



## BOARD OF COUNTY COMMISSIONERS

### **ACTION SUMMARY** **MAY 19, 2020 ~ 9:00 AM**

**JOHN F. & RITA M. ARMSTRONG WING OF THE BLAKE LIBRARY**  
**2351 SE MONTEREY ROAD, STUART, FLORIDA 34996**

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#### **COUNTY COMMISSIONERS**

*Harold E. Jenkins II, Chairman*  
*Stacey Hetherington, Vice Chair*  
*Doug Smith*  
*Sarah Heard*  
*Edward V. Ciampi*

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

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To provide comments without attending the meeting due to COVID-19, email written comments to [BOCC-PublicComment@martin.fl.us](mailto:BOCC-PublicComment@martin.fl.us). Please include the item number you'd like to comment on in the email subject line. Comments received at this email address that are received prior to the conclusion of the public comment portion of the applicable matter will be read into the record at the public meeting.

#### **PRESETS**

9:05 AM - Public Comment  
5:05 PM - Public Comment

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

1. INVOCATION - Moment of Silence
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 APPROVAL OF CONSENT AGENDA – *The Consent Agenda was approved minus CNST-1 and CNST-9 was withdrawn at staff's request.*

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: 20-0586

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

## **COMMENTS**

1. PUBLIC - PLEASE LIMIT COMMENTS TO *THREE* MINUTES.
2. COMMISSIONERS:
  - The Board opened Hobe Sound Beach and removed the restriction for Martin County residents only effective tomorrow (May 20, 2020) which rescinds Emergency Order 20-08.
  - The Board approved the Interlocal Agreement with the Town of Jupiter Island regarding Beach Parking but changed “federal holidays” to “Town holidays”.
  - The Board directed the Parks Department to open the various skate parks.
  - The Board directed staff to send Tourism’s plan to allow short-term vacation rental reservations to the Governor for review and develop the ability to enforce the guidelines.
  - The Board reaffirmed that the County would follow the Governor’s direction on league athletic sports pending the Governor directing to re-open.
  - The Board asked staff to send a Chair to the Governor, DBPR, and our Delegation asking that bowling alleys be allowed to open.
  - The Board directed that the Special COVID-19 Friday meetings no longer be held on the weeks there is a Regular meeting.
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: 20-0527 **Supplemental Memorandum (1 item)**

#### **ACTION TAKEN:**

- A. **CONSULTANT’S COMPETITIVE NEGOTIATION ACT (CCNA) CONTRACT AMENDMENT THAT CUMULATIVELY INCREASES THE TOTAL CONTRACT AWARD VALUE BY 10% OR MORE**
  1. **WESTERN CORRIDOR WATER & SEWER MAIN EXTENSION DESIGN –**  
The Board approved Amendment #1 to the Contract with Holtz Consulting Engineers, Inc. in the amount of \$59,820.00 and authorized a budget transfer in the amount of \$59,820 from the Consolidated Utilities Fund Reserves to the project line 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 18, 2020 and May 1, 2020. 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: 20-0529

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

The Board is asked to approve minutes from the April 24, 2020 and May 1, 2020 COVID-19 Update Meetings.

Agenda Item: 20-0705

**CNST-4 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: 20-0534

**CNST-5 INTERLOCAL AGREEMENT FOR PROPERTY ASSESSED CLEAN ENERGY (PACE) PROGRAM AND ACCOMPANYING RESOLUTION**

The Board of County Commissioners (Board) is requested to enter into an Interlocal Agreement with Florida PACE Funding Agency for administration of a Property Assessed Clean Energy (PACE) program in the unincorporated areas of Martin County and adopt a Resolution authorizing such activity.

Agenda Item: 20-0654

**RESOLUTION NO. 20-5.9**

**BUILDING**

**CNST-6 REQUEST FOR FINE REDUCTION STIPULATION AND AGREED RECOMMENDED ORDER REGARDING THE CODE ENFORCEMENT CASE OF ERIC J AND SHERILL CERNIGLIA, CASE NO. ENF2019050432-01**

Pursuant to the provisions of Section 1.98B, 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 Eric J and Sherill Cerniglia.

Agenda Item: 20-0660

**CNST-7 REQUEST FOR FINE REDUCTION STIPULATION AND AGREED RECOMMENDED ORDER REGARDING THE CODE ENFORCEMENT CASE OF KEVIN M Klier, CASE NO. ENF2018070372**

Pursuant to the provisions of Section 1.98B, 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 Kevin M. Klier.

