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## BOARD OF COUNTY COMMISSIONERS

### ACTION SUMMARY

JUNE 6, 2023 ~ 9:00 AM

### COMMISSION CHAMBERS

2401 SE MONTEREY ROAD, STUART, FLORIDA 34996

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#### **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

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#### **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 (R&P-1)  
9:45 AM .....Martin County Mental Health Court Presentation (R&P-2)  
10:15 AM ....Golf Course Best Management Practices (BMP) (DEPT-6)  
2:00 PM .....Commercial and Industrial Land Use Analysis (DEPT-5)  
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 (DEPT-4)  
5:05 PM .....Public Comment

#### **CALL TO ORDER AT 9:02 AM**

1. INVOCATION ~ Moment of Silence
2. PLEDGE OF ALLEGIANCE ~ **Timothy Wojnar**, Army Gulf War Combat Veteran
3. NATIONAL ANTHEM ~ **Sophia Liano**
4. ADDITIONAL ITEMS – **The Additional Item of CNST-14 was added to the Agenda.**
5. APPROVAL OF AGENDA – **The Agenda was approved and DEPT-5 was withdrawn.**
6. APPROVAL OF CONSENT AGENDA – **The Consent Agenda was approved.**

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

**ACTION TAKEN:** The proclamations were presented.

## **COMMENTS**

1. PUBLIC - PLEASE LIMIT COMMENTS TO THREE MINUTES.
2. COMMISSIONERS – The Board requested staff to place “keep off dunes” signs on Hutchinson Island.
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

**RESOLUTION NO. 23-6.1**

**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

**RESOLUTION NO. 23-6.2**

**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

**RESOLUTION NO. 23-6.3**

**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 watermain extension.

Agenda Item: 23-0764

**RESOLUTION NO. 23-6.4**

**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

**RESOLUTION NO. 23-6.5**

**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**

**RESOLUTION NO. 23-6.6**

## **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

**RESOLUTION NO. 23-6.7**

**ACTION TAKEN:** The Board appointed Alethia Dupont for a term to begin immediately and end January 6, 2026 and authorized the Chairman to sign the Resolution of Appointment.

## **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

**ORDINANCE NO. 1197**

**ACTION TAKEN:** The Board adopted the Ordinance amending the text of Policy 4.1B.2.(2), Chapter 4, Future Land Use Element, Comprehensive Growth Management Plan, Martin County Code.

## **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

**RESOLUTION NO. 23-6.8**

**ACTION TAKEN:** The Board received and filed the Agenda Item Summary and all attachments as an exhibit and voted to hold the second public hearing on July 11, 2023.

**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

**RESOLUTION NO. 23-6.9**

**ACTION TAKEN:** The Board received and filed the Agenda Item Summary and all attachments as an exhibit, approved the request to terminate the Golf World PUD Agreement, and approved the Resolution to rezone from PUD Commercial to General Commercial (GC).

**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

**RESOLUTION NO. 23-6.10**

**ACTION TAKEN:** The Board received and filed the Agenda Item Summary and all attachments as an exhibit; adopted the Resolution abandoning portions of unopened platted rights-of-way, lying within Port Salerno, as described in Exhibit "A", subject to the following conditions precedent: conveyance of land described in Exhibits "B-1", "B-2", "B-3", "B-4", "B-5", and "B-6" to Martin County and proper publication of a Notice of Adoption of this Resolution; agreed to waive the privilege fee, finding good cause shown by the Petitioner, through the conveyance of the parcels to Martin County; and authorized the Chairman to execute all documents necessary to complete the transactions.



**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

**RESOLUTION NO. 23-6.13**

**ACTION TAKEN:** The Board received and filed the Agenda Item Summary and all attachments as an exhibit and adopted the Resolution to change the existing PUD zoning classification for the Martin County Fire Rescue Station #14 property to PS-1, Public Service District.

**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 Hutchinson Island. Included is a request for Certificate of Public Facilities Reservation for Phase 3.

