



BOARD OF COUNTY COMMISSIONERS

FINAL AGENDA

6/6/23 9:00 AM

BOCC MEETING AGENDA

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

9:15 AM - Martin County Sheriff, William Snyder, Would Like an Opportunity to do a Presentation on the Trends His Office is Experiencing in Cases Related to Mental Health and the Capacity of the Jail

9:45 AM - Martin County Mental Health Court Presentation

10:15 AM - Golf Course Best Management Practices (BMP)

2:00 PM - Commercial and Industrial Land Use Analysis

2:30 PM - Request for Private Attorney-Client Session Concerning the Case of R. Erik, LLC V. Martin County; Case No. 23-14109-CIV-Cannon

5:05 PM - Public Comment

CALL TO ORDER

1. INVOCATION ~ Moment of Silence

2. PLEDGE OF ALLEGIANCE ~ Timothy Wojnar, Army Gulf War Combat Veteran

3. NATIONAL ANTHEM ~ Sophia Liano

4. ADDITIONAL ITEMS

5. APPROVAL OF AGENDA

6. 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 proclamations declaring National Garden Week and National Safe Boating Week in Martin County, Florida.

Agenda Item: 23-0702

COMMENTS

1. PUBLIC - PLEASE LIMIT COMMENTS TO THREE MINUTES.
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 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: 23-0512

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 April 25, 2023 and May 22, 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: 23-0516

CNST-3 BOARD OF COUNTY COMMISSION MINUTES TO BE APPROVED

The Board is asked to approve minutes from the following regular meetings: February 7, February 21, March 7, March 21, and April 4, 2023.

Agenda Item: 23-0747

CNST-4 ADOPT A PROCLAMATION DECLARING JULY AS PARKS AND RECREATION MONTH IN MARTIN COUNTY, FLORIDA

The Board is asked to adopt a proclamation declaring July as Parks and Recreation Month that will be presented at the June 20, 2023 meeting.

Agenda Item: 23-0738

CNST-5 ADOPT A PROCLAMATION DECLARING OCEANS MONTH IN MARTIN COUNTY, FLORIDA

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

Agenda Item: 23-0822

CNST-6 OPTIONAL SENIOR MANAGEMENT SERVICE RETIREMENT BENEFIT

Martin County Board of County Commissioners and its employees are provided with a retirement benefit through the Florida Retirement System (FRS). Employees belonging to the Senior Management Service class are provided with an enhanced retirement plan through FRS. In lieu of participation in the Senior Management Service class benefit, employees can choose to remain in the FRS Regular class and participate in a deferred compensation plan with a contribution of 10% from the County.

Agenda Item: 23-0800

PUBLIC WORKS

CNST-7 ADOPT A RESOLUTION APPROVING AND ACCEPTING DEDICATION AND CONVEYANCE OF RIGHT-OF-WAY ALONG SE DIXIE HIGHWAY FROM PINE RIDGE AT HOBE SOUND LLC, AS A CONDITION OF APPROVAL OF A MINOR FINAL SITE PLAN, HOBE SOUND

This is a request for the adoption of a resolution approving and accepting a Warranty Deed for dedication of six feet (6') of right-of-way along the west side of SE Dixie Highway from Pine Ridge at Hobe Sound LLC, a Delaware limited liability company (Pine Ridge), as a condition of approval of the Pine Ridge Minor Final Site Plan.

Agenda Item: 23-0773

CNST-8 ADOPTION OF A RESOLUTION APPROVING AND ACCEPTING TWO SEPARATE DRAINAGE EASEMENTS FOR THE CORAL GARDENS NEIGHBORHOOD RESTORATION PROJECT IN STUART

This is a request for the adoption of a Resolution approving and accepting two (2) five-foot (5') Drainage Easement, one from Patrick O'Leary, an unmarried man and the other from John M. Vennari, an unmarried man, as part of the Coral Gardens Neighborhood Restoration Project for restoration of the drainage infrastructure within the Coral Gardens subdivision.

Agenda Item: 23-0804

CNST-9 ADOPTION OF A RESOLUTION APPROVING AND ACCEPTING A UTILITY EASEMENT FROM WP HANSON STUART MF-FL OWNER, LLC, A DELAWARE LIMITED LIABILITY COMPANY, FOR WATER, SEWER, AND FIRE SERVICES WITHIN CITY OF STUART

This is a request for the adoption of a Resolution approving and accepting a Utility Easement from WP Hanson Stuart MF-FL Owner, LLC, a Delaware limited liability company, to allow for water, sewer, and fire services to Volaris Stuart located north of SE Springtree Place and west of SE Federal Highway within the City of Stuart.

