



## BOARD OF COUNTY COMMISSIONERS

### ACTION SUMMARY

7/24/18 9:00 AM

REGULAR MEETING 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  
Ed Fielding ~ **absent**  
Sarah Heard

Taryn Kryzda, 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

9:30 AM Public Hearing to Consider the Creation of the Harmony Ranch Community  
Development District

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 PH-6 was added to the Agenda.
4. **APPROVAL OF AGENDA** – The Agenda was approved and CNST-7 was continued to August 14, 2018.
5. **APPROVAL OF CONSENT AGENDA** – The Consent Agenda was approved minus CNST-6 and CNST-11.

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 PREVIOUSLY APPROVED VIA THE CONSENT AGENDA

The Chairman will present the proclamation to the recipient.

Agenda Item: 18-0545

**ACTION TAKEN:** The Board presented a proclamation declaring Purple Heart Day.

#### **COMMENTS**

1. **PUBLIC** - PLEASE LIMIT COMMENTS TO THREE MINUTES.
2. **COMMISSIONERS** – The Board approved a proclamation for Eagle Scout John Bradley.
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: 18-0471

**Supplemental Memorandum (4 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 23, 2018 and July 3, 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: 18-0473

**CNST-3 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: 18-0476

**CNST-4 AMENDMENT TO CONTRACT WITH DEVEREUX COMMUNITY BASED CARE OF OKEECHOBEE AND THE TREASURE COAST**

Devereux Community Based Care (CBC) of Okeechobee and The Treasure Coast currently contracts with the Martin County Board of Commissioners. Devereux CBC has requested that Martin County amend the existing contract to reflect its corporate name change to Communities Connected for Kids, Inc., effective July 1, 2018.

Agenda Item: 18-0552

**CNST-5 INVESTMENT REPORT FOR MAY 2018**

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

Agenda Item: 18-0557

**BUILDING****CNST-6 REQUEST FOR FINE REDUCTION STIPULATION AND AGREED RECOMMENDED ORDER REGARDING THE CODE ENFORCEMENT CASE OF ROBERT C. AND CLARESSA Y. POTTS**

Pursuant to the provisions of Section 1.98.B, 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 C. and Claressa Y. Potts.

Agenda Item: 18-0529

**ACTION TAKEN:** The Board accepted the Magistrate's recommendation that the lien on the property be reduced to \$350 and accepted as full payment.

**COUNTY ATTORNEY****CNST-7 HERITAGE OAKS - REQUEST FOR APPROVAL OF RETAINING WALL LOCATED IN MARSH AREA**

Code enforcement action was initiated against Gregory Porter regarding construction of a retaining wall without a permit in the Marsh area of the Heritage Oaks subdivision adjacent to property located at 10482 SE Banyan Way, Tequesta. The Marsh area is not a designated preserve area. The building permit has been obtained, but Paragraph 7 of the Certificate of Ownership and Dedication prohibits alterations or structures within the Marsh area except for erosion control or access approved by the Board. Mr. Porter requests approval of the retaining wall which he constructed within that portion of the Marsh area which he owns.

Agenda Item: 18-0564

**CONTINUED TO AUGUST 14, 2018**

**PUBLIC WORKS****CNST-8 APPROVAL OF A MAINTENANCE MAP FOR A PORTION OF SE MACARTHUR BOULEVARD (SOUTH HUTCHINSON ISLAND)**

Pursuant to the provisions of Section 95.361, Florida Statutes, staff requests approval of a Maintenance Map for a portion of SE MacArthur Boulevard (on South Hutchinson Island). Approval will establish prima facie evidence of ownership of the land by the County to the extent and width that it has been actually maintained for the prescribed period.

Agenda Item: 18-0510

**CNST-9 ADOPTION OF A RESOLUTION APPROVING AND ACCEPTING AN AMENDED AND RESTATED PUBLIC PURPOSE LEASE AGREEMENT (LEASE) WITH THE SCHOOL BOARD OF MARTIN COUNTY, FLORIDA FOR THE ENVIRONMENTAL STUDIES CENTER ON PROPERTY ADJACENT TO FLORIDA OCEANOGRAPHIC CENTER**

This is a request for the adoption of a resolution approving and accepting a Lease with the School Board of Martin County, Florida for the Environmental Studies Center ("ESC"). The extension allows ESC to continue to utilize the Nature Conservancy property adjacent to the Florida Oceanographic Center located at 890 NE Ocean Boulevard, Stuart, FL 34996 as they have done since 1993.

Agenda Item: 18-0512

**RESOLUTION NO. 18-7.14**

**CNST-10 ACCEPTANCE OF A UTILITY EASEMENT FROM RENAR RIVER PLACE, LLC (RENAR) FOR REPLACEMENT OF A FORCE MAIN AND RELATED EQUIPMENT RUNNING ADJACENT TO THE SOUTHEAST CORNER OF NE INDIAN RIVER DRIVE AND NE CAUSEWAY BOULEVARD**

This is a request for the adoption of a resolution accepting and approving a Utility Easement from Renar for the installation/replacement of a force main and related equipment running adjacent to the causeway on the southeast corner of NE Indian River Drive and NE Causeway Boulevard.

