Project - The Board authorized the Chairman to execute the FDEP grant 23MI1, as well as to authorize the County Administrator or designee to approve any future non-monetary grant-related documents upon review and concurrence of the County Attorney's Office and adopted the Budget Resolution. **RESOLUTION NO. 23-11.9**

4. Permission to Accept the Emergency Operations Center Grant Program for the Uninterruptible Power Supply (UPS) - The Board authorized the Chairman and or designee to execute the Emergency Operations Center 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. 23-11.10**
5. Request for Funds for the Sheriff's Office - The Board authorized the Sheriff's Office to utilize \$11,145 in Federal Equitable Sharing Funds for ballistic shields and authorized a Budget Transfer from Federal Equitable sharing fund reserves in the amount of \$11,145.

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: 24-0026 **Supplemental Memorandum (3 items)**

ACTION TAKEN:

A. CONTRACTS OVER \$1,000,000

1. **BUILDING 17 RENOVATIONS FOR THE REACH CENTER (RFB2023-3538)**
– The Board awarded the contract to the lowest, responsive, and responsible bidder, All-Site Construction, Inc., in the amount of \$2,820,803.00 (Base Bid only); approved the revised CIP sheet to fund the bid award; and authorized the County Administrator or designee to execute all documents related to this request.
2. **MOTOR & PUMP REPAIR (RFB2023-3545)** – The Board awarded the contract to the lowest, responsive, and responsible bidders: Donerite Pumps, Inc.; Tripp Electric Motors, Inc.; and TAW Orlando Service Center, Inc.; and authorized the County Administrator or designee to execute all documents related to this request.
3. **SW WATERSIDE WAY & SR-76/KANNER HIGHWAY ROADWAY CONSTRUCTION (RFB2023-3546)** – The Board awarded the contract to the lowest, responsive, and responsible bidder, C.W. Roberts Contracting, Inc., in the amount of \$4,272,540.79; approved the revised CIP sheet to fund the bid award; and authorized the County Administrator or designee to execute all documents related to this request.

DEPT-3 MARTIN COUNTY CENTENNIAL CELEBRATION STATUS UPDATE

Martin County, which was established by an Act of the Florida Legislature in 1925, will be celebrating 100 years in 2025. The Board of County Commissioners is being asked to provide guidance on how staff should proceed with commemorating this historic milestone.

Agenda Item: 24-0110

ACTION TAKEN: The Board decided they will talk with their constituents about what they would like to take place. Administration staff will further research the costs of a plaque, banners, and the book costs and reach out to non-profits to see if they would do an event for the Centennial.

DEPT-4 BRIGHTLINE REQUEST FOR PROPOSAL

Staff is seeking direction from the Board of County Commissioners regarding a potential submittal to Brightline Trains Florida LLC for a Treasure Coast station location in Martin County.

Agenda Item: 24-0281 Additional Item

ACTION TAKEN: The Board authorized staff to develop a proposal in response to the RFP advertised by Brightline and present the draft proposal to the BCC in December and authorized a Budget Transfer from General Fund Reserves up to the amount of \$125,000. The Board also approved Administration staff to work with the City of Stuart staff on a joint application for the Flagler property location.

PUBLIC - PLEASE LIMIT COMMENTS TO THREE MINUTES.

ADJOURNED AT 2:43 PM

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