



## BOARD OF COUNTY COMMISSIONERS

### FINAL AGENDA

11/20/18 9:00 AM

### REGULAR MEETING

### COMMISSION CHAMBERS

2401 SE MONTEREY ROAD, STUART, FLORIDA 34996

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#### **COUNTY COMMISSIONERS**

*Doug Smith, District 1*

*Stacey Hetherington, District 2*

*Harold E. Jenkins II, District 3*

*Sarah Heard, District 4*

*Edward V. Ciampi, District 5*

*Taryn Kryzda, County Administrator*

*Sarah W. Woods, County Attorney*

*Carolyn Timmann, Clerk of the Circuit Court and  
Comptroller*

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### Organization of the Board of County Commissioners

#### **PRESETS**

**9:05 AM - Public Comment**

**3:30 PM - Request for Private Attorney-Client Session**

**5:05 PM - Public Comment**

#### **CALL TO ORDER**

**1. INVOCATION - Dr. Darrell Orman, First Baptist Church of Stuart**

**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 ORGANIZATION OF THE BOARD OF COUNTY COMMISSIONERS**

In keeping with the reorganization policy, the Board is asked to follow the steps outlined to effect its reorganization.

Agenda Item: 18-0685

## **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 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: 19-0006

**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 October 1, 2018 and October 26, 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: 19-0009

### **FIRE RESCUE**

#### **CNST-3 CONSIDERATION OF AN AGREEMENT WITH THE CITY OF STUART AND MARTIN COUNTY FOR THE USE OF THE STUART EMERGENCY OPERATIONS CENTER AS A BACKUP COUNTY EMERGENCY OPERATIONS CENTER**

As part of the requirements within Chapter 252, Florida Statutes, and Rule 27P-6.006 F.A.C., which require the development and maintenance of a Comprehensive Emergency Management Plan (CEMP), the compliance criteria for the CEMP also includes identifying a backup EOC facility. This Agreement would provide for the City of Stuart's EOC to serve as a backup facility.

Agenda Item: 19-0078

### **PUBLIC WORKS**

#### **CNST-4 ADOPT A RESOLUTION APPROVING AND ACCEPING A UTILITY EASEMENT FROM FORESTAR USA REAL ESTATE GROUP, INC. AND APPROVING A RELEASE OF EASEMENT AGREEMENT AND UTILITY EASEMENT FOR UTILITY RELATED EQUIPMENT IN JENSEN BEACH**

This is a request for the adoption of a resolution accepting and approving a new Utility Easement from Forestar USA Real Estate Group Inc. (Forestar) to reflect the actual

location of utility-related equipment that serves water and wastewater customers inclusive of Indian River Plantation, Sewall's Point and Ocean Breeze Park located in Jensen Beach and approving a Release of the Easement Agreement and Utility Easement accepted in 2011.

Agenda Item: 19-0066

## **BOARD AND COMMITTEE APPOINTMENTS**

### **B&C-1 AGRICULTURE AND NATURAL RESOURCES ADVISORY COMMITTEE APPOINTMENT**

The Board is asked to confirm the appointment to the Agriculture and Natural Resources Advisory Committee.

Agenda Item: 19-0086

## **PUBLIC HEARINGS**

### **PH-1 FIRST PUBLIC HEARING TO REQUEST BOARD APPROVAL FOR THE HEALTH AND HUMAN SERVICES DIVISION TO PROCEED WITH A COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) APPLICATION FOR FLORIDA DEPARTMENT OF ECONOMIC OPPORTUNITY (FDEO) FISCAL YEAR 2017-2018**

Two public hearings are required to ensure citizen input on any proposed Community Development Block Grant (CDBG) application. This is the first public hearing on this subject to allow the citizens to express their views concerning the community's economic and community development needs. The Health and Human Services Division proposes to apply for an Economic Development CDBG grant in FY 2017-2018.