Agenda Item: 18-0551

**RESOLUTION NO. 18-7.15**

**CNST-11 INITIAL ASSESSMENT RESOLUTION FOR THE MACK DAIRY ROAD MUNICIPAL SERVICE BENEFIT UNIT**

Board action is requested to adopt the Initial Assessment Resolution for the Mack Dairy Road Municipal Service Benefit Unit (MSBU) to allow for roadway improvements generally described as milling, resurfacing and widening of Mack Dairy Road from Indiantown Road to approximately 200 feet north of Old Indiantown Road as part of a plan to transfer operations and maintenance of Mack Dairy Road to Palm Beach County.

Agenda Item: 18-0553

**RESOLUTION NO. 18-7.16**

**ACTION TAKEN:** The Board adopted the Initial Assessment Resolution to create the Mack Dairy Road Municipal Benefit Unit.

**CNST-12 RELEASE OF AIRPORT IMPROVEMENT PROGRAM (AIP) GRANT ACQUIRED NOISE MITIGATION PROPERTY LOCATED AT 2492 SE ST. LUCIE BOULEVARD FROM THE AIRPORT RESTRICTIONS AND ENCUMBRANCE WITH AIRPORT RESTRICTIONS OF COUNTY OWNED PROPERTY LOCATED AT 2675 SE DIXIE HIGHWAY**

Airport Administration and the Federal Aviation Administration (FAA) have requested that the Board of County Commissioners approve the modification of the Airport boundary, which includes encumbering property located at 2675 SE Dixie Highway, former Martin County Animal Shelter property, with Airport restrictions and releasing property located at 2492 SE St. Lucie Boulevard acquired through the AIP Grant program in 2010, from the Airport restrictions as it is no longer needed for noise compatibility purposes.

Agenda Item: 18-0554

**CNST-13 ACCEPTANCE OF AN EASEMENT BETWEEN THE BOARD OF TRUSTEES OF THE INTERNAL IMPROVEMENT TRUST FUND OF THE STATE OF FLORIDA (STATE) AND MARTIN COUNTY FOR CONSTRUCTION OF A WEIR PROJECT WITHIN THE SAVANNAS PRESERVE STATE PARK ADJACENT TO WARNER CREEK**

This is a request for the adoption of a resolution accepting and approving an Easement from the State for the access, construction and maintenance of a weir project at Warner Creek within the Savannas Preserve State Park located at the corner of Jensen Beach Boulevard and Savannah Road in Jensen Beach.

Agenda Item: 18-0558 **Supplemental Memorandum** **RESOLUTION NO. 18-7.17**

**CNST-14 TRANSIT ASSET MANAGEMENT (TAM) PLAN**

The Federal Transit Administration (FTA) released a final rule outlining Transit Asset Management (TAM) requirements on July 26, 2016 in accordance with the Moving Ahead for Progress in the 21st Century (MAP-21) transportation bill. The final rule requires every transit agency to develop and adopt a TAM Plan no later than October 1, 2018 and to update this plan every four years. The TAM Plan is the transit agency's commitment to effectively manage its capital assets and maintain a State of Good Repair (SGR) to support safe, efficient, and reliable transit.

Agenda Item: 18-0573

**PUBLIC HEARINGS****PH-1 PUBLIC HEARING TO CONSIDER APPROVAL OF AMENDED LOCAL HOUSING ASSISTANCE PLAN FY 2017-2020**

The Affordable Housing Advisory Committee (AHAC) recommends the Local Housing Assistance Plan (LHAP) FY 2017-2020 be amended to include language regarding connection to sewer and/or water utilities, which will enable program participants, and the residents of Martin County, to improve the overall health and safety of the community.

Agenda Item: 18-0540

ACTION TAKEN: The Board approved the recommended amendments to the 2014-2017 HHAP.

**PH-2 SECOND PUBLIC HEARING TO CONSIDER ADOPTION OF AN ORDINANCE AMENDING ARTICLE 3, LDR TO INCLUDE STANDARDS FOR SPORTING CLAY COURSES**

This is a request to amend the Land Development Regulations, Article 3, Zoning Districts to provide regulations for sporting clay courses.

Agenda Item: 18-0516

**ORDINANCE NO. 1074**

ACTION TAKEN: The Board approved the Ordinance amending Article 3, Zoning Districts regarding sporting clay courses.

**PH-3 FIRST PUBLIC HEARING TO CONSIDER ADOPTION OF AN ORDINANCE AMENDING ARTICLE 3, DIVISION 6, SECTION 3.261, JENSEN BEACH COMMUNITY REDEVELOPMENT OVERLAY DISTRICTS, LAND DEVELOPMENT REGULATIONS**

The proposed amendments to the Jensen Beach Code eliminate conflict and inconsistency while minimizing substantive changes. The Community Redevelopment Agency received a presentation and members had their questions answered about the CRA "Glitch Bills" at its meeting on June 26, 2017. At their meetings on May 3, 2018 and June 7, 2018, respectively, the Jensen Beach Neighborhood Advisory Committee and the Local Planning Agency recommended approval of the proposed changes to the Jensen Beach code, Section 3.261, LDR.

