



**BOARD OF COUNTY COMMISSIONERS**

**ACTION SUMMARY**

**JUNE 18, 2019 ~ 9:00AM**

**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  
**9:30 AM** Approve Modifications to the Investment Policy and Adopt a Resolution to Incorporate Changes Accordingly  
**1:30 PM** Discussion of Legal Defense Expenses that were Incurred by Commissioner Sarah Heard in Case No. 2017-MM-3744  
**5:05 PM** Public Comment

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

1. INVOCATION - Pastor Anil K. Singh, Trinity United Methodist Church of Jensen Beach
2. **PLEDGE OF ALLEGIANCE**
3. ADDITIONAL ITEMS – The Additional Items of CNST-14 and DEPT-5 were added to the Agenda.
4. APPROVAL OF AGENDA – The Agenda was approved with PHQJ-1 being continued to the July 30, 2019 meeting.
5. APPROVAL OF CONSENT AGENDA – The Consent Agenda was approved with CNST-4 being withdrawn.

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 the proclamations to the recipients.

Agenda Item: 19-0111

**ACTION TAKEN:** The Board presented proclamations declaring Parks and Recreation Month, Treasure Coast Waterway Cleanup Week, and Safety Awareness Month.

## **COMMENTS**

1. PUBLIC - PLEASE LIMIT COMMENTS TO THREE MINUTES.
2. COMMISSIONERS – The Board asked the County Administrator to ask the School Board about the pet friendly shelter being at the current School Board headquarters (since they are relocating soon).
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: 19-0425 Supplemental Memo (3 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 May 17, 2019 and May 31, 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: 19-0427

### **CNST-3 BOARD OF COUNTY COMMISSION MINUTES TO BE APPROVED**

The Board is asked to approve minutes from the June 4, 2019 Regular Board of County Commission meeting.

Agenda Item: 19-0483

### **CNST-4 VALUE ADJUSTMENT BOARD APPOINTMENT**

After solicitation of applicants, the Board is asked to make the necessary appointment to the Value Adjustment Board.

Agenda Item: 19-0269 (item withdrawn)

### **CNST-5 CONSTRUCTION INDUSTRY LICENSING BOARD APPOINTMENTS**

After solicitation of applicants, the Board is asked to make the necessary appointments to the Construction Industry Licensing Board.

Agenda Item: 19-0492

**RESOLUTION NO. 19-6.7**

**CNST-6 COMPREHENSIVE ECONOMIC DEVELOPMENT STRATEGY COMMITTEE APPOINTMENT**

The Board is asked to confirm Commissioner Jenkins' appointment to the Comprehensive Economic Development Strategy Committee.

Agenda Item: 19-0595

**CNST-7 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: 19-0428

**CNST-8 ADOPT PROCLAMATIONS TO BE PRESENTED ON JULY 30, 2019**

The Board is asked to adopt the following proclamations: congratulating Smokey Bear on his 75th birthday and declaring Purple Heart Day in Martin County, Florida.

Agenda Item: 19-0289

**CNST-9 APPROVE THE STATE HOUSING INITIATIVE PARTNERSHIP PROGRAM (SHIP) 15-16 REPORT AND TRANSMITTAL TO THE STATE**

This is a request for review and approval for submittal of SHIP 2015/2016 Final Close Out Report. The annual report for this program is ready for submission to the Florida Housing Finance Corporation (FHFC). Approval of the reports by the Board of County Commissioners (Board) is required for submission.

Agenda Item: 19-0303

**GROWTH MANAGEMENT**

**CNST-10 REQUEST RELEASE OF THE UNITY OF TITLE FOR MARTIN COMMERCE CENTER AT GRAN PARK WEST**

Martin Homes, Inc. is requesting the release of a Unity of Title for Martin Commerce Center at Gran Park West located at 3193 SE Gran Park Way in Port Salerno.

Agenda Item: 19-0533

**RESOLUTION NO. 19-6.7**

**PUBLIC WORKS**

**CNST-11 REQUEST THAT THE COUNTY GRANT A UTILITY EASEMENT TO FLORIDA POWER & LIGHT COMPANY (FPL) FOR ELECTRICAL SERVICE TO FEED THE NEW STUART JET CENTER WEST BUILDING AT WITHAMFIELD**

FPL has requested an easement for service to feed the new Stuart Jet Center West building at Witham Field.