Agenda Item: 23-0816

CNST-10 REQUEST APPROVAL GRANTING TWO UTILITY EASEMENTS FOR ELECTRICAL, WATER MAIN AND SANITARY SERVICE ON COUNTY OWNED PROPERTY FOR INDIANTOWN HIGH SCHOOL LOCATED ON SW CITRUS BOULEVARD IN INDIANTOWN

This is a request for approval of two Utility Easements for the new Indian River State

College (IRSC) Indiantown High School. One easement for the electrical service to Florida Power and Light (FPL) and the other to Village of Indiantown for water main and sanitary service.

Agenda Item: 23-0821

CNST-11 APPROVAL OF A SOVEREIGNTY SUBMERGED LANDS LEASE RENEWAL WITH THE TRUSTEES OF THE INTERNAL IMPROVEMENT TRUST FUND FOR THE PORT SALERNO COMMERCIAL FISHERMEN DOCKING AND LOADING FACILITY, LOCATED ON COUNTY OWNED PROPERTY

Request approval of a Submerged Lands Lease (SLL) Renewal to operate a 30-slip commercial docking facility for mooring of commercial vessels for loading and offloading seafood, on leased County-owned property, for the Port Salerno Commercial Fishing Dock Authority (PSCFDA).

Agenda Item: 23-0823

UTILITIES AND SOLID WASTE

CNST-12 INITIAL ASSESSMENT RESOLUTION WESTERN EXTENSION WATER MUNICIPAL SERVICE BENEFIT UNIT

Board action is requested to adopt the initial assessment resolution for the Western Extension Water Municipal Service Benefit Unit to allow installation of a potable water main extension.

Agenda Item: 23-0764

CNST-13 INITIAL ASSESSMENT RESOLUTION FOR THE WESTERN EXTENSION WASTEWATER MUNICIPAL SERVICE BENEFIT UNIT

Board action is requested to adopt the initial assessment resolution for the Western Extension Wastewater Municipal Service Benefit Unit to allow installation of a sewage force main wastewater collection system.

Agenda Item: 23-0765

PUBLIC WORKS

CNST-14 REQUEST APPROVAL OF AN IMPACT FEE CREDIT AGREEMENT, RIGHT-OF-WAY DEDICATION, AND VARIOUS EASEMENTS TO SUPPORT THE CONSTRUCTION OF THE EXTENSION OF SW CARGO WAY TO SW CITRUS BOULEVARD

Sands CC, LLC will design, obtain permits for, dedicate right-of-way and easements for, and construct SW Cargo Way from its western terminus to SW Citrus Boulevard and will be credited up to \$675,000 in transportation impact fees from future development of Parcel "A" and Parcel "B" along SW Citrus Boulevard.

Agenda Item: 23-0892

Additional Item (23-0892)

BOARD AND COMMITTEE APPOINTMENTS

B&C-1 DRUG AND ALCOHOL ABUSE AWARENESS COMMITTEE APPOINTMENT

The Board is asked to make the necessary appointment to the Drug and Alcohol Abuse Awareness Committee.

Agenda Item: 23-0712

PUBLIC HEARING

PH-1 LEGISLATIVE PUBLIC HEARING TO CONSIDER ADOPTION OF COMPREHENSIVE PLAN TEXT AMENDMENT CPA 22-07, COUNTY OPERATIONS

This is a request for an amendment to Policy 4.1B.2.(2), Chapter 4, Future Land Use Element, Comprehensive Growth Management Plan, Martin County Code.

Agenda Item: 23-0815

PUBLIC HEARINGS QUASI-JUDICIAL

PHQJ-1 PUBLIC HEARING TO CONSIDER AN AMENDMENT TO THE MARTIN COUNTY ZONING ATLAS TO CHANGE THE ZONING DISTRICT CLASSIFICATION FOR C173-001, COUNTY OPERATIONS

This is a public hearing to consider a request for a zoning district change on a ±29.8-acre parcel from LI, Limited Industrial District to GI, General Industrial District, located on the west side SW Kanner Highway, south of SW 96th Street, and north of SW Bridge Road. This request is made concurrent with a proposed Comprehensive Growth Management Plan site specific text amendment, CPA 22-07, County Operations. Included is a request for a Certificate of Public Facilities Exemption. Florida Statutes requires two public hearings before the Board of County Commissioners for consideration of this request.