Agenda Item: 19-0070

### **PH-2 LEGISLATIVE PUBLIC HEARING TO CONSIDER TRANSMITTAL OF COMPREHENSIVE PLAN AMENDMENT 18-14, DIXIE HIGHWAY, RIO**

An application to amend the Future Land Use Map was initiated by the Board of County Commissioners for 0.28 acres owned by Martin County Community Redevelopment Agency located in Rio. The property is located on 977 NE Dixie Highway, in Jensen Beach, Rio. Staff recommends that the dual designation of General Institutional and General Commercial future land use designation be changed to solely General Commercial future land use designation. The Local Planning Agency recommended that the future land use designation be changed to General Commercial.

Agenda Item: 19-0087

### **PH-3 PUBLIC HEARING TO CONSIDER ADOPTION OF ORDINANCE AMENDING SECTION 71.243.B, CHAPTER 71, FINANCE AND TAXATION, ARTICLE 6, TOURIST DEVELOPMENT TAXES, GENERAL ORDINANCES, MARTIN COUNTY CODE TO CHANGE THE CATEGORIES OF USE AND PERCENTAGES OF TAX REVENUES**

The Board of County Commissioners (Board) is requested to adopt proposed amendments to Chapter 71, Finance and Taxation, Article 6, Tourist Development Taxes, General Ordinances, Martin County Code to modify the existing allocations for the uses of funds and percentages of tax revenues for tourist development taxes.

**PUBLIC HEARING QUASI-JUDICIAL**

**PHQJ-1 REQUEST ABANDONMENT OF A PORTION OF THE PLATTED SE LAKE DRIVE RIGHT-OF-WAY, LYING WITHIN THE LIMITS OF OLYMPIA PLAT NO. 3 AND ACCEPTANCE OF REAL PROPERTY AS DEDICATED RIGHT-OF-WAY**

This is a request for the Board to consider a Petition to Abandon a portion of platted SE Lake Drive right-of-way and accepting real property as dedicated right-of-way and a waiver of the required privilege fee in conjunction with the abandonment.

Agenda Item: 18-0535

**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: 19-0002

**Supplemental Memo (2 items)**

**DEPT-2 COMMUNITY REDEVELOPMENT AGENCY NEIGHBORHOOD ADVISORY COMMITTEE MEMBERSHIP**

On September 11th, the Board of County Commissioners (BOCC) adopted Resolution 18-9.29 updating the number of appointed Neighborhood Advisory Committee (NAC) members along with the appointment of new NAC members. At that time, the BOCC requested an agenda item regarding NAC appointments.

Agenda Item: 19-0050

**DEPT-3 CONSIDER ADOPTION OF THE 2019 STATE LEGISLATIVE PRIORITIES**

Each year, the Board considers its State Legislative Priorities prior to the convening of the Florida Legislature. The State Legislative Priorities Document will be provided to the Board of County Commissioners prior to their meeting.

Agenda Item: 19-0085

**DEPT-5 IMPACT FEE INTERLOCAL AGREEMENT WITH THE CITY OF STUART**

Martin County and the City of Stuart have been working together for more than two years to revise the Interlocal Agreement for collection and allocation of Impact Fees. Both parties are in agreement and the Interlocal is being brought to both entities for adoption.

Agenda Item: 19-0058

**Additional Item**

**DEPT-6 TANGIBLE PERSONAL PROPERTY GRANT PROGRAM**

On June 19, 2018 the Board of County Commissioners approved a one-year Tangible Personal Grant program agreement with Florida Power & Light with the direction to return with a multiple-year agreement. Staff and Florida Power & Light have been working on

such an agreement and are proposing a five-year agreement for the Board of County Commissioners to approve.

Agenda Item: 19-0101

**Additional Item**

**UTILITIES AND SOLID WASTE**

**DEPT-4 SEPTIC TO SEWER PROGRAM UPDATE**

Staff is prepared to update the Board on the Septic to Sewer Program and present additional initiatives for Board consideration.

