APPROVED: Don Donaldson 01/28/2025

[County seal]

BOARD OF COUNTY COMMISSIONERS

ACTION SUMMARY
JANUARY 28, 2025 ~ 9:00 AM

COMMISSION CHAMBERS
2401 SE MONTEREY ROAD, STUART, FLORIDA 34996

COUNTY COMMISSIONERS
Sarah Heard, Chair
Edward V. Ciampi, Vice Chairman
Eileen Vargas
Stacey Hetherington
J. Blake Capps

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 9:00 AM
Invocation ~ **Pastor Keegan Steele**, Christ Fellowship Church
Pledge of Allegiance ~ **Molly Moriarty**, Navy Reservist, Builder First Class, Expeditionary Warfare Specialist and **Michael Drost**, Veterans Services Office Manager

APPROVAL OF AGENDA
Additional Items – The Additional Item of DEPT-6 was added to the Agenda.
Approval of Agenda – The Agenda was approved, and DPQJ-1 was withdrawn from the Agenda.

PROCLAMATIONS AND SPECIAL PRESENTATIONS
PROC-1 **PRESENT A PROCLAMATION PREVIOUSLY APPROVED VIA THE CONSENT AGENDA**
The Chair will present a proclamation declaring Martin Luther King, Jr. Day in Martin County, Florida.
Agenda Item: 25-0482
ACTION TAKEN: The Chair presented the proclamation.

COMMENTS

Public (9:05 AM) - Please limit comments to three minutes.
Commissioners
County Administrator

CONSENT AGENDA

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.

Discussion of Pulled Consent Items – not applicable

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: 25-0345 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 December 30, 2024 and January 12, 2025. 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: 25-0356

CNST-3 **NOTED ITEMS**

Noted items are documents for the Board's information that must be a part of the record but do not require any action.

Agenda Item: 25-0367

CNST-4 **ADOPT A PROCLAMATION COMMENDING LUKE RITTER UPON THE ACHIEVEMENT OF EAGLE SCOUT**

The Board extends greetings and congratulations to scouts achieving the rank of Eagle Scout.

Agenda Item: 25-0568

CNST-5 **REQUEST FOR ADOPTION OF A RESOLUTION ESTABLISHING AN APPLICATION FEE FOR UNSOLICITED PROPOSALS FOR PUBLIC-PRIVATE PARTNERSHIPS PURSUANT TO FLORIDA STATUTES SECTION 255.065**

This resolution establishes an application fee structure for unsolicited Public-Private Partnership (P3) proposals, in accordance with Florida Statutes Section 255.065. The resolution specifies that the application fee shall be 1% of the proposed project value, capped at $250,000. It also provides for cost recovery in instances where the actual review cost exceeds the initial fee. This ensures the County can adequately cover the costs associated with evaluating unsolicited P3 proposals while maintaining fairness and transparency.

Agenda Item: 25-0565 RESOLUTION NO. 25-1.17

BUILDING

CNST-6 **REQUEST FOR APPROVAL OF FINE REDUCTION STIPULATION AND AGREED RECOMMENDED ORDER REGARDING THE CODE ENFORCEMENT CASE OF PHYLLIS M KALBACH CASE NUMBER 09-0030046**

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 Phyllis M. Kalbach.

Agenda Item: 25-0505

PUBLIC WORKS

CNST-7 **MARTIN COUNTY PUBLIC TRANSIT (MARTY) ADMINISTRATIVE COST CERTIFICATION**

Effective July 1, 2024, Ch. 2024-57, Laws of Florida, amended section 341.071, F.S., Transit productivity and performance measures; reports, by adding subsection (4). This new provision requires public transit providers to disclose certain information and documentation relating to its budgeted and general administrative costs.

