



BOARD OF COUNTY COMMISSIONERS

FINAL AGENDA
10/19/21 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 - Rabbi Matthew Durbin, Temple Beit HaYam
2. PLEDGE OF ALLEGIANCE - Captain Jason Ward, US Army Veteran
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 A PROCLAMATION COMMENDING MICHAEL J. LOVETT
UPON THE ACHIEVEMENT OF EAGLE SCOUT**

The Chair will present the proclamation commending Michael J. Lovett upon the achievement of Eagle Scout.

Agenda Item: 22-0002

**PROC-2 ADOPT AND PRESENT A PROCLAMATION RECOGNIZING DOMESTIC
VIOLENCE AWARENESS MONTH IN MARTIN COUNTY, FLORIDA**

The Board is asked to adopt and present a proclamation recognizing Domestic Violence Awareness Month in Martin County, Florida.

Agenda Item: 22-0155

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: 22-0013

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 September 18, 2021 and September 30, 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: 22-0019

CNST-3 BOARD OF COUNTY COMMISSION MINUTES TO BE APPROVED

The Board is asked to approve minutes from the September 28 and October 5, 2021 regular meetings.

Agenda Item: 22-0133

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: 22-0036

CNST-5 FY22 TREASURE COAST SPORTS COMMISSION CONTRACT

The Treasure Coast Sports Commission, Inc. (TCSC) is the official sports marketing arm of Martin County and their annual contract is being presented to the Board of County Commissioner (BOCC) for consideration. The Tourist Development Council (TDC) reviewed and approved this contract for consideration by the BOCC at the July 14, 2021 TDC meeting.

Agenda Item: 22-0127

CNST-6 ADOPT A PROCLAMATION RECOGNIZING FAMILY COURT AWARENESS MONTH IN MARTIN COUNTY, FLORIDA

The Board is asked to adopt a proclamation recognizing Family Court Awareness Month that will be presented at the November 2, 2021 meeting.

Agenda Item: 22-0145

CNST-7 ADOPT A PROCLAMATION CELEBRATING THE 50TH ANNIVERSARY OF FLORIDA ATLANTIC UNIVERSITY HARBOR BRANCH OCEANOGRAPHIC INSTITUTE

The Board is asked to adopt a proclamation celebrating the 50th Anniversary of Florida Atlantic University Harbor Branch Oceanographic Institute that will be presented at the November 2, 2021 meeting.

Agenda Item: 22-0163

CNST-8 ADOPT A PROCLAMATION DECLARING VETERANS DAY IN MARTIN COUNTY, FLORIDA

The Board is asked to adopt a proclamation declaring Veterans Day in Martin County, Florida that will be presented at the November 2, 2021 meeting.

Agenda Item: 22-0164

BUILDING

CNST-9 REQUEST FOR APPROVAL OF FINE REDUCTION STIPULATION AND AGREED RECOMMENDED ORDER REGARDING THE CODE ENFORCEMENT CASE OF ROBERT STEVENS, CASE NUMBER ENF2019080193

Pursuant to the provisions of Section 1.98B, General Ordinance, 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 Robert Stevens.

Agenda Item: 22-0118

CNST-10 REQUEST FOR APPROVAL OF FINE REDUCTION STIPULATION AND AGREED RECOMMENDED ORDER REGARDING THE CODE ENFORCEMENT CASE OF PHILIP H. REID JR. (TR), FRANK P. CLAIR (TR) OF THE TRUST CREATED UNDER THE WILL OF FRANCIS J. CLAIR, CASE NUMBER 14-0081560

Pursuant to the provisions of Section 1.98B, General Ordinance, 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 Philip H. Reid Jr. (TR), Frank P. Clair (TR) of the Trust created under the will of Francis J. Clair.

