



BOARD OF COUNTY COMMISSIONERS

ACTION SUMMARY

7/10/18 9:00 AM

**REGULAR MEETING
COMMISSION CHAMBERS**

2401 SE MONTEREY ROAD, STUART, FLORIDA 34996

COUNTY COMMISSIONERS

*Edward V. Ciampi, Chairman
Harold E. Jenkins II, Vice Chairman
Doug Smith
Ed Fielding
Sarah Heard*

*Taryn Kryzda, County Administrator
Sarah W. Woods, County Attorney
Carolyn Timmann, Clerk of the Circuit Court and
Comptroller*

PRESETS

9:05 AM Public Comment
9:30 AM Staff Presentation of a Methodology for a Fire Assessment Fee Under Section 197.3632, Florida Statutes for Special Assessments
5:05 PM Public Comment

CALL TO ORDER AT 9:04 AM

- 1. INVOCATION** - Moment of Silence
- 2. PLEDGE OF ALLEGIANCE**
- 3. ADDITIONAL ITEMS** – The Additional Items of CNST-11 and CNST-12 were added to the Agenda.
- 4. APPROVAL OF AGENDA** – The Agenda was approved.
- 5. APPROVAL OF CONSENT AGENDA** – The Consent Agenda was approved.

PROCLAMATIONS AND SPECIAL PRESENTATIONS

PROC-1 PRESENT PROCLAMATIONS PREVIOUSLY APPROVED VIA THE CONSENT AGENDA

The Chairman will present the proclamations to the recipients.

Agenda Item: 18-0504

ACTION TAKEN: The Board presented a proclamation declaring Treasure Coast Waterway Cleanup Week.

COMMENTS

1. **PUBLIC** - PLEASE LIMIT COMMENTS TO THREE MINUTES.
2. **COMMISSIONERS** – The Board directed staff to return with an Agenda Item regarding bio solids. The Board directed staff to return with an Agenda Item regarding the pond near the Jensen Beach Impoundment Area (reference CNST-7).
3. **COUNTY ADMINISTRATOR** - The Board voted to hold a hearing on July 24, 2018 at the beginning of the meeting regarding the Harmony Ranch and their request for a Community Development District.

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: 18-0470 **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 June 7, 2018 and June 22, 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: 18-0472

CNST-3 BOARD OF COUNTY COMMISSION MINUTES TO BE APPROVED

The Board is asked to approve minutes from the following Board of County Commission Meetings: June 12, 2018 joint City/School Board Meeting; June 12, 2018 Regular Board Meeting; and June 19, 2018 Regular Board Meeting.

Agenda Item: 18-0530

CNST-4 INVESTMENT REPORT FOR APRIL 2018

The Clerk of Circuit Court and Comptroller is presenting the Investment Report for April 2018.

Agenda Item: 18-0531

CNST-5 REPORT OF DISCOUNTS, ERRORS, DOUBLE ASSESSMENTS, AND INSOLVENCIES ON THE ASSESSMENT ROLL FOR THE YEAR 2017

Presentation of the Martin County Tax Collector's Report on Discounts, Errors, Double Assessments, and Insolvencies on the Assessment Roll for the year 2017.

Agenda Item: 18-0534

CNST-6 ADOPT A PROCLAMATION TO BE PRESENTED ON JULY 24, 2018

The Board is asked to adopt the proclamation declaring Purple Heart Day in Martin County, Florida.

Agenda Item: 18-0549

PUBLIC WORKS**CNST-7 ADOPTION OF A RESOLUTION APPROVING AND ACCEPTING A QUIT-CLAIM DEED FROM ENVIRONMENTAL STUDIES COUNCIL, INC., A FLORIDA NOT FOR PROFIT CORPORATION (ESC) FOR THE ADDITION OF PROPERTY ADJACENT TO THE JENSEN BEACH IMPOUNDMENT AREA AND ADOPTION OF A RESOLUTION TO INITIATE A FUTURE LAND USE AMENDMENT**

Staff requests adoption of a resolution approving and accepting a Quit-Claim Deed from ESC for 10 + acres adjacent to the Jensen Beach Impoundment Area and requests adoption of a resolution initiating a future land use amendment from Medium Density - PUD Residential to Public Conservation, along with a zoning change to Public Service.

Agenda Item: 18-0503

RESOLUTION NOS. 18-7.1 & 18-7.2

CNST-8 INITIAL ASSESSMENT RESOLUTION FOR THE SW HONEY TERRACE MUNICIPAL SERVICE BENEFIT UNIT

Board action is requested to adopt the Initial Assessment Resolution to allow for the paving of SW Honey Terrace from SW Citrus Boulevard (CR 76A) to SW Leighton Farm Avenue.