Agenda Item: 19-0534

**RESOLUTION NO. 19-6.8**

**CNST-12 ACCEPTANCE OF A UTILITY EASEMENT FROM TED GLASRUD ASSOCIATES FL, LLC, FOR WATER AND FIRE SERVICES AND UTILITY RELATED EQUIPMENT WITHIN THE TREASURE COAST COMMERCE CENTER**

This is a request for the adoption of a Resolution accepting and approving a Utility Easement from Ted Glasrud Associates FL, LLC, a Florida limited liability company, for water and fire services and utility related equipment on Lots 14 and 15 to service property within the Treasure Coast Commerce Center, south of SW Blue Water Way and east of SW Jack James Drive.

Agenda Item: 19-0549

**RESOLUTION NO. 19-6.9**

**UTILITIES AND SOLID WASTE**

**CNST-13 INITIAL ASSESSMENT RESOLUTION FOR THE PALM LAKE PARK WATER MAIN MUNICIPAL SERVICE BENEFIT UNIT**

Board action is requested to adopt the initial assessment resolution for the Palm Lake Park Water Main Municipal Service Benefit Unit to allow installation of water lines.

Agenda Item: 19-0547

**RESOLUTION NO. 19-6.10**

**PARKS AND RECREATION**

**CNST-14 CONTRACT WITH EARLY LEARNING COALITION OF INDIAN RIVER, MARTIN AND OKEECHOBEE COUNTIES TO OFFER NO COST SUMMER CAMP TO ELIGIBLE FAMILIES**

The Early Learning Coalition of Indian River, Martin, and Okeechobee Counties (ELC) offers a program for reimbursement funding to providers who implement fee-based after school/summer programming. The ELC reimburses providers based on fees charged to the public for services. The ELC contracts with Martin County for the Jensen Beach Summer Camp at Langford Park located at 2369 NE Dixie Highway, Jensen Beach. The ELC provides a full reimbursement to Martin County for camp fees incurred by eligible families as determined by the ELC.

Agenda Item: 19-0547 [Additional Item](#)

## **PUBLIC HEARINGS**

### **PH-1 LEGISLATIVE PUBLIC HEARING TO CONSIDER TRANSMITTAL OF COMPREHENSIVE PLAN AMENDMENT (CPA) 19-3, MARTIN COUNTY FAIRGROUND UTILITIES, AND CPA 19-14 SANITARY SEWER SERVICES ELEMENT**

Application CPA 19-03, Fairgrounds Utilities Extension and CPA 19-14, Chapter 10, Sanitary Sewer Services Element. The combined text amendment proposes a text amendment to Chapter 4, Future Land Use Element; Chapter 10, Sanitary Sewer Services Element, and Chapter 11, Potable Water Service Element/10 Year Water Supply Facilities Work Plan to allow for the provision of water and sewer services to the future location of the Fairgrounds. It also proposes amended policies to improve consistency between Chapter 10, Sanitary Sewer Services Element and Chapter 11, Potable Water Service Element/10 Year Water Supply Facilities Work Plan. Other modifications include removing references to Indiantown.

Agenda Item: 19-0551 **Supplemental Memo**

**ACTION TAKEN:** The Board approved for transmittal to the Department of Economic Opportunity CPA 19-3, Martin County Fairgrounds Utilities and CPA 19-14, Chapter 10, Sanitary Sewer Services Element, including the revised parcel description as stated in the Supplemental Memo.

## **PUBLIC HEARING QUASI-JUDICIAL**

### **PHQJ-1 SUNRISE RESTAURANTS, LLC REZONING (C110-007)**

This is a request by Sunrise Restaurants, LLC for approval of an amendment to the county zoning atlas. A zoning district change from the R-3A Liberal Multiple-Family District to the LC Limited Commercial District, or the most appropriate zoning district, is requested for an approximate 2.29-acre parcel located at 4000 NE Indian River Drive, approximately 1,000 feet north of the intersection of NE Indian River Drive and NE Causeway Boulevard in Jensen Beach. Included is a request for a Certificate of Public Facilities Exemption.