Agenda Item: 18-0522

ACTION TAKEN: The Board set the second public hearing for August 14, 2018 after 5:00 PM.

**PH-4 FIRST PUBLIC HEARING TO CONSIDER ADOPTION OF AN ORDINANCE AMENDING ARTICLE 3, DIVISION 6, SECTION 3.264, RIO REDEVELOPMENT OVERLAY DISTRICT, LAND DEVELOPMENT REGULATIONS**

The proposed amendments to Section 3.264, LDR, the Rio zoning code, eliminate ambiguity, inconsistency and redundancy and clarify applicability, while minimizing substantive changes. At their meetings on May 10, 2018 and June 7, 2018, respectively, the Rio Neighborhood Advisory Committee and the Local Planning Agency recommended approval of the proposed changes.

Agenda Item: 18-0523

ACTION TAKEN: The Board set the second public hearing for August 14, 2018 after 5:00 PM.

**PH-5 PUBLIC HEARING TO CONSIDER THE CREATION OF THE HARMONY RANCH COMMUNITY DEVELOPMENT DISTRICT**

Pursuant to Section 190.005(1)(b)(2), Florida Statutes, Hobe Sound Ranch, Ltd. has filed a petition with Martin County to establish the Harmony Ranch Community Development District.

Agenda Item: 18-0548

ACTION TAKEN: The Board took no action on the petition.

**PH-6 PUBLIC HEARING TO CONSIDER A FIRE PROTECTION ASSESSMENT ORDINANCE AND AN INITIAL ASSESSMENT RESOLUTION RELATING TO THE IMPOSITION OF FIRE PROTECTION ASSESSMENTS TO FUND THE PROVISION OF FIRE PROTECTION SERVICES**

The Board of County Commissioners will conduct a public hearing to consider an Ordinance establishing the procedures for imposition and collection of annual fire protection special assessments for the provision of fire protection services within the boundaries of the Martin County Municipal Service Benefit Unit for Fire Protection Services, which is proposed to include the entire unincorporated area of the County and the municipalities of Ocean Breeze and Indiantown. Thereafter, the Board will consider adoption of the Initial Assessment Resolution. The Initial Assessment Resolution is the first step for imposition of Fire Protection Assessments for the Fiscal Year beginning October 1, 2018. The Initial Assessment Resolution establishes the preliminary rates and other terms and conditions for the proposed Fire Protection Assessments. It sets a final public hearing on September 11, 2018 for the Board's final decision on the Fire Protection Assessments.

Agenda Item: 18-0589 ORDINANCE NO. 1075 & RESOLUTION NO. 18-7.18

**Additional Item**

ACTION TAKEN: The Board adopted the Ordinance and approved the initial assessment Resolution to create the Fire Protection Municipal Service Benefit Unit.

**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: 18-0475

**Supplemental Memorandum (6 items)**

**ACTION TAKEN:**

1. Permission to Apply for the U.S. Department of Commerce Economic Development Administration Disaster Recovery Investment Priorities Funding Opportunity - The Board authorized the Department of Administration to apply for the U.S. Department of Commerce Economic Development Administration Disaster Recovery Investment Priorities Funding Opportunity.
2. Permission to Apply for the FY 2018-2019 Florida State Wildlife Grant for the Jensen Beach Impoundment Mangrove Restoration Project - The Board authorized the Public Works Department to apply for the FY18-19 Florida Fish and Wildlife Conservation Commission State Wildlife Grant.
3. Permission to Apply for the FY 2019-2020 Florida Department of Environmental Protection (FDEP) Beach Management Program Grant - The Board authorized staff to submit the Local Government Request grant application to FDEP for the Beach Management Program grant and adopted the Board Resolution in support of this project. RESOLUTION NO. 18-7.19



4. Permission to Apply for the FY 2019-2020 Local Funding Government Request (LGFR) from the Florida Department of Environmental Protection (FDEP) for the Beach Management Funding Assistance Grant - The Board authorized staff to submit the application for the FY 2019-2020 LGFR from FDEP-BMFA for the Beach Management Funding Assistance Grant and adopted the Board Resolution in support of this project. **RESOLUTION NO. 18-7.20**
5. Permission to Accept the Florida Department of Environmental Protection (FDEP) Beach Management Funding Assistance Program grant #19MI1 for the Martin County Shore Protection Project - The Board authorized the Chairman or designee to execute the FDEP grant 19MI1, as well as authorized the County Administrator or designee to approve any future non-monetary grant related documents upon review and concurrence of the County Attorney's Office and adopted the Budget Resolution. **RESOLUTION NO. 18-7.21**
6. Permission to Accept the Florida Department of Environmental Protection (FDEP) Beach Management Funding Assistance Program grant #19MI2 for the St. Lucie Inlet Management Plan Implementation - The Board authorized the Chairman or designee to execute the FDEP grant 19MI2, as well as authorized the County Administrator or designee to approve any future non-monetary grant related documents upon review and concurrence of the County Attorney's Office and adopted the Budget Resolution. **RESOLUTION NO. 18-7.22**

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

**ADJOURNED AT 11:00 AM**