Agenda Item: 25-0551

CNST-8 **ADOPT A RESOLUTION SUPPORTING THE FLORIDA DEPARTMENT OF TRANSPORTATION FUNDING FOR A PROJECT ANTICIPATED TO BE PRIORITIZED BY THE METROPOLITAN PLANNING ORGANIZATION IN COUNTY OWNED RIGHT-OF-WAY**

As required by the Florida Department of Transportation (FDOT) Program Management Bulletin, the Board of County Commissioners is asked to adopt a resolution supporting the FDOT funding of a project in the County's rights-of-way, which is anticipated to be prioritized by the Policy Board of the Martin Metropolitan Planning Organization.

Agenda Item: 25-0570 RESOLUTION NO. 25-1.18

PUBLIC HEARINGS

PH-1 **PUBLIC HEARING TO CONSIDER ADOPTION OF AN ORDINANCE AMENDING ARTICLE 12, DIVISIONS 1-7, COMMUNITY REDEVELOPMENT CODE, LAND DEVELOPMENT REGULATIONS, MARTIN COUNTY CODE REGARDING ARCHITECTURAL DESIGN STANDARDS**

Dana Little, Urban Design Director and Jessica Seymour, Principal Program Coordinator of the Treasure Coast Regional Planning Council (TCRPC) will present the updated Community Redevelopment Agency (CRA) Architectural Design Standards proposed for all six Martin County CRA areas. This effort will increase flexibility and choice for property owners, architects, developers, and builders and continue to implement the vision of well-designed communities that celebrate their distinctive identities and contribute to the overall sustainability of Martin County.

Agenda Item: 25-0489 ORDINANCE NO. 1237

ACTION TAKEN: The Board adopted the Ordinance amending Article 12 for the proposed CRA Architectural Design Standards.

PH-2 **LEGISLATIVE PUBLIC HEARING TO CONSIDER TRANSMITTAL OF COMPREHENSIVE PLAN AMENDMENT 24-21, NINE GEMS**

On March 5, 2024, the Board of County Commissioners adopted a resolution to initiate a request for an amendment to the Future Land Use Map (FLUM) on 1,533 acres, known as Nine Gems. The request proposes to change the future land use designation from Agricultural to Institutional-Public Conservation. The site is located south of SW Bridge Road between SW Pratt-Whitney Road and Interstate 95.

Agenda Item: 24-1312

ACTION TAKEN: The Board approved transmittal of CPA 24-21, Nine Gems, to the State Land Planning Agency and other state and regional reviewing agencies.

PH-3 **PUBLIC HEARING TO CONSIDER CHANGES TO DIVISION 5, HOBE SOUND, ARTICLE 12, COMMUNITY REDEVELOPMENT CODE, LAND DEVELOPMENT REGULATIONS, MARTIN COUNTY CODE, REGARDING MAXIMUM HEIGHT FOR INSTITUTIONAL USE GYMNASIUMS IN THE GENERAL SUBDISTRICT**

This is a request by Architects Design Collaborative, LLC, on behalf of Boys & Girls Club of Martin County, for approval of an amendment to Division 5, Hobe Sound, Article 12, Community Redevelopment Code, Land Development Regulations, Martin County Code, to change the maximum allowable height for certain structures within the General Subdistrict. The applicant proposes a maximum allowable height of 35 feet/2 stories specifically for gymnasiums developed as part of an institutional use. The current maximum allowable height within the General Subdistrict is 30 feet/2 stories.

Agenda Item: 25-0527 ORDINANCE NO. 1238

ACTION TAKEN: The Board adopted the Ordinance amending Article 12, Community Redevelopment Code, Land Development Regulations, Martin County Code.