Agenda Item: 19-0509

**ACTION TAKEN:** The Board continued this item to the July 30, 2019 meeting.

### **PHQJ-2 WEST STUART BUSINESS CENTER REQUEST FOR REVISED FINAL SITE PLAN APPROVAL**

West Stuart Business Center, LLC is requesting revised major final site plan approval for the development of a 91,924 square foot office and warehouse complex and the associated infrastructure on an approximate 8.5-acre parcel located in the Ellipse industrial park located between Interstate I-95 and Florida's Turnpike in Stuart. Included with this application is a request for a Certificate of Public Facilities Reservation and a request for a parking rate adjustment pursuant to Section 4.625 LDR.

Agenda Item: 19-0530

**RESOLUTION NO. 19-6.12**

**ACTION TAKEN:** The Board received and filed the Agenda Item and the associated staff report as Exhibit 1 and approved the revised major final site plan and the parking rate adjustment for the West Stuart Business Center.

**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: 19-0430 **Supplemental Memo (6 items)**

**ACTION TAKEN:**

1. PERMISSION TO APPLY FOR THE FLORIDA DEPARTMENT OF STATE HISTORICAL RESOURCES SPECIAL CATEGORY GRANT - The Board approved the Department of Administration's application to the Florida Department of State Division of Historical Resources Special Category Grant.
2. PERMISSION TO ACCEPT THE FLORIDA DEPARTMENT OF TRANSPORTATION (FDOT) PUBLIC TRANSPORTATION GRANT AGREEMENT – AMENDMENT #1 442005-1-94-01 FOR THE AIRPORT MAINTENANCE FACILITY AND EQUIPMENT STORAGE - The Board authorized the Chairman, and/or designee, to execute the FDOT PTGA Amendment #1 grant as well as any non-monetary grant related documents upon review and concurrence of the County Attorney's Office; adopted the Budget Resolution; and approved the Budget Transfer from Airport fund reserves for the match portion.  
RESOLUTION NO. 19-6.13
3. PERMISSION TO ACCEPT THE FLORIDA DEPARTMENT OF TRANSPORTATION (FDOT) PUBLIC TRANSPORTATION GRANT AGREEMENT 440113 FOR AIRPORT STORMWATER IMPROVEMENTS - The Board authorized the Chairman, and/or designee, to execute the FDOT PTGA grant 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. 19-6.14
4. PERMISSION TO ACCEPT THE DEPARTMENT OF ENVIRONMENTAL PROTECTION 319H GRANT FOR THE OLD PALM CITY RIPPLE ECO ART STORMWATER WATER QUALITY RETROFIT PROJECT - The Board authorized the Chairman and/or designee to execute the DEP agreement as well as any non-monetary grant related documents upon review and concurrence of the County Attorney's Office; adopted the Budget Resolution; and adopted the amended FY19 Old Palm City Ripple Project CIP Sheet.  
RESOLUTION NO. 19-6.15
5. PERMISSION TO ACCEPT THE FY 2019-2020 CHILDREN'S SERVICES COUNCIL OF MARTIN COUNTY, INC. GRANT FOR THE A.S./O.S. PROGRAM - The Board authorized the County Administrator or designee to execute the FY19-20 Children's Services Council grant agreement for the A.S./O.S. Programs 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. 19-6.16
6. BUDGET RESOLUTION TO ALLOCATE BOND PROCEEDS IN THE FY19 BUDGET – The Board approved the Budget Resolution.  
RESOLUTION NO. 19-6.17

**DEPT-2 APPROVE MODIFICATIONS TO THE INVESTMENT POLICY AND ADOPT A RESOLUTION TO INCORPORATE CHANGES ACCORDINGLY**

The Board of County Commissioners (Board) approved modifications to the Martin County (County) Investment Policy (Policy) on February 3, 2009. The Policy follows Florida Statutes which have been modified over the past ten years. The proposed Policy revisions are primarily focused on 'cleaning-up' language, providing for consistency and bringing the Policy up-to-date with current rules and regulations.

Agenda Item: 19-0538

**RESOLUTION NO. 19-6.11**

**ACTION TAKEN:** The Board approved the revisions to the Investment Policy and adopted the correlating resolution to approve the revised Policy.

