



**BOARD OF COUNTY COMMISSIONERS**

**ACTION SUMMARY**

**1/29/19 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  
Stacey Hetherington  
Sarah Heard*

*Taryn Kryzda, County Administrator  
Krista A. Storey, Acting County Attorney  
Carolyn Timmann, Clerk of the Circuit  
Court and Comptroller*

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**PRESETS**

**9:05 AM** - Public Comment

**1:30 PM** - FPL Sweetbay Solar Energy Facility Major Final Site Plan (F109-002)

**5:05 PM** - Public Comment

**CALL TO ORDER AT 9:05 AM**

- 1. INVOCATION** - Pastor Dave Albers, Redeemer Lutheran Church, Stuart
- 2. PLEDGE OF ALLEGIANCE**
- 3. ADDITIONAL ITEMS** – There were no Additional Items.
- 4. APPROVAL OF AGENDA** – The Agenda was approved.
- 5. 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.

**COMMENTS**

- 1. PUBLIC** - PLEASE LIMIT COMMENTS TO THREE MINUTES.
- 2. COMMISSIONERS** – The Board directed staff to send letters of appreciation to Governor DeSantis and Congressman Mast regarding their support of environmental and water quality issues. The Board approved the resolution proposed by Commissioner Heard to support the increased protection of the St. Lucie Estuary and Northern Everglades. **RESOLUTION NO. 19-1.20** The Board directed staff to invite the Army Corp of Engineers and the South Florida Water Management District to give presentations.
- 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: 19-0124 **SUPPLEMENTAL MEMO (5 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 December 22, 2018 and January 11, 2019. 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: 19-0126

**CNST-3** **INVESTMENT REPORT FOR NOVEMBER 2018**

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

Agenda Item: 19-0128

**CNST-4** **BOARD OF COUNTY COMMISSION MINUTES TO BE APPROVED**

The Board is asked to approve Minutes from the December 18, 2018 and January 8, 2019 Board of County Commission meetings.

Agenda Item: 19-0243

**CNST-5** **ADOPT A PROCLAMATION TO BE PRESENTED ON FEBRUARY 12, 2019**

The Board is asked to adopt the following proclamation: Declaring Future Farmers of America Week in Martin County, Florida.

Agenda Item: 19-0211

**CNST-6** **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: 19-0012

**CNST-7** **NEIGHBORHOOD ADVISORY COMMITTEE APPOINTMENTS**

After solicitation of applicants, the Board is asked to make the necessary appointments to the Golden Gate, Hobe Sound, Jensen Beach, and Port Salerno Neighborhood Advisory Committees.

Agenda Item: 19-0154

**RESOLUTION NO. 19-1.8**

**CNST-8 TOURIST DEVELOPMENT COUNCIL MUNICIPAL APPOINTMENT**

The Board is asked to appoint Merritt Matheson as the City of Stuart's representative on the Tourist Development Council.

Agenda Item: 19-0263

**RESOLUTION NO. 19-1.9**

**AIRPORT**

**CNST-9 MARTIN COUNTY FAIR ASSOCIATION AIRPORT USE AGREEMENT**

The Martin County Fair Association, a not-for-profit corporation, conducts the County Fair, which has been an annual event since 1959. Due to the restricted area for parking vehicles, the Martin County Fair Association is requesting additional parking at Martin County Airport/Witham Field during the Fair. The Martin County Fair Association will be providing trolley transportation to the fairgrounds from the parking area.

Agenda Item: 19-0230

**BUILDING**

**CNST-10 REQUEST FOR FINE REDUCTION STIPULATION AND AGREED RECOMMENDED ORDER REGARDING THE CODE ENFORCEMENT CASE OF DARRIN & RENEE F NOTLE**

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 and Agreed Recommended Order regarding the Code Enforcement case of Darrin & Renee F. Nolte.

Agenda Item: 19-0202

**CNST-11 REQUEST FOR FINE REDUCTION STIPULATION AND AGREED RECOMMENDED ORDER REGARDING THE CODE ENFORCEMENT CASE OF SHAWN RANGER**

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 and Agreed Recommended Order regarding the Code Enforcement case of Shawn Ranger.