PUBLIC HEARING QUASI-JUDICIAL

PHQJ-1 **PUBLIC HEARING TO REQUEST APPROVAL OF THE TWENTY-SECOND AMENDMENT TO THE JUPITER HILLS VILLAGE PLANNED UNIT DEVELOPMENT (PUD) ZONING AGREEMENT (J002-022), INCLUDING A REVISED MASTER SITE PLAN AND PHASE IX FINAL SITE PLAN**

This is a request by Lucido & Associates on behalf of Jupiter Hills Club, Inc., for approval of the Twenty-Second Amendment to the Jupiter Hills Village PUD Zoning Agreement including a Revised Master Site Plan and Phase IX Final Site Plan. The proposed development of Phase IX consists of a one-story, 32-bed building and associated infrastructure on an approximately 4.59-acre site to provide dormitory-style employee housing. Phase IX is located approximately 430 feet northwest of the intersection of SE County Line Road and SE Federal Highway in Tequesta. Included is a request for a Certificate of Public Facilities Reservation.

Agenda Item: 25-0525 Supplemental Memorandum RESOLUTION NO. 25-1.19

ACTION TAKEN: The Board received and filed the agenda item and all attachments as an exhibit; approved the Twenty-Second Amendment to the Jupiter Hills Village PUD Zoning Agreement including the Revised Master Site Plan and Preserve Area Management Plan for Phase IX; and adopted the Resolution approving the final site plan.

PHQJ-2 **PUBLIC HEARING TO CONSIDER ADOPTION OF AN ORDINANCE AMENDING DIVISION 5, HOBE SOUND, ARTICLE 12, COMMUNITY REDEVELOPMENT CODE, LAND DEVELOPMENT REGULATIONS, MARTIN COUNTY CODE, S260-004, FLORIDAYS MOBILE PARK, LLC**

This is a request by Engineering Design & Construction, Inc., on behalf of Floridays Mobile Park, LLC, for approval of an amendment to Division 5, Hobe Sound, Article 12, Community Redevelopment Code, Land Development Regulations, Martin County Code, for a Subdistrict change from the current General Subdistrict to the Corridor Subdistrict. The subject property is an existing recreational vehicle park located at 10705 SE Federal Highway, south of SE Porter Boulevard and west of SE Dixie Highway, within the Hobe Sound CRA.

Agenda Item: 25-0524 ORDINANCE NO. 1239

ACTION TAKEN: The Board received and filed the agenda item and all attachments as an exhibit and adopted the Ordinance amending Division 5, Hobe Sound, Article 12, Community Redevelopment Code, Land Development Regulations, Martin County Code, to change the CRA Subdistrict from General to Corridor on the subject site.

PHQJ-3 **PUBLIC HEARING TO CONSIDER A REQUEST TO DESIGNATE A BROWNFIELD BY 9670 SW MARINE WAY, LLC**

This is the first public hearing on a request by 9670 SW Marine Way, LLC to designate the property located at 9670 SW Marine Way ("Property") as a Green Reuse Area, also known as a brownfield. Florida Statutes Section 376.80 outlines the brownfield program administration process and affirms that the jurisdictional local government shall adopt a resolution designating property as a brownfield if the requesting party establishes the necessary criteria in Florida Statutes Section 376.80. The second public hearing will be held on February 11, 2025.

Agenda Item: 25-0497 Supplemental Memorandum

ACTION TAKEN: The Board received and filed the agenda item and all attachments as an exhibit and will hold the second public hearing on this request to designate the Property as a brownfield on February 11, 2025 at 9:00 AM or as soon after as the matter may be heard and prior to 5:00 PM.

Note: Commissioner Hetherington abstained from the vote.

DEPARTMENTAL QUASI-JUDICIAL

GROWTH MANAGEMENT

DPQJ-1 **REQUEST PLAT APPROVAL FOR 3600 SE SEA POINT COURT (S276-003)**

This is a request by Cotleur & Hearing on behalf of Terrence J. Wiler for approval of the plat of 3600 SE Sea Point Court. The plat is necessary because of the recently approved revised minor final site plan that established a new mean high-water line and the associated 75-foot shoreline protection zone and preservation area consistent with current regulatory requirements. The subject site is located at 3600 SE Sea Point Court in Stuart. The existing primary access to the site is along SE Sea Point Court. Included is a request for a Certificate of Public Facilities Exemption.