This is the first public hearing.

Agenda Item: 23-0814

PHQJ-2 PUBLIC HEARING TO CONSIDER ADOPTION OF AN AMENDMENT TO THE MARTIN COUNTY ZONING ATLAS TO CHANGE THE ZONING DISTRICT CLASSIFICATION FOR BARON LANDINGS, LLC (G076-007)

This is a request by Baron Landings, LLC (G076-007) f/k/a Golf World 76 for a proposed amendment to the county zoning atlas for a commercial district. The proposed amendment is to change the existing Planned Unit Development (PUD) District to GC, General Commercial District or the most appropriate district. The subject parcel is approximately 21.40 acres and is part of the 26.06-acre former Golf World entertainment facility located on the east side of SR76/S Kanner Highway between SE Salerno Road and SE Cove Road, in Stuart. Included with this application is a request for a Certificate of Public Facilities Exemption.

Agenda Item: 23-0697

PHQJ-3 REQUEST ABANDONMENT OF PORTIONS OF UNOPENED PLATTED RIGHTS-OF-WAY, LYING WITHIN PORT SALERNO

This is a request for the Board of County Commissioners (Board) to consider an application for the abandonment of portions of platted rights-of-way and a waiver of the required privilege fee in conjunction with the abandonment. The request includes that the Board consider accepting donated parcels in lieu of a privilege fee.

Agenda Item: 23-0820

PHQJ-4 PUBLIC HEARING TO CONSIDER ADOPTION OF AN AMENDMENT TO THE MARTIN COUNTY ZONING ATLAS TO CHANGE THE ZONING DISTRICT CLASSIFICATION FOR THE MARTIN COUNTY FIRE RESCUE STATION #14 PROPERTY (I007-006)

This is a request by the Board of County Commissioners for a proposed amendment to the county zoning atlas for the Martin County Fire Rescue Station #14 property. The proposed amendment is to change the existing Planned Unit Development (PUD) zoning district classification to PS-1, Public Service District or the most appropriate district. The subject site is approximately 7.5 acres and is currently part of the Indian River Plantation PUD located on the north side of NE Ocean Boulevard approximately 300-feet west of NE MacArthur Boulevard, on Hutchinson Island. Included is a request for a Certificate of Public Facilities Exemption.

Agenda Item: 23-0829

**DEPARTMENTAL QUASI-JUDICIAL
GROWTH MANAGEMENT**

DPQJ-1 REQUEST APPROVAL OF THE NINETEENTH AMENDMENT TO THE INDIAN RIVER PLANTATION PLANNED UNIT DEVELOPMENT (PUD) AGREEMENT INCLUDING A REVISED MASTER SITE PLAN AND REVISED PHASE 3 FINAL SITE PLAN (I007-005)

This is a request by HJA Studio Design LLC, on behalf of Mensa II Ocean Hotel LLC (I007-005) for approval of Nineteenth Amendment to the Indian River Plantation PUD Agreement including a Revised Master Site Plan and Revised Phase 3 Final Site Plan and removal of the Martin County Fire Station #14 property from the PUD. The Phase 3 property is approximately 1.17 acres and located at the intersection of NE Ocean Boulevard and NE MacArthur Boulevard, on Hutchison Island. Included is a request for Certificate of Public Facilities Reservation for Phase 3.

Agenda Item: 23-0825

DPQJ-2 REQUEST FOR REVISED FINAL SITE PLAN APPROVAL FOR THE THREE LAKES PROJECT (B115-007)

This is a request for a Revised Major Final Site Plan approval for the Three Lakes Project. Revisions include the addition of a golf clubhouse, 14 golf cottages and associated infrastructure to the approximately 1,216-acre site located on SW Kanner Highway, approximately 2.5 miles west of I-95 in Stuart. Included is a request for a waiver consistent with Policy 10.2A.8.9, Comprehensive Growth Management Plan, Martin County Code (CGMP) allowing an increase in the maximum cumulative flow of on-site wastewater treatment and disposal systems from 2,000 to 5,000 gallons per day (GPD). Included is a request for a Certificate of Public Facilities Reservation.