Agenda Item: 23-0825

**RESOLUTION NO. 23-6.12**

**ACTION TAKEN:** The Board received and filed the Agenda Item Summary and all attachments as an exhibit; approved the Nineteenth Amendment to the Indian River Plantation PUD Agreement including a Revised Master Site Plan with a Deferral of Public Facilities Reservation; and adopted the Resolution approving the Revised Phase 3 Final Site Plan including a Certificate for Public Facilities Reservation. The applicant agreed to donate an easement along NE Plantation Road from NE MacArthur Boulevard to NE Tradewind Lane for the County to design/build a sidewalk which will be paid for by Commission District 2.

**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

**RESOLUTION NO. 23-6.14**

**ACTION TAKEN:** The Board received and filed the Agenda Item Summary and all attachments as an exhibit; approved the request for the revised final site plan for the Three Lakes Project, including the parking rate adjustment; and approved the request for a Utility Waiver to allow on-site wastewater treatment and disposal systems cumulative flows not to exceed 5,000 GPD.

**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

**9:15 AM PRESET**

**ACTION TAKEN:** The Board heard the presentation.

**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

**9:45 AM PRESET**

**ACTION TAKEN:** The Board heard the presentation.



**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)**

**ACTION TAKEN:**

1. Permission to Apply for the Federal Transit Administration (FTA) FY21 Section 5307 American Rescue Plan Act Urbanized Area Formula Funding - The Board authorized the County Administrator and or designee to execute and file an FY21 Section 5307 American Rescue Plan Act Urbanized Area Formula Program Funds application on behalf of the Martin County Board of County Commissioners, with the Federal Transit Administration for federal assistance as authorized by U.S.C. 49, Chapter 53, Title 23 and other federal statutes authorizing a project administered by the Federal Transit Administration.
2. Permission to Apply for the 2023 State Water-Quality Assistance Grant Opportunity from the State of Florida, Department of Environmental Protection Nonpoint Source Pollution Management Program - The Board authorized the Public Works Department's Field Operations Division to apply for the 2023 State Water-Quality Assistance Grant for beneficial submerged planting and citizen science workshops.
3. Permission to Apply for the Children's Services Council Grant Program – After School/Out of School (AS/OS) Program Grant - The Board authorized the Parks and Recreation Department to apply for the FY23-24 Children's Services Council grant for the AS/OS Programs.
4. Permission to Apply for the Florida Department of State Division of Historical Resources Special Category Grant Program - The Board authorized the Administration Department to apply for the State Historic Preservation Grant and adopted the Resolution. **RESOLUTION NO. 23-6.15**
5. Permission to Accept the State-Funded Grant Supplemental Agreement No. 1 for Funding Through the Florida Department of Transportation (FDOT) for the Construction and Construction Engineering Inspection (CEI) Services for the SE Indian Street (SR-76/S Kanner Highway to US-1/SE Federal Highway) Resurfacing & Drainage Improvements Project (FM# 441922-1-54-01) - The Board authorized the Chairman to execute the State-Funded Grant Supplemental Agreement as well as any non-monetary grant related documents upon review and concurrence of the County Attorney's Office; adopted the Board Resolution to accept State-Funded Grant Supplemental Agreement; and adopted the Budget Resolution to approve the budget increase. **RESOLUTION NOS. 23-6.16 and 23-6.17**
6. Permission to Accept Amendment #1 to FY23 Mosquito Control Agreement #29366 From the State of Florida Department of Agriculture and Consumer Services (FDACS) - The Board authorized the Chairman to execute the Arthropod Control Budget Amendment for State Funds and adopted the Budget Resolution. **RESOLUTION NO. 23-6.18**
7. Permission to Accept the Florida Department of Environmental Protection (FDEP)

Grant Funding for Coral Gardens Vacuum Sewer Project - The Board authorized the Chairman to execute the Grant Agreement; directed the Department Director to execute all non-monetary grant related documents upon review and concurrence of the County Attorney's Office; and adopted the Budget Resolution. RESOLUTION NO. 23-6.19

8. Permission to Accept the Clean Water State Revolving Fund (CWSRF) Loan 43025 - The Board authorized the Chairman to execute the CWSRF 43025 agreement; authorized the Utilities and Solid Waste Director to sign non-monetary, loan-related documents; adopted the Board Resolution; and approved the Budget Resolution to budget and appropriate \$20,000,000 in loan proceeds from the Florida State Revolving Fund for sewer projects.