Agenda Item: 25-0542 Supplemental Memorandum

ACTION TAKEN: This item was withdrawn at the beginning of the meeting.

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: 25-0375 Supplemental Memorandum (9 items)

ACTION TAKEN:

1. Permission to Apply for the FY 2022 Federal Transit Administration (FTA) Section 5339 Bus and Bus Facilities Formula Grant Program Funds - The Board authorized the County Administrator or designee to apply for the FY22 FTA Section 5339 Bus and Bus Facilities Grant Program funds.
2. Permission to Apply for the 2024 Call for Proposals for Hazard Mitigation Grant Program, Watershed Planning Program - The Board authorized the Public Works Department to apply for the FDEM Hazard Mitigation Grant Program, Watershed Planning Program funding for the South Fork St. Lucie River, Roebuck Creek, and

Fern Creek Subwatershed Study and authorized the Public Works Director to be the authorized representative to sign the grant application and other non-monetary documents related to this grant.

3. Permission to Apply for the FY2025 Small County Outreach Program (SCOP) Grant Through the Florida Department of Transportation (FDOT) for the SE Palm Beach Road Resurfacing Project - The Board authorized the Public Works Department to apply for the FDOT-SCOP grant for the SE Palm Beach Road Resurfacing Project; authorized the Public Works Director or designee to be the authorized representative to sign the grant application and other non-monetary documents related to this grant; and adopted the Board Resolution. RESOLUTION NO. 25-1.20
4. Permission to Apply for the FY2025 Small County Outreach Program (SCOP) Grant Through the Florida Department of Transportation (FDOT) for the SW Sand Trail/SW Sand Avenue Resurfacing Project - The Board authorized the Public Works Department to apply for the FDOT-SCOP grant for the SW Sand Trail/SW Sand Avenue Resurfacing Project; authorized the Public Works Director or designee to be the authorized representative to sign the grant application and other non-monetary documents related to this grant; and adopted the Board Resolution. RESOLUTION NO. 25-1.21
5. Permission to Accept the Florida Department of Children and Families (DCF) – Court Diversion Program Grant (Contract #LH877) - The Board authorized the Chair to execute the Florida Department of Children and Families Diversion Court grant contract (#LH877) 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. 25-1.22
6. Permission to Accept the Florida Department of Environmental Protection (FDEP) Grant L0071 Martin County Bessey Creek Retrofit - The Board authorized the Chair to execute the Florida Department of Environmental Protection grant agreement L0071, as well as any non-monetary grant-related documents upon review and concurrence of the County Attorney's Office; adopted the Budget Resolution; and approved the FY25 Bessey Creek Retrofit CIP sheet. RESOLUTION NO. 25-1.23
7. Permission to Accept the Federal Aviation Administration (FAA) Bipartisan Infrastructure Law (BIL) Grant number 3-12-0076-032-2025 for Extend/Expand Taxiway A Hold Bay (Design) - The Board authorized the County Administrator or designee to execute the FAA BIL grant 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. 25-1.24
8. Request to Allocate Contribution for SE Salerno Road-SE Cable Drive Turn Lane – The Board adopted the Budget Resolution. RESOLUTION NO. 25-1.25
9. Request to Amend the Hoke Library Outdoor Space Capital Improvement Plan (CIP) Sheet - The Board authorized a budget transfer from Library Impact fees to the Hoke Library Outdoor Space project and approved the amended CIP sheet for FY25.

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: 25-0386 Supplemental Memorandum (1 item)

ACTION TAKEN:

A. Contract Amendments Over 10% of Original Contract Value
   1. SW Waterside Way & SR-76/Kanner Highway Roadway Construction (RFB2023-3546) – The Board approved Change Order #2 to C.W. Roberts Contracting, Inc. in the amount of $711,004.59 and authorized the County Administrator or designee to execute all documents related to this request.