Agenda Item: 23-0817

REQUESTS AND PRESENTATIONS

R&P-1 MARTIN COUNTY SHERIFF, WILLIAM SNYDER, WOULD LIKE AN OPPORTUNITY TO DO A PRESENTATION ON THE TRENDS HIS OFFICE IS EXPERIENCING IN CASES RELATED TO MENTAL HEALTH AND THE CAPACITY OF THE JAIL

Sheriff William Snyder has previously discussed the impact of mental health issues with the Board of County Commissioners and his concerns on how it impacts the workforce and operations. The Sheriff has requested an opportunity to provide the Board with a presentation on this situation and how it impacts the capacity of the jail.

Agenda Item: 23-0760

R&P-2

MARTIN COUNTY MENTAL HEALTH COURT PRESENTATION

Mental Health Court is a court that places defendants on a specialized docket and removes them from a criminal docket. Participants are monitored closely thoroughly weekly court appearances. The court ensures that participants are getting treatment, case management, medications, regularly drug tested, and have a safe living environment.

Agenda Item: 23-0806

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: 23-0523

Supplemental Memorandum (9 items)

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: 23-0527

Supplemental Memorandum (1 item)

DEPT-3

SAILFISH SANDS RESTAURANT, BAR AND HITTING BAYS OPERATION

On May 14, 2023, LaMattina Management, Inc. vacated the Sailfish Sands Restaurant, Bar and Hitting Bays. On May 16, 2023, LaMattina Management, Inc. and County Administration executed an amendment to the public purpose lease to mutually terminate the lease, pending Board of County Commission (BOCC) approval. Staff will update the BOCC on the amendment of the lease and the current condition of the facility. Staff is seeking policy direction regarding the future operation of the facility, and additional policy direction regarding general operations of tableside service.

Agenda Item: 23-0875

Supplemental Memorandum

COUNTY ATTORNEY

DEPT-4

**REQUEST FOR PRIVATE ATTORNEY-CLIENT SESSION CONCERNING
THE CASE OF R. ERIK, LLC V. MARTIN COUNTY; CASE NO.
23-14109-CIV-CANNON U.S. DIST. COURT, SDFL**

The County Attorney desires 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 strategy related to litigation expenditures in the case of R. Erik, LLC v. Martin County; Case No. 23-14109-CIV-CANNON.

Agenda Item: 23-0884

GROWTH MANAGEMENT

DEPT-5 COMMERCIAL AND INDUSTRIAL LAND USE ANALYSIS

The 2023 draft report updates the inventory of commercial and industrial lands in Martin County.

Agenda Item: 23-0813

PUBLIC WORKS

DEPT-6 GOLF COURSE BEST MANAGEMENT PRACTICES (BMP)

On April 18, 2023, the Board of County Commissioners requested a presentation on how golf courses are affecting water quality. Staff will present information regarding the request and three experts in the golf industry will provide information on BMPs regarding stormwater management design, fertilization, irrigation, and construction methods that impact water quality and the environment.

Agenda Item: 23-0864

Supplemental Memorandum

DEPT-7 APPROVAL AND ACCEPTANCE OF AN ESCROW AGREEMENT, SUBSEQUENT ADOPTION OF A RESOLUTION APPROVING AND ACCEPTING ASSOCIATED DEEDS AND EASEMENTS, AND FINALIZATION OF LANDOWNER TRANSACTION RELATED TO THE MANATEE POCKET SW PRONG STORMWATER TREATMENT AREA (STA) PROJECT

Request approval of items related to the Manatee Pocket Southwest Prong STA Project (Project), located in the Port Salerno Community Redevelopment Area (CRA) describing transactions necessary to allow for successful fulfillment of the Project with approval and acceptance of an Escrow Agreement between Martin County and Peter Henry Grien and Susette Grien (Landowner) whereby documents will be held in escrow pending final approval of the Future Land Use Map and Zoning Atlas amendments for certain properties owned by Landowner, and adoption of a resolution accepting the deeds and easements necessary for the construction and maintenance of the Project.

Agenda Item: 23-0867

Supplemental Memorandum

PUBLIC - PLEASE LIMIT COMMENTS TO THREE MINUTES.

ADJOURN

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