



## BOARD OF COUNTY COMMISSIONERS

### FINAL AGENDA

6/22/21 9:00 AM

### BOCC MEETING AGENDA

### COMMISSION CHAMBERS

2401 SE MONTEREY ROAD, STUART, FLORIDA 34996

---

#### **COUNTY COMMISSIONERS**

Stacey Hetherington, Chair

Doug Smith, Vice Chairman

Harold E. Jenkins II

Sarah Heard

Edward V. Ciampi

Taryn Kryzda, 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**

1. INVOCATION - Pastor Jerry Gore, Pentecostal Church of God & Christ
2. PLEDGE OF ALLEGIANCE - Daniel McHenry, US Air Force, Retired Senior Master Sergeant & Veterans Service Officer
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 PRESENT PROCLAMATIONS PREVIOUSLY APPROVED VIA THE CONSENT AGENDA**

The Chair will present the proclamations declaring July as Parks and Recreation Month and Treasure Coast Waterway Cleanup Week in Martin County, Florida.

Agenda Item: 21-0817

## **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: 21-0534

**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 May 22, 2021 and June 4, 2021. 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: 21-0540

#### **CNST-3 BOARD OF COUNTY COMMISSION MINUTES TO BE APPROVED**

The Board is asked to approve minutes from the June 8, 2021 regular meeting.

Agenda Item: 21-0784

#### **CNST-4 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: 21-0781

#### **CNST-5 BOARDS AND COMMITTEES STATUS REPORT**

This quarterly Status Report is provided to keep the Commission apprised of all the current vacancies, expired terms, etc. on their various boards and committees.

Agenda Item: 21-0541

#### **CNST-6 ADOPT A PROCLAMATION RECOGNIZING THE 100TH ANNIVERSARY OF THE TOMB OF THE UNKNOWN SOLDIER**

The Board is asked to adopt a proclamation recognizing the 100th Anniversary of the Tomb of the Unknown Soldier.

Agenda Item: 21-0856

#### **CNST-7 ADOPT A PROCLAMATION DECLARING PURPLE HEART DAY IN MARTIN COUNTY, FLORIDA**

The Board is asked to adopt a proclamation declaring Purple Heart Day in Martin County,

Florida.

Agenda Item: 21-0860

**CNST-8 ART IN PUBLIC PLACES PROGRAM POTENTIAL ARTWORK DONATION  
- COPPER SEAHORSE**

The Martin County Art in Public Places (AIPP) Program has been offered a donation of a copper seahorse to add to its inventory.

Agenda Item: 21-0868

**COUNTY ATTORNEY**

**CNST-9 CONSIDER ADOPTION OF A RESOLUTION RESCINDING RESOLUTION  
NO. 14-2.36 AND RESTATING IN ITS ENTIRETY ITS POLICY  
REGARDING INVOCATIONS**

Staff has reviewed Resolution No. 14-2.36 regarding the invocation policy and requests the current policy be rescinded and replaced with an updated policy.

Agenda Item: 21-0829

**GROWTH MANAGEMENT**

**CNST-10 REQUEST TO INITIATE A COMPREHENSIVE PLAN AMENDMENT TO  
UPDATE THE METHODOLOGY FOR CALCULATION OF POPULATION  
AND FUTURE LAND CAPACITY**

Request that the Board of County Commissioners initiate a Comprehensive Plan Amendment to update the methodology for calculation of population and future land capacity.

Agenda Item: 21-0691

**PARKS AND RECREATION**

**CNST-11 CONSIDERATION OF A MEMORANDUM OF AGREEMENT WITH THE  
UNITED STATES SAILING CENTER OF MARTIN COUNTY, INC.  
REGARDING PARKING LOT CONSTRUCTION AT INDIAN RIVERSIDE  
PARK**

Consideration of a Memorandum of Agreement between Martin County and the United States Sailing Center of Martin County, Inc. (USSC) to plan, design, permit and construct a new parking lot on County property at Indian RiverSide Park, North of the Tuckahoe Mansion.