GROWTH MANAGEMENT

DEPT-3 **REQUEST TO DISCUSS A TEXT AMENDMENT TO THE COMPREHENSIVE GROWTH MANAGEMENT PLAN REVISING INDUSTRIAL FUTURE LAND USE DESIGNATION**

Staff seeks direction regarding revisions to the text of the Industrial future land use designation to cease permitting freestanding urban service districts.

Agenda Item: 25-0500 RESOLUTION NO. 25-1.26

ACTION TAKEN: The Board adopted the Resolution to initiate a text amendment to Policy 4.13A.10 of the Comprehensive Growth Management Plan with the criteria that the four free-standing urban services districts would have the opportunity to increase no more than 10 percent.

PUBLIC WORKS

DEPT-4 **APPROVAL OF A PRELIMINARY REQUEST FOR PROPOSAL (RFP), AS DIRECTED BY THE BOARD ON MARCH 5, 2024, TO SURPLUS COUNTY PROPERTY, LOCATED ON MARTIN HIGHWAY IN PALM CITY, FOR SALE AND REDEVELOPMENT**

The Board is asked to review and authorize staff to proceed with advertising the RFP, on DemandStar, for proposals to purchase and redevelop the parcel dedicated as surplus and owned by the County, in Old Palm City, located on SW Martin Highway between SW Palm City School Road and Danforth Creek.

Agenda Item: 25-0574 Supplemental Memorandum

ACTION TAKEN: The Board approved the RFP authorizing staff to proceed with advertisement.

DEPT-5 **REQUEST FOR APPROVAL OF A CONTRACT WITH HUDSON PROTECTIVE ENTERPRISES TO PATROL COUNTY CONSERVATION LANDS**

The County is seeking to contract with Hudson Protective Enterprises to enhance law enforcement presence and security measures on County conservation areas. Hudson Protective Enterprises is a private company comprised of off-duty Florida Fish and Wildlife Conservation Commission (FFWCC) Officers which primarily provides law enforcement protection for agencies, organizations, and the public. The purpose of this item is request that the Board approve the contract with Hudson Protective Enterprises without the requirement that the company provide Workman's Compensation insurance coverage and reducing the Commercial Auto liability insurance from $1,000,000 to $200,000/$300,000 in accordance with the County's Sovereign Immunity cap.

Agenda Item: 25-0474

ACTION TAKEN: The Board approved Hudson Protective Enterprises contract without requiring the Workman's Comp insurance and reduced Commercial Auto liability insurance in the amount of $200,000 (per person)/$300,000 (per incident).

COUNTY ATTORNEY

DEPT-6 **REQUEST FOR APPROVAL OF RESOLUTION INITIATING CHAPTER 164, FLORIDA STATUTES CONFLICT RESOLUTION PROCEEDINGS BETWEEN MARTIN COUNTY AND THE CITY OF STUART REGARDING THE CITY'S NONCOMPLIANCE WITH THE 2023 INTERLOCAL AGREEMENT AND ITS COMPREHENSIVE PLAN**

Request for approval of a Resolution to initiate Conflict Resolution proceedings pursuant to Chapter 164, Fla. Stat. with the City of Stuart regarding the City's refusal to abide by the Interlocal Agreement between the County and the City dated December 12, 2023, including its failure to provide a letter supporting the County's grant application to the Federal Railroad Administration, and its refusal to comply with Element 2 of the City's Comprehensive Plan.

Agenda Item: 25-0603 Additional Item RESOLUTION NO. 25-1.27

ACTION TAKEN: The Board approved the Resolution initiating Chapter 164, Fla. Stat. Conflict Resolution Proceedings (correcting the typo on page 4 of the Resolution). The Board authorized Chair Heard to be involved in the discussions.

PUBLIC - PLEASE LIMIT COMMENTS TO THREE MINUTES**.**

ADJOURNED AT 4:41 PM

The next meeting is February 11, 2025.

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