Agenda Item: 20-0662

**COUNTY ATTORNEY**

**CNST-8 APPOINTMENT OF MARTIN COUNTY REPRESENTATIVE FOR JUNE 4, 2020 PAL MAR WATER CONTROL DISTRICT ANNUAL LANDOWNERS' MEETING AND BOARD OF SUPERVISORS MEETING**

Commissioner Harold Jenkins is Martin County's designated representative on the Pal Mar Water Control District. The Annual Landowners' Meeting and Board of Supervisors Meeting is June 4, 2020. It is necessary for the Board of County Commissioners to update the Proxy to authorize Commissioner Jenkins to vote on June 4, 2020, to effectuate Board of County Commissioner direction.

Agenda Item: 20-0658

## **PUBLIC WORKS**

### **CNST-9 APPROVAL OF TEMPORARY RELIEF WAIVER OF REQUIRED MANDATORY RENT FEES ASSOCIATED WITH LEASES LOCATED ON COUNTY OWNED PROPERTY AFFECTED BY STATE MANDATED COVID-19 RESTRICTIONS ON BUSINESS OPERATIONS**

This is a request that the Board approve a temporary relief waiver of any mandatory rent related fees associated with leases with Martin County on County owned property due to state mandated restrictions on business operations due to the COVID-19 pandemic.

Agenda Item: 20-0667

ACTION TAKEN: The Board withdrew this item at staff's request.

### **CNST-10 REQUEST FOR FORMAL APPROVAL BY THE BOARD OF COUNTY COMMISSIONERS OF THE DISSOLUTION OF THE STUART 95 PLAZA PROPERTY OWNERS' ASSOCIATION**

On behalf of 41164 Jack James, LLC, Robert Raynes, Jr. has requested that the Board of County Commissioners (BCC) approve the dissolution of the Stuart 95 Plaza Property Owners' Association (Association). The Stuart 95 Plaza Planned Unit Development Zoning Agreement has expired, however, formal approval of the dissolution of the Association by the BCC is required by the Declaration of Covenants, Conditions, Easements and Restrictions of Stuart 95 Plaza, PUD.

Agenda Item: 20-0701

RESOLUTION NO. 20-5.10

## **UTILITIES AND SOLID WASTE**

### **CNST-11 INTERLOCAL AGREEMENT FOR THE NORTH SEWALL'S POINT FORCE MAIN EXTENSION PROJECT**

The Board of County Commissioners is requested to authorize execution of the Interlocal Agreement between Martin County and the Town of Sewall's Point for the North Sewall's Point Force Main Extension.

Agenda Item: 20-0691 **Supplemental Memorandum** RESOLUTION NO. 20-5.11

### **CNST-12 INTERLOCAL AGREEMENT FOR THE SOUTH SEWALL'S POINT DRAINAGE, RESURFACING, AND WATER MAIN PROJECT**

The Board of County Commissioners is requested to authorize execution of the Interlocal Agreement between Martin County and the Town of Sewall's Point for the South Sewall's Point drainage, resurfacing and water main replacement project.

Agenda Item: 20-0693

## **PUBLIC HEARINGS**

### **PH-1 PUBLIC HEARING FOR THE FEDERAL TRANSIT ADMINISTRATION (FTA) FY19 SECTION 5307 URBANIZED FORMULA FUNDING**

Martin County's Public Transit system is partially funded by a Federal Transit Administration (FTA) grant that must be applied for each year. The grant application requires Martin County Board of County Commissioners (BOCC) to conduct a public hearing that encourages public participation and opportunities for the community to comment on the Program of Projects for the filing of the FY 2019 Section 5307 Grant Application. Notice of this Public Hearing was published in *The Stuart News* on April 19, 2020.

Agenda Item: 20-0642

ACTION TAKEN: The Board authorized the County Administrator or designee to execute and file an FY19 Section 5307 Urbanized Area Formula Program Funds application on behalf of the Martin County Board of County Commissioners, with the Federal Transit Administration or Federal assistance authorized by U.S.C. 49, Chapter 53, Title 23, and other federal statutes authorizing a project administered by the Federal Transit Administration.

## **PUBLIC HEARING QUASI-JUDICIAL**

### **PHQJ-1 COVE/SALERNO PARTNERS, LLC (C140-006) REQUESTS APPROVAL OF REZONING TO PUD AND A PLANNED UNIT DEVELOPMENT ZONING AGREEMENT INCLUDING A MASTER SITE PLAN AND PHASING PLAN FOR THE SHOWCASE PUD PROJECT**

Cove/Salerno Partners, LLC has requested approval of a zoning district change from RE-1/2A Rural Estate District to Planned Unit Development District and a concurrent request for approval of the Showcase Planned Unit Development Zoning Agreement including a Master Site Plan and Phasing Plan on an approximate 47-acre undeveloped parcel that fronts SE Salerno Road to the north and SE Cove Road to the south just