Agenda Item: 21-0353

**PUBLIC WORKS**

**CNST-12 ACCEPTANCE OF A UTILITY EASEMENT FROM TRILLIUM  
RESIDENTIAL COMMUNITY ASSOCIATION, INC., TO ALLOW FOR FOUR  
FIRE HYDRANTS ADJACENT TO RIGHT-OF-WAY, LOCATED WITHIN  
TRILLIUM IN THE CITY OF STUART**

This is a request for the adoption of a Resolution accepting and approving a Utility Easement from Trillium Residential Community Association, Inc., a Florida not-for-profit corporation, to allow for four fire hydrants adjacent to right-of-way, located within Trillium in the City of Stuart.

Agenda Item: 21-0806

**CNST-13 ACCEPTANCE OF THREE 10' UTILITY EASEMENTS FOR WATER SERVICES NEAR THE SOUTHWEST CORNER OF SW LOCKS ROAD AND SW CANAL STREET LOCATED IN STUART**

This is a request for the adoption of a Resolution accepting and approving 3 ten-foot wide Utility Easements to the rear of the lots located near the southwest corner of SW Locks Road and SW Canal Street.

Agenda Item: 21-0807

**CNST-14 REQUEST APPROVAL OF THE LIST OF SPECIAL EVENTS REQUIRING ROAD CLOSURE(S) JULY 1ST, 2021 THROUGH JUNE 30TH, 2022**

Staff requests that the Board of County Commissioners approve the list of Special Events Requiring Road Closure(s) from July 1st, 2021 through June 30th, 2022.

Agenda Item: 21-0823

**COUNTY ATTORNEY**

**CNST-15 REQUEST BY CHRIST FELLOWSHIP CHURCH, INC. TO RELEASE A UNITY OF TITLE**

Christ Fellowship Church, Inc. requests the release of an existing unity of title in order to replace it with the unity of title required as part of the approval for the Highpointe Planned Unit Development.

Agenda Item: 21-0889

**Additional Item (21-0889)**

**BOARD AND COMMITTEE APPOINTMENTS**

**B&C-1 TOURIST DEVELOPMENT COUNCIL APPOINTMENTS**

After solicitation for applicants, the Board is asked to make the necessary appointments to the Tourist Development Council.

Agenda Item: 21-0702

**PUBLIC HEARINGS**

**PH-1 PUBLIC HEARING TO CONSIDER ADOPTION OF AN ORDINANCE AMENDING ARTICLE 6, RELATING TO TOBACCO PRODUCTS, CHAPTER 87, GENERAL ORDINANCES, MARTIN COUNTY CODE BY REPEALING TOBACCO DISTRIBUTION LICENSE REQUIREMENTS AND RELATED ENFORCEMENT PROVISIONS**

On November 17, 2020, the Board of County Commissioners (Board) adopted Ordinance 1149 which, among other things, established 21 as the minimum age to purchase and use tobacco products in Martin County and established a tobacco distribution licensing requirement for tobacco retailers in Martin County. On May 7, 2021, Governor DeSantis signed Senate Bill (SB) 1080 relating to tobacco and nicotine products. Under the new legislation, the establishment of the minimum age for purchasing or possession, and the regulation for the marketing, sale or delivery of tobacco or nicotine products is preempted to the state beginning October 1, 2021.

Agenda Item: 21-0764

**PH-2**

**PUBLIC HEARING TO CONSIDER ADOPTION OF AN ORDINANCE  
AMENDING THE LAND DEVELOPMENT REGULATIONS REGARDING  
EXCAVATION, FILLING, AND MINING**

The Board of County Commissioners is asked to consider adoption of an ordinance that amends Division 8, Article 4, Land Development Regulations to clarify the applicability of Excavation and Fill Permits and remove conflicting provisions. The ordinance also includes amendments to Divisions 1 and 9, Article 4 to relocate provisions from Division 8 that are better suited in Divisions 1 and 9. In addition, amendments to Article 10 are proposed to establish an application process for Mining Operations in the development review procedures and to Division 2 of Article 5 to provide a corresponding timetable for development.