Agenda Item: 19-0205

**CNST-12 REQUEST FOR FINE REDUCTION STIPULATION AND AGREED RECOMMENDED ORDER REGARDING THE CODE ENFORCEMENT CASE OF SHAWN RANGER**

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 and Agreed Recommended Order regarding the Code Enforcement case of Shawn Ranger.

Agenda Item: 19-0206

## **GROWTH MANAGEMENT**

### **CNST-13 REQUEST FOR A PARTIAL RELEASE OF THE SECOND AMENDED UNITY OF TITLE FOR PALM CITY BUSINESS PARK**

The property owner has requested a partial release of the Second Amended Unity of Title in reference to Phase III for the Palm City Business Park. The property is located on the west side of SW High Meadows Avenue approximately one-half mile south of SW Martin Highway.

Agenda Item: 19-0175

**RESOLUTION NO. 19-1.10**

## **PUBLIC WORKS**

### **CNST-14 REQUEST APPROVAL OF A RESOLUTION TO INITIATE AN AMENDMENT TO THE FUTURE LAND USE MAP FOR SURPLUS PROPERTY LOCATED ON ST. LUCIE BOULEVARD ACROSS FROM SANDSPRIT PARK**

This is a request for adoption of a resolution to initiate a future land use map change for the previously approved surplus property located on St. Lucie Boulevard across from Sandspit Park.

Agenda Item: 19-0197

**RESOLUTION NO. 19-1.11**

### **CNST-15 FARE STRUCTURE UPDATE ON PUBLIC TRANSIT FIXED ROUTE AND COMMUTER BUS SERVICES**

On August 1, 2018 MARTY's Commuter Bus service added a stop at the Veterans Administration (VA) Hospital in West Palm Beach to allow for the Veterans Services in Martin County to focus transportation efforts within Martin County borders. In order to continue to offer free transportation service to and from the VA Hospital, staff is requesting a change to the MARTY fare structure to include free boarding for all Veterans with proof of identification.

Agenda Item: 19-0221

## **BOARD AND COMMITTEE APPOINTMENTS**

### **B&C-1 INDUSTRIAL DEVELOPMENT AUTHORITY APPOINTMENT**

After solicitation for applicants, the Board is asked to make the necessary appointment to the Industrial Development Authority.

Agenda Item: 19-0152

**RESOLUTION NO. 19-1.12**

**ACTION TAKEN:** The Board reappointed Brian Powers to the Industrial Development Authority to a four-year term to begin February 10, 2019 and end February 9, 2023 and authorized the Chairman to sign the Resolution of Appointment.

## **PUBLIC HEARINGS**

### **PH-1 CONSIDER ADOPTION OF AN ORDINANCE AMENDING SECTION 135.7, GENERAL ORDINANCES, MARTIN COUNTY CODE REGARDING LOCAL VENDOR PREFERENCE**

Staff is recommending changes to Section 135.7, General Ordinances, Martin County Code regarding the Local Preference Policy for Local Businesses in County Projects.

Agenda Item: 19-0188

**ORDINANCE NO. 1088**

**ACTION TAKEN:** The Board adopted the revised Local Preference Ordinance with the changes to the Reciprocity language in paragraph 135.7.F.

### **PH-2 LEGISLATIVE PUBLIC HEARING TO CONSIDER ADOPTION OF**

**COMPREHENSIVE PLAN AMENDMENT 18-9, RESERVED AREA NO. 1, LEILANI HEIGHTS PHASE 1**

This application to amend the Future Land Use Map was initiated by the Board of County Commissioners. The 3.4-acre property is owned by Martin County and located within the Leilani Heights Phase 1 Subdivision. The Board approved transmittal of the amendment changing the future land use designation from Low Density Residential to Institutional-Recreation. Staff recommends approval of the change in the future land use designation from Low Density Residential to Institutional-Recreation.

Agenda Item: 19-0207

**ORDINANCE NO. 1089**

**ACTION TAKEN:** The Board approved adoption of CPA 18-9, Reserved Area No. 1, Leilani Heights Subdivision, Phase 1, changing the future land use designation from Low Density Residential to Institutional-Recreational on the subject 3.4 acres.