RESOLUTION NOS. 23-6.20 and 23-6.21

9. Adjustment to the Fiscal Year 2023 Budget:
  - A. Budget Resolution to Adjust FY23 Budget Due to Post-Fund Balance Accounting Entries made by the Finance Department – The Board approved the Budget Resolution. RESOLUTION NO. 23-6.22
  - B. Budget Resolution to Allocate Additional Revenues for Seaside Café – The Board adopted the Budget Resolution to allocate the anticipated additional revenues to be collected by Seaside Café in the amount of \$350,000. RESOLUTION NO. 23-6.23
  - C. Budget Resolution to Allocate Additional Revenues for Indian RiverSide Park - The Board adopted the Budget Resolution to allocate the anticipated additional revenues to be collected by Indian RiverSide Park in the amount of \$70,750. RESOLUTION NO. 23-6.24
  - D. Budget Transfer and Capital Improvement Plan (CIP) Sheet Modification Requests from the Utilities Department:
    1. Modification of the Meters Replacement Project CIP Sheet – The Board approved a modification of the ARM CIP sheet and the corresponding budget transfer from capital reserves in the amount of \$495,000.
    2. Modification of the Seagate Harbor Rehab Project CIP Sheet – The Board approved modifications of the Seagate Harbor CIP sheet and approved the corresponding budget transfer from capital reserves in the amount of \$140,000.

## **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)**

### **ACTION TAKEN:**

- A. **CONTRACTS OVER \$1,000,000**
  1. **AERIAL PHOTOGRAMMETRY (RFQ2023-3488)** - The Board award the contract to GPI Geospatial, Inc. and authorized the County Administrator or designee to execute all documents related to this request.

**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** **RESOLUTION NO. 23-6.25**

**ACTION TAKEN:** The Board approved the Mutual Termination Agreement as provided; authorized staff to manage the facility for one year and provide an update to the Board in January 2024; authorized the County Administrator to execute the 4COP-11CG (Golf Course) liquor license limiting sales to wine, beer, seltzers, pre-mixed drinks, and malt beverages; directed staff to bring back to the Board a tipping policy for table service; authorized staff to honor all eligible gift cards by December 31, 2023; adopted the Budget Resolution to establish the Sailfish Sands Hitting Bay/Restaurant operating budget for the remainder of Fiscal Year 2023; and directed staff to develop a revised Request For Proposal to include a performance bond or other means to ensure financial viability of future lessee.

**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

**2:30 PM PRESET**

**ACTION TAKEN:** The Board met with Don Donaldson, County Administrator; Sarah W. Woods, County Attorney; Elysse Elder, Deputy County Attorney; and Melissa Pietrzyk, Senior Assistant County Attorney, in a private attorney-client session in accordance with Section 286.011(8), Florida Statutes, for a strategy session regarding litigation expenditures concerning the case of R. Erik, LLC v. Martin County; Case No. 23-14109-CIV-CANNON. The Board also consented to a Court Order granting a preliminary injunction staying enforcement of Ordinance 1181, as amended by 1192 and codified under Section 9.87A.19, against the existing pet stores in Martin County until the conclusion of Case No. 23-14109-CIV-Cannon, titled as R. Erik v. Martin County.

## **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

**2:00 PM PRESET**

ACTION TAKEN: This item was withdrawn from the Agenda at staff's request.

## **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**

**10:15 AM PRESET**

ACTION TAKEN: The Board heard the presentation.

### **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** **RESOLUTION NO. 23-6.11**

ACTION TAKEN: The Board approved the Escrow Agreement; adopted a Resolution approving and accepting the Temporary Construction Easement, Access Easement, and Utilities Easements (attached to the Escrow Agreement as Exhibits F, G, I-1, I-2 and I-3, respectively) and approving and accepting the deeds for the Lots (attached to the Escrow Agreement as B-1, B-2, B-3, B-4, B-5 and B-6); and authorized the Chairman to execute any and all additional documents necessary to complete the transaction with Landowner.

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

## **ADJOURNED AT 6:10 PM**

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