Agenda Item: 21-0819

**PH-3**

**PUBLIC HEARING TO CONSIDER ADOPTION OF AN ORDINANCE  
AMENDING DIVISION 8 OF ARTICLE 4 IN THE LAND DEVELOPMENT  
REGULATIONS REGARDING MINING STANDARDS**

The Board of County Commissioners is asked to consider adoption of an ordinance amending Division 8 of Article 4 of the Land Development Regulations to create Section 4.348 Mining Standards for Mining Operations. Although the ordinance was originally scheduled for consideration on June 22, 2021, the Board is asked to continue the public hearing to July 13, 2021.

Agenda Item: 21-0821

**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: 21-0536

**Supplemental Memorandum (7 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: 21-0538

**Supplemental Memorandum (2 items)**

**COUNTY ATTORNEY**

**DEPT-3 DISCUSSION ON PARTICIPATION IN PROPOSED MEMORANDUM OF  
UNDERSTANDING REGARDING OPIOID LITIGATION**

The State of Florida and many counties and cities within the State of Florida have filed lawsuits against entities engaged in the manufacture, marketing, promotion, distribution or

dispensing of opioids. Florida's Office of the Attorney General ("Attorney General") has been negotiating a global settlement of the opioid litigation for the State of Florida and its counties and cities. The State is proposing a unified plan, which is memorialized in a Memorandum of Understanding ("MOU"), to settle the opioid litigation in Florida and is asking for participation from all counties in an effort to achieve the highest settlement possible.

Agenda Item: 21-0765

## **GROWTH MANAGEMENT**

### **DEPT-4 DISCUSSION ON OUTDOOR EXPANSION OF RESTAURANTS**

The Board of County Commissioners requested that staff evaluate potential effects of allowing the expansion of restaurants into outdoor areas.

Agenda Item: 21-0827

## **PUBLIC WORKS**

### **DEPT-5 UPDATE ON THE DEVELOPMENT OF THE LAKE OKEECHOBEE SYSTEM OPERATING MANUAL (LOSOM)**

The purpose of the current LOSOM effort is to re-evaluate and re-define operations for the Lake Okeechobee regulatory discharge schedule that takes into account additional infrastructure that will soon be operational. County staff have been heavily engaged in the process and will update the Board on recent meetings with the United States Army Corps of Engineers (USACE) and upcoming opportunities for stakeholder input.

Agenda Item: 21-0766

### **Supplemental Memorandum (PowerPoint presentation)**

## **ADMINISTRATION**

### **DEPT-6 AMERICAN RESCUE PLAN PROGRAM**

On May 10, 2020 the U.S. Department of Treasury announced the launch of the Coronavirus State and Local Fiscal Recovery Funds, established by the American Rescue Plan Act (ARP) of 2021. The establishment of these funds will directly support the immediate pandemic response, bring back jobs, and lay the groundwork for a strong and equitable economy. The Local Fiscal Recovery Fund provides flexibility for each jurisdiction to meet local needs including support for households, small businesses, impacted industries, essential workers and communities most impacted by the health pandemic.

Agenda Item: 21-0901

### **Additional Item (21-0901)**

## **DEPARTMENTAL QUASI-JUDICIAL**

## **GROWTH MANAGEMENT**

### **DPQJ-1 REQUEST FOR APPROVAL OF THE PALM PIKE CROSSING PLAT (P175-002)**

This is a request by Palm Pike Crossing, LLC and Palm City Wagas VII, LLC for approval of a plat for a five-lot commercial subdivision of approximately 27.5 acres with shared infrastructure. The undeveloped subject property is located on the south side of Martin Highway (CR 714) between the Florida Turnpike and SW High Meadow Avenue (CR 713) in Palm City. Included in this application is a request for a Certificate of Public Facilities Exemption.

Agenda Item: 21-0820

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

**ADJOURN**

This document may be reproduced upon request in an alternative format by contacting the County ADA Coordinator (772) 320-3131, the County Administration Office (772) 288-5400, Florida Relay 711, or by completing our accessibility feedback form at [www.martin.fl.us/accessibility-feedback](http://www.martin.fl.us/accessibility-feedback).