**PH-3**

**ADOPTION OF AN ORDINANCE AND A RESOLUTION EXTENDING THE TERM OF EACH COMMUNITY REDEVELOPMENT AREA FOR AN ADDITIONAL TEN YEARS**

The Community Redevelopment Plans (CRP) for each of the six (6) Community Redevelopment Areas (CRA areas) were adopted between 15-18 years ago. To build the visions as directed in the CRPs, the Community Redevelopment Agency is requesting the Board of County Commissioners to extend the term of each of the CRA areas for an additional ten (10) years.

Agenda Item: 19-0209

**ORDINANCE NO. 1091**

**& RESOLUTION NO. 19-1.14**

**ACTION TAKEN:** The Board adopted the Ordinance amending Section 39.4, General Ordinances, Martin County Code to allow each CRA an additional ten years of operation and adopted the Resolution approving modification to the Port Salerno, Hobe Sound, Rio, Golden Gate, Jensen Beach, Old Palm City, and Countywide Community Redevelopment Plans to extend, by ten years, the current sunset date of each plan.

**PH-4**

**LEGISLATIVE PUBLIC HEARING TO CONSIDER ADOPTION OF COMPREHENSIVE PLAN AMENDMENT 18-11, LEIGHTON FARM AVENUE FLUM**

This application to amend the Future Land Use Map (FLUM) regarding 0.79 acres located between the right-of-way for the current alignment of SW Leighton Farm Avenue and the right-of-way for the new alignment of SW Leighton Farm Avenue was initiated by the Board. The Board approved transmittal to the state land planning agency of the amendment changing the future land use designation from Agricultural Ranchette to General Commercial. Staff recommends approval.

Agenda Item: 19-0213

**ORDINANCE NO. 1092**

**ACTION TAKEN:** The Board approved adoption of CPA 18-11, Leighton Farm Avenue, changing the future land use designation from Agriculture Ranchette to General Commercial on the subject 0.79 acres.

**PH-5 LEGISLATIVE PUBLIC HEARING TO CONSIDER ADOPTION OF COMPREHENSIVE PLAN AMENDMENT 18-12, LEIGHTON FARM AVENUE, A TEXT AMENDMENT**

CPA 18-12, Leighton Farm Avenue, is a companion text amendment to CPA 18-11, Leighton Farm Avenue, an amendment of the Future Land Use Map. CPA 18-12 proposes the amendment of Chapter 4, the Future Land Use Element, to extend the boundary of Figure 4-2, the Urban Service District, and an amendment of Chapter 11, Potable Water Services Element, to modify Figure 11-1, Areas Currently Served by Regional Utilities. This amendment is necessary to maintain consistency between the Future Land Use Map and these Comprehensive Growth Management Plan figures.

Agenda Item: 19-0216

**ORDINANCE NO. 1093**

**ACTION TAKEN:** The Board approved the adoption of CPA 18-12, Leighton Farm Avenue, a text amendment.

**PH-6 SECOND PUBLIC HEARING TO CONSIDER ADOPTION OF ORDINANCE AMENDING ARTICLE 3, ZONING DISTRICTS, LAND DEVELOPMENT REGULATIONS, MARTIN COUNTY CODE REGARDING MICROBREWERIES AND CRAFT DISTILLERIES**

The Board of County Commissioners ("Board") is requested to adopt proposed amendments to the Land Development Regulations to permit microbreweries and craft distilleries in zoning districts that allow restaurants.

Agenda Item: 19-0257

**ORDINANCE NO. 1094**

**ACTION TAKEN:** The Board adopted the Ordinance.

**PH-7 LEGISLATIVE PUBLIC HEARING TO CONSIDER ADOPTION OF COMPREHENSIVE PLAN AMENDMENT 18-8, FIRE STATION 10**

This application to amend the Future Land Use Map was initiated by the Board of County Commissioners. The 0.34-acre property is owned by Martin County and is located on NE Samaritan Street, east of Savannah Road in Jensen Beach. The Board approved transmittal of the amendment changing the future land use designation from General Institutional to Limited Commercial. Staff recommends approval of the change in the future land use designation from General Institutional to Limited Commercial.