**DEPT-3 APPROVE A CONTRACT WITH MS. SARAH WOODS FOR THE POSITION OF COUNTY ATTORNEY**

On May 21, 2019 the Board of County Commissioners (Board) directed the County Administrator to begin contract negotiations with Ms. Sarah Woods for the County Attorney position. A contract has been developed and is being presented to the Board for approval.

Agenda Item: 19-0566 **Supplemental Memo**

**ACTION TAKEN:** The Board approved the contract with Ms. Sarah Woods for the County Attorney position to begin employment on July 9, 2019 with Ms. Krista Storey returning to her prior position (salary and benefits) of Sr. County Attorney before being made Interim County Attorney.

**UTILITIES AND SOLID WASTE**

**DEPT-4 REQUEST FOR AUTHORIZATION TO NEGOTIATE RENEWAL AGREEMENT FOR SOLID WASTE MANAGEMENT SERVICES WITH OKEECHOBEE LANDFILL, INC. (OLI)**

Staff is requesting authorization to negotiate an eight (8) year renewal term with OLI for the hauling and disposal of Class I Municipal Solid Waste (MSW) from the Solid Waste Transfer Station to the Okeechobee Landfill.

Agenda Item: 19-0561

**ACTION TAKEN:** The Board authorized staff to enter into negotiations with OLI/WMI for a renewal term of eight years for the Agreement for Solid Waste Management Services; authorized the County Administrator to enter into a Memorandum of Understanding with OLI/WMI, subject to approval by the County Attorney, addressing the following issues: the County is not agreeing to extend/renew the existing Agreement under the existing terms; the MOU suspends the timeline for automatic renewal of the Agreement; and OLI/WMI will continue to accept and dispose of the County's solid waste under the terms of the existing Agreement until a) the negotiations are successfully concluded with OLI/WMI or b) the County selects another vendor and the vendor is prepared to receive the County's waste.



## **ADMINISTRATION**

### **DEPT-5 DISCUSSION OF LEGAL DEFENSE EXPENSES THAT WERE INCURRED BY COMMISSIONER SARAH HEARD IN CASE NO. 2017-MM-3744**

Commissioner Sarah Heard faced criminal charges for alleged violations of Florida's public records laws in connection with the performance of her duties as a County Commissioner. Commissioner Heard was acquitted of all charges on April 12, 2019. Commissioner Heard has requested an item for the Board of County Commissioners to discuss reimbursement of her legal defense expenditures.

Agenda Item: 19-0589 Additional Item

ACTION TAKEN: The Board directed the Clerk of Court to proceed with the evaluation of Kibbey-Wagner's demand for payment of Commissioner Heard's legal fees and audit of the invoice submitted to determine the reasonable and necessary legal expenses.

## **DEPARTMENTAL QUASI-JUDICIAL GROWTH MANAGEMENT**

### **DPQJ-1 HUMANE SOCIETY OF THE TREASURE COAST SEPTIC SYSTEM WAIVER**

The Humane Society of the Treasure Coast, Inc is requesting approval of a waiver of Policy 10.2A.8.1 of the Comprehensive Growth Management Plan, which applies to on-site sewage treatment and disposal systems outside the primary urban service district that exceed a total site buildout flow of 2,000 gallons per day (GPD), not to exceed total site buildout of 5,000 GPD. The approximate 15.42-acre parcel is located on the west side of SW Leighton Farm Avenue approximately 2,700 feet south of SW Martin Highway in Palm City.

Agenda Item: 19-0539

**RESOLUTION NO. 19-6.18**

ACTION TAKEN: The Board received and filed the Agenda Item as Exhibit 1 and approved the waiver of the 2,000 GPD flow limitation, not to exceed total site buildout of 5,000 GPD.

### **DPQJ-2 HINCKLEY YACHTS REQUEST FOR TEMPORARY CERTIFICATE OF OCCUPANCY**

Pursuant to Section 10.1.C.3.b., LDR, Hinckley Yachts is requesting a temporary certificate of occupancy for its boat storage building prior to completing all of the required site improvements.

Agenda Item: 19-0546

ACTION TAKEN: The Board approved the applicant's request for a temporary certificate of occupancy based upon the proposed Contract for Construction of Required Improvements for Hinckley Yachts and letter of credit reflecting the Engineer's cost estimate for 110 percent of the cost of completing the improvements as approved by the Public Works Department.

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

## **ADJOURNED AT 3:56 PM**

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