Agenda Item: 22-0124

CNST-11 REQUEST FOR APPROVAL OF FINE REDUCTION STIPULATION AND AGREED RECOMMENDED ORDER REGARDING THE CODE ENFORCEMENT CASE OF PHILIP H. REID JR. (TR), FRANK P. CLAIR (TR) OF THE TRUST CREATED UNDER THE WILL OF FRANCIS J. CLAIR CASE NUMBER 16-0109934

Pursuant to the provisions of Section 1.98B, General Ordinance, 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 Philip H. Reid Jr. (TR), Frank P. Clair (TR) of the Trust created under the will of Francis J. Clair.

Agenda Item: 22-0125

CNST-12 REQUEST FOR APPROVAL OF FINE REDUCTION STIPULATION AND AGREED RECOMMENDED ORDER REGARDING THE CODE ENFORCEMENT CASE OF DAVID S. & CARLA V. CLEVELAND, CASE NUMBER 08-0022501

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 David S. & Carla V. Cleaveland.

Agenda Item: 22-0126

CNST-13 REQUEST FOR APPROVAL OF FINE REDUCTION STIPULATION AND AGREED RECOMMENDED ORDER REGARDING THE CODE ENFORCEMENT CASE OF PHILIP H. REID, JR. (TR), FRANK P. CLAIR (TR) OF THE TRUST CREATED UNDER THE WILL OF JENNIE G. WHITE (ESTATE) CASE NUMBER ENF2019020470

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 Jennie G. White (Estate).

Agenda Item: 22-0130

COUNTY ATTORNEY

CNST-14 REQUEST APPROVAL OF INTERLOCAL AGREEMENT WITH ST. LUCIE COUNTY FOR PRETRIAL PROGRAM SERVICES

Martin County and St. Lucie County entered into an Interlocal Agreement dated September 18, 2018, to provide for implementation by St. Lucie County of a pretrial release program for Martin County pretrial defendants. On July 30, 2019, the Interlocal Agreement was amended to extend the term by one year with an expiration date of September 30, 2020. The Sheriff has requested approval of a Second Amendment to extend the term of the Interlocal Agreement by one year until September 30, 2021.

Agenda Item: 22-0141

FIRE RESCUE

CNST-15 APPROVAL OF HEALTH SCIENCE STUDENT EXPERIENCE AGREEMENT BETWEEN MARTIN COUNTY AND INDIAN RIVER STATE COLLEGE

The Health Science Student Experience Agreement (Agreement) memorializes the affiliation between the Board and the District Board of Trustees of Indian River State College (IRSC). The Agreement allows paramedic and EMT students currently enrolled in IRSC, to "ride on" Martin County's Rescue apparatus under direct supervision of Martin County Fire Rescue (MCFR) personnel. The students gain valuable clinical experience in the pre-hospital setting. It enables MCFR to foster, mentor, and train the future paramedics and EMTs. This affiliation has been in existence, and the Agreement is being

updated to keep current with existing policies, standards, rules, and regulations.

Agenda Item: 22-0088

PUBLIC WORKS

CNST-16 ADOPTION OF A RESOLUTION ACCEPTING AND APPROVING A NON-EXCLUSIVE FLOW-THROUGH DRAINAGE AND ACCESS EASEMENT FROM NEW URBAN AVONLEA, LLC ALONG NW GREEN RIVER PARKWAY

This is a request for the adoption of a resolution accepting and approving a 25' Non-Exclusive Flow-Through Drainage and Access Easement along NW Green River Parkway from New Urban Avonlea, LLC as a condition of approval of the Right of Way Use Permit ENG2020090013.

Agenda Item: 22-0113

ADMINISTRATION

CNST-17 ADOPT A PROCLAMATION DECLARING BIBLE READING WEEK IN MARTIN COUNTY, FLORIDA

The Board is asked to adopt a proclamation declaring Bible Reading Week in Martin County, Florida that will be presented at the November 2, 2021 meeting.