Agenda Item: 19-0228

**ORDINANCE NO. 1090**

**ACTION TAKEN:** The Board approved adoption of CPA 18-8, Fire Station 10, changing the future land use designation from General Institutional to Limited Commercial on the subject 0.34 acres.



**PUBLIC HEARING QUASI-JUDICIAL**

**PHQJ-1 PUBLIC HEARING TO CONSIDER AMENDMENT OF THE MARTIN COUNTY ZONING ATLAS TO CHANGE THE ZONING DISTRICT FOR CPA 18-8, FIRE STATION 10**

The Board of County Commissioners initiated the amendment of the Future Land Use Map and Zoning Atlas regarding this 0.34-acre County-owned property. Only one zoning district is designed to implement the Limited Commercial Future Land Use designation. That zoning district is LC (Limited Commercial). The Local Planning Agency recommended approval. Staff recommends approval of the amendment of the Zoning Atlas, changing the zoning district of this land from PS (Public Service) to LC (Limited Commercial Zoning District).

Agenda Item: 19-0227

**RESOLUTION NO. 19-1.13**

**ACTION TAKEN:** The Board received and filed the Agenda Item Summary and all its attachments including the staff report and amended the Martin County Zoning Atlas to change the zoning district on the subject 0.34 acres of land from the PS (Public Service) to the LC (Limited Commercial) Zoning District.

**PHQJ-2 FPL SWEETBAY SOLAR ENERGY FACILITY MAJOR FINAL SITE PLAN (F109-002)**

Florida Power & Light Company requests approval of a Major Final Site Plan for the development of approximately 271 acres of solar array panels, a 1.8-acre substation, and a 5.5-acre lake/borrow pit on approximately 566 acres located approximately 1 ½ miles north of SW Warfield Boulevard (SR 710) on the east side of SW Allapattah Road (CR 609) in western Martin County.

Agenda Item: 19-0176

**RESOLUTION NOS. 19-1.18 & 19-1.19**

**ACTION TAKEN:** The Board received and filed the Agenda Item Summary and all its attachments including the staff report; approved the FPL Sweetbay Solar Energy Facility Final Site Plan and adopted the resolution of approval; and approved the resolution accepting a 15 foot right-of-way easement on SW Allapattah Road from Florida Power & Light, a Florida corporation to Martin County and authorized the Chairman to execute any and all documents necessary to complete the transaction.

**PHQJ-3 TREASURE COAST CLASSICAL ACADEMY MAJOR FINAL SITE PLAN (D054-005)**

Driftwood Cay of Stuart, LLC, requests approval of a major final site plan for development of a two-story, 65,000 square-foot educational institution with associated infrastructure on approximately 14.22 acres located at 1400 SE Cove Road. Included is a request for a Certificate of Public Facilities Reservation.

Agenda Item: 19-0185 **SUPPLEMENTAL MEMO (request to continue to 2/12/19)**

**ACTION TAKEN:** The Board continued this item to the February 12, 2019 meeting.

**PHQJ-4 PUBLIC HEARING TO CONSIDER AMENDMENT OF THE MARTIN COUNTY ZONING ATLAS REGARDING 3.4 ACRES LOCATED AT NE 24TH STREET AND NE 18TH AVENUE IN JENSEN BEACH**

The Board of County Commissioners initiated the amendment of the Future Land Use Map and Zoning Atlas regarding this 3.4-acre County-owned property. Only one zoning district is designed to implement the Institutional-Recreation Future Land Use designation. That zoning district is PR (Public Recreation). The Local Planning Agency recommended approval. Staff recommends approval of the amendment of the Zoning Atlas, changing the zoning district of this land from R-2 (Single Family Residential) to PR (Public Recreation Zoning District).

Agenda Item: 19-0217

**RESOLUTION NO. 19-1.17**

**ACTION TAKEN:** The Board received and filed the Agenda Item Summary and all its attachments including the staff report and amended the Martin County Zoning Atlas to change the zoning district on the subject 3.4 acres of land from the R-2 (Single-Family Residential) to the PR (Public Recreation) Zoning District.