Agenda Item: 19-0076

**COUNTY ATTORNEY**

**DEPT-7 REQUEST FOR PRIVATE ATTORNEY-CLIENT SESSION CONCERNING THE CASE OF MARTIN COUNTY, INDIAN RIVER COUNTY, INDIAN RIVER COUNTY EMERGENCY SERVICES DISTRICT AND CARE V. U.S. DEPT. OF TRANSPORTATION AND FEDERAL RAILROAD ADMINISTRATION; CASE NO.: 1:18:CV-333**

The County Attorney intends 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 settlement negotiations and/or strategy related to litigation expenditures in the case: Martin County, et. al. v. US Dept. of Transportation, et. al., Case No.: 1:18:cv-333, United States District Court for the District of Columbia.

Agenda Item: 19-0108

**Additional Item**

**DEPARTMENTAL QUASI-JUDICIAL  
GROWTH MANAGEMENT**

**DPQJ-1 BH STORAGE STUART MAJOR REVISED FINAL SITE PLAN (S181-006)**

This application is a request by BH Storage Stuart, LLC, for approval of a revised major final site plan for a 88,025 square-foot residential storage facility project on two parcels totaling approximately 3.5 acres located on the east side of SE Federal Hwy approximately 1200 feet north of SE Salerno Rd in Stuart.

Agenda Item: 19-0049

**DPQJ-2 HOBE SOUND BTS RETAIL PUD FINAL SITE PLAN (K024-003 F/K/A HERITAGE RIDGE PUD PARCEL C-4 LOT 2)**

This is a request for approval of a planned unit development (PUD) final site plan. The subject site is a parcel of approximately 4.06 acres located on the southeast corner of SE Federal Highway and SE Constitution Blvd in Stuart, known as Lot 2 of Parcel C-4 of the Heritage Ridge PUD. Proposed is the subdivision of the lot into two lots and the development of a retail use within one of the resulting lots.

Agenda Item: 19-0067

**DPQJ-3 HOBE SOUND BTS RETAIL PLAT (K024-003, F/K/A HERITAGE RIDGE PUD PARCEL C-4 LOT 2)**

This is an application to re-plat the existing Lot 2 of Parcel C-4 within the Heritage Ridge PUD development into two separate lots consistent with a proposed PUD final site plan to subdivide the lot into two lots and to develop one of the lots in conformance with the

General Commercial development standards.

Agenda Item: 19-0068

**DPQJ-4 JENSEN DUNES PUD REVISED PUD ZONING AGREEMENT, REVISED MASTER SITE PLAN AND PHASING PLAN (J046-008)**

Request for approval of the Second Amendment to the PUD Zoning Agreement and Revised Master Site Plan and Phasing Plan. The 34.3 acre subject property is located on the north side of Cedar Street between the FEC Railroad and Savannah Road and south and west of the Town of Ocean Breeze in Jensen Beach. Included in the application is a request for a deferral of a Certificate of Public Facilities Reservation.

Agenda Item: 19-0092

**DPQJ-6 MANATEE ISLES PLAT (S216-011)**

Request for plat approval for the Manatee Isles project consistent with the approved minor final site plan approved on October 2, 2018. The 2.3 acre development is located on the northeast corner of SE Capstan Avenue and SE Azimuth Way in Port Salerno. Included with this application is a request for a Certificate of Public Facilities Exemption.

Agenda Item: 19-0098

**Additional Item - continued from Nov 13, 2018**

**PUBLIC WORKS**

**DPQJ-5 PLAT OF STUART 95 PLAZA, P.U.D. (C), PLAT 1**

The Board of County Commissioners is asked to approve the Plat of Stuart 95 Plaza, P.U.D.(C), Plat 1, which dedicates the right-of-way for SW Jack James Drive from SW Old Kansas Avenue to SR-76 (SW Kanner Highway) to Martin County for the public's use.

Agenda Item: 19-0073

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

**ADJOURN**