Agenda Item: 22-0198

Additional Item (22-0198)

CNST-18 RESOLUTION AUTHORIZING THE BOARD OF COUNTY COMMISSIONERS OF MARTIN COUNTY TO PARTICIPATE IN A JOINT TREASURE COAST TRI-COUNTY MEETING

The Board of County Commissioners of Martin County desires to participate in a joint meeting with the Board of County Commissioners of St. Lucie County and the Board of County Commissioners of Indian River County to discuss matters of mutual interest and legislative priorities prior to the start of the State of Florida's 2022 Legislative Session.

Agenda Item: 22-0149

Additional Item (22-0149)

COUNTY ATTORNEY

CNST-19 REQUEST BY SHADOW LAKE GROVES, INC., MARTIN GATEWAY CENTER, LLC TO RESCIND THE MARTIN ENTERPRISE PARK MASTER SITE PLAN DEVELOPMENT ORDER

In conjunction with a due diligence review being conducted in reference to the Newfield (f/n/a Pineland Prairie) project, Shadow Lake Groves, Inc., Martin Gateway Estates, LLC and Martin Gateway Center, LLC have requested that the master site plan approval for Martin Enterprise Park be rescinded.

Agenda Item: 22-0193

Additional Item (22-0193)

PUBLIC HEARINGS

PH-1 COMMUNITY DEVELOPMENT BLOCK GRANT-CORONAVIRUS PROGRAM PRESENTATION

Under the State of Florida Coronavirus Aid, Relief, and Economic Security (CARES) Act, the U.S. Department of Housing and Urban Development (HUD) allocated additional

Community Development Block Grant Coronavirus (CDBG-CV) funds to address issues related to the impacts of coronavirus (COVID-19).

Agenda Item: 22-0143

PH-2

PUBLIC HEARING TO CONSIDER ADOPTION OF AN ORDINANCE REPEALING ARTICLE 6 RELATING TO TOBACCO PRODUCTS AND AMENDING ARTICLE 7 RELATING TO ELECTRONIC NICOTINE DELIVERY DEVICES OF CHAPTER 87, GENERAL ORDINANCES, MARTIN COUNTY CODE

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: 22-0138

PUBLIC HEARINGS QUASI-JUDICIAL

PHQJ-1

REQUEST FOR A ZONING DISTRICT CHANGE BY AA MARINA, LLLP (A059-004)

This is an application for a proposed amendment to the county Zoning Atlas for a commercial district designation (Section 3.2.E, LDR). The proposed amendment is to change the existing zoning district classification on an approximate 4-acre parcel of land from B-2, Business District and R-3A, Liberal Multi-Family District to WGC, Waterfront General Commercial District or the most appropriate district. The parcel is located on the east side of NE Indian River Drive just south of the intersection with NE Dixie Highway in Jensen Beach. Included with this application is a Request for a Certificate of Public Facilities Exemption.

Agenda Item: 22-0108

PHQJ-2

REQUEST BY WRIGHT-FISH, LLC FOR MAJOR FINAL SITE PLAN APPROVAL FOR WRIGHT FISH 7 ELEVEN (W079-009)

Request for major final site plan approval for the construction of a 5,476 square foot convenience store, car wash and an 8-pump gas station and the associated infrastructure on a currently undeveloped approximate 3.51-acre parcel located on the southeast corner of South Kanner Highway and SE Salerno Road in Stuart. Included is a request for a Certificate of Public Facilities Reservation.

Agenda Item: 22-0111

Supplemental Memorandum

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: 22-0025

Supplemental Memorandum (5 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: 22-0031

Supplemental Memorandum (3 items)

PUBLIC WORKS

DEPT-3 FDOT KANNER HIGHWAY (SR-76) LANDSCAPING PROJECT

The Florida Department of Transportation (FDOT) is actively designing a \$1.289 million landscape improvement project for Kanner Highway (SR-76) from SE Cove Road to SE Monterey Road. Construction is projected to begin in October of 2023. FDOT has reached out to Martin County to determine interest in contributing funds for the installation and maintenance of the project.

Agenda Item: 22-0153

PUBLIC - PLEASE LIMIT COMMENTS TO THREE MINUTES.

ADJOURN

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