**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: 19-0130 **SUPPLEMENTAL MEMO (4 items)**

**ACTION TAKEN:**

1. **PERMISSION TO APPLY FOR THE FEDERAL EMERGENCY MANAGEMENT AGENCY (FEMA) ASSISTANCE TO FIREFIGHTERS GRANT (AFG) FOR EQUIPMENT** – The Board authorized the Fire Rescue Department to apply for the FEMA AFG Equipment Grant.
  2. **PERMISSION TO APPLY FOR THE FLORIDA DEPARTMENT OF HEALTH (DOH) HELPING EMERGENCY RESPONDERS OBTAIN SUPPORT (HEROS) GRANT** – The Board authorized the Fire Rescue Department to apply for the Department of Health HEROS Grant.
  3. **PERMISSION TO APPLY FOR THE FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION (FDEP) LAND AND WATER CONSERVATION FUND (LWCF) GRANT** – The Board authorized the Office of Community Development to apply for the FDEP LWCF Grant.
  4. **PERMISSION TO ACCEPT THE FLORIDA DEPARTMENT OF TRANSPORTATION (FDOT) LOCAL AGENCY PROGRAM (LAP) GRANT AGREEMENT – AMENDMENT #1 FOR THE HIGH MEADOW AVENUE RESURFACING & BIKE LANES PROJECT** – The Board authorized the Chairman to execute the LAP Agreement Amendment #1 as well as any non-monetary grant related documents upon review and concurrence of the County Attorney's Office, adopted the Board Resolution, and adopted the Budget Resolution.
- RESOLUTION NOS. 19-1.15 and 19-1.16**



**DEPT-2 LEGISLATIVE INTENT FOR MARTIN COUNTY'S SEPTIC TO SEWER PROGRAM**

Martin County (County) has been developing a septic to sewer program for the past few years. Staff has devised a funding plan to accelerate the program into a ten-year completion goal. This will require the Board of County Commissioners (Board) to include in the County's Legislative Priorities a request to match the County's designated annual commitment as a 'programmatic request' rather than pursuing funding that is project specific.

Agenda Item: 19-0268

**ACTION TAKEN:** The Board approved the allocation in FY19, of \$4.0M toward the County's septic to sewer program as defined from within the Franchise Fee, Utility Revenues, and County General Revenue and approved the legislative request to include matching state funding for Martin County's septic to sewer program.

**DEPT-3 ADDITIONAL POSITIONS FOR FIRE RESCUE IN FY19**

The Fire Rescue Department (FRD) has evolved substantially over the past fifteen years. Through this evolution it has become apparent that to address current demands, there is a need for two additional positions to enhance administration of operations: Deputy Fire Chief and Fire Rescue Records Management Coordinator. The Fire Chief has been performing these tasks using existing personnel and contracted services. Converting these functions into two distinct positions is in the best interest of the organization and operations.

Agenda Item: 19-0222

**ACTION TAKEN:** The Board approved two additional positions in FY19 for Fire Rescue: Deputy Fire Rescue Chief and a Fire Rescue Records Management Coordinator.

**UTILITIES AND SOLID WASTE**

**DEPT-4 REQUEST FOR WATER AND SEWER EXTENSIONS TO SEVEN J'S INDUSTRIAL SUBDIVISION, MARTINGALE COMMONS PUD, THE COUNTY LANDFILL, AND THE SHERIFF'S SHOOTING RANGE PROPERTY**

The owners/owners' representatives from the Seven J's Industrial Subdivision and Martingale Commons PUD have requested that Martin County Utilities create a Municipal Service Benefit Unit (MSBU) to provide potable water and sanitary sewer lines to the parcels they own. The MSBU would include the survey, design, permitting, bidding, construction and CEI of the infrastructure improvements necessary to provide service to the parcels.

Agenda Item: 19-0218

**ACTION TAKEN:** The Board directed staff to continue with the MSBU process including initiating design of the infrastructure improvement; approved the CIP Sheet for the Western Utilities Assessment; approved a \$500,000 budget transfer from Utilities reserves for the Preliminary Design & Engineering; and directed staff to continue to pursue viable grant opportunities to reduce assessable project costs.

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

**ADJOURNED AT 2:18 PM**