Agenda Item: 18-0515

RESOLUTION NO. 18-7.3

CNST-9 INITIAL ASSESSMENT RESOLUTION FOR THE SE FLAMINGO DRIVE/SE KARIN STREET MUNICIPAL SERVICE BENEFIT UNIT

Board action is requested to adopt the Initial Assessment Resolution to allow for the paving of SE Flamingo Drive from SE Duncan Street to the northern terminus and the extension of SE Karin Street (an unopened right-of-way) approximately 220 feet west to SE Flamingo Drive.

Agenda Item: 18-0520

RESOLUTION NOS. 18-7.4 & 18-7.5

CNST-11 ADDITIONAL ITEM MEMORANDUM OF AGREEMENT WITH THE TOWN OF JUPITER ISLAND FOR SAND BYPASSING

The Memorandum of Agreement provides an opportunity for Martin County and the Town of Jupiter Island to partner in an upcoming sand placement project. The Town will administer the entire project which consists of a storm damage recovery component and a sand bypass component. Martin County will provide the funding for the sand bypass component, in compliance with the St. Lucie Inlet Management Plan.

Agenda Item: 18-0538

UTILITIES AND SOLID WASTE**CNST-10 SOLID WASTE INITIAL ASSESSMENT RESOLUTION FOR FY2018/2019**

The Board of County Commissioners is requested to adopt the Initial Assessment Resolution for fiscal year 2019 (FY19) and approve notification to affected property owners advising of the solid waste assessment rate and public hearing.

Agenda Item: 18-0511

RESOLUTION NO. 18-7.6

COUNTY ATTORNEY**CNST-12 ADDITIONAL ITEM CERTIFICATE OF EQUIPMENT FOR CASTING AND COUNTING BALLOTS FOR SUPERVISOR OF ELECTIONS' ELECTION SECURITY GRANT**

The Supervisor of Elections has received an Election Security Grant under the Help America Vote Act in the amount of \$56,293.72. The grant requires execution of a Certificate of Equipment for Casting and Counting Ballots by the Chairman of the Board and the Supervisor of Elections.

Agenda Item: 18-0555

PUBLIC HEARINGS**PH-1 SUPPLEMENTAL MEMO (notice) - SECOND PUBLIC HEARING TO CONSIDER ADOPTION OF AN ORDINANCE AMENDING ARTICLE 3, LAND DEVELOPMENT REGULATIONS, MARTIN COUNTY CODE TO ESTABLISH STANDARDS FOR DISPENSARIES**

This is the second public hearing to consider adoption of an ordinance amending Article 3, Land Development Regulations to permit medical marijuana dispensaries.

Agenda Item: 18-0505

ORDINANCE NO. 1073

ACTION TAKEN: The Board adopted the ordinance amending Article 3, Martin County Land Development Regulations.

PH-2 PUBLIC HEARING TO CONSIDER ADOPTION OF AN ORDINANCE REGARDING BEACHES, PARKS AND RECREATION AND CONSERVATION LANDS

On October 24, 2017, the Martin County Board of County Commissioners adopted amendments to Chapter 17, Beaches, Parks and Recreation, General Ordinances, Martin County Code. The Board is now asked to adopt an additional amendment related to the consumption of alcoholic beverages west of the dune line at beach parks to meet the needs of the Martin County Parks and Recreation Department, Martin County Sheriff's Office, the Town of Jupiter Island Police Department, and the community.

Agenda Item: 18-0514

ORDINANCE NO. 1072

ACTION TAKEN: The Board adopted the Ordinance.

PH-3 PROPOSED MARTIN COUNTY SETTLEMENT - JUAN CARLOS GIL V. MARTIN COUNTY, CASE NO. 2:18-CV-14110

In accordance with the procedure established by the Board of County Commissioners (the "Board"), the public is provided an opportunity to comment on the proposed settlement in the case of Juan Carlos Gil v. Martin County, United States District Court for the Southern District of Florida, Case No. 2:18-cv-14110. This case arose out of Mr. Gil's claim that the County's website violates federal law because the blind or visually impaired cannot access documents on the website. The County is self-insured and TRICO (our insurance pool) assigned counsel to the matter. A proposed settlement is before the Board for consideration.

Agenda Item: 18-0533

ACTION TAKEN: The Board approved the settlement agreement.

PH-4 SECOND PUBLIC HEARING TO CONSIDER AN ORDINANCE AMENDING ARTICLE 3, LDR TO INCLUDE STANDARDS FOR SPORTING CLAY COURSES

Staff requests that this item be continued until the next Board meeting on July 24, 2018.

Agenda Item: 18-0541

ACTION TAKEN: The Board continued this item to the July 24, 2018 Meeting.

PUBLIC HEARING QUASI-JUDICIAL

PHQJ-1 CHANCEY BAY RANCH REZONING (C167-001)

Request by CBR Investors, LLC, for a zoning change from the current A-2, Agricultural District, to the RE-2A, Rural Estate District, for approximately 18.2 acres consisting of vacant land located approximately 900 feet south of the intersection of SW Selma Street and SW Connors Highway on the west side of SW Conner's Highway in western Martin County. Included in this application is a request for a Certificate of Public Facilities Exemption. **RESOLUTION NO. 18-7.8**

Agenda Item: 18-0508

ACTION TAKEN: The Board received and filed the Agenda Item Summary and all of its attachments including the Staff Report and approved the request to amend the Martin County Zoning Atlas to change the zoning district on the subject site from A-2 to RE-2A and adopted the Resolution of approval.

DEPARTMENTAL ADMINISTRATION

DEPT-1 SUPPLEMENTAL MEMO (5 items) - 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: 18-0474

ACTION TAKEN:

1. Permission to Accept the Willoughby Creek Stormwater Quality Improvement Project Environmental Protection Agency/Florida Department of Environmental Protection Section 319 (h) and Total Maximum Daily Load (TMDL) Water Quality Restoration Grant, Contract No. NS035 - The Board authorized the County Administrator and/or designee to execute the EPA/FDEP Section 319/TMDL Water Quality Restoration Agreement 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. 18-7.9**
2. Permission to Accept the Shelter Plus Care Grant Award CoC FL0687L4H091700 - The Board authorized the County Administrator or designee to execute the renewal grant award for CoC Program Grant Number: FL0687L4H091700; authorized the County Administrator or designee to execute the Grant Exhibit as well as any non-monetary grant modifications; and approved the Budget Resolution. **RESOLUTION NO. 18-7.10**
3. Permission to Accept the Homeland Security Grant Program (HSGP) Grant for All Hazards Incident Management Training - The Board authorized the Chairman or designee to execute the HSGP agreement 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. 18-7.11**

4. [Permission to Accept the Emergency Management Performance \(EMPG\) Grant](#) - The Board authorized the Chairman or designee to execute the EMPG agreement 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. 18-7.12](#)
5. [Budget Resolution to Allocate E-911 Grant Award](#) – The Board approved the Budget Resolution to allocate the E-911 grant award funds. [RESOLUTION NO. 18-7.13](#)

DEPT-2 EXECUTIVE SESSION - LABOR NEGOTIATIONS

The Negotiations Management Team is requesting an executive session to discuss labor negotiations regarding the teamsters.

Agenda Item: 18-0526

[ACTION TAKEN:](#) The Board discussed in an executive session.

FIRE RESCUE

DEPT-3 SUPPLEMENTAL MEMO (PowerPoint presentation) - STAFF PRESENTATION OF A METHODOLOGY FOR A FIRE ASSESSMENT FEE UNDER SECTION 197.3632, FLORIDA STATUTES FOR SPECIAL ASSESSMENTS

The Fire Rescue Department is presenting a methodology for introducing a non-ad valorem assessment to fund the fire related apportionment of the operating and capital improvement budgets.

Agenda Item: 18-0513

[ACTION TAKEN:](#) The Board directed staff to use the full cost budget at 50 percent to include a hardships program and buy down program as presented in the presentation.

DEPARTMENTAL QUASI-JUDICIAL COUNTY ATTORNEY

DPQJ-1 SUPPLEMENTAL MEMO - SECTION 10.8.D, LDR HEARING REGARDING RESOLUTION NUMBER 16-9.51 REVISED MASTER/FINAL SITE PLAN APPROVAL FOR LITTLE CLUB CONDOMINIUM WTCF

On September 20, 2016, the Board of County Commissioners (BOCC) approved a development order for Little Club Condominium, Inc.'s (Little Club) proposed Wireless Telecommunications Facility (WTCF). On March 27, 2018, pursuant to Section 10.8.D, Land Development Regulations, the Board conducted a hearing determining that there was misrepresentation by Little Club's agent, Dynamic Towers, Inc. (DTI), that occurred during the September 20, 2016 quasi-judicial hearing to consider the Little Club WTCF application that ultimately resulted in the approval of the Little Club development order. This is a "rehearing to consider the development order."

Agenda Item: 18-0524

[RESOLUTION NO. 18-7.7](#)

[ACTION TAKEN:](#) The Board approved the resolution terminating the approved development order.

PUBLIC - PLEASE LIMIT COMMENTS TO THREE MINUTES.

ADJOURNED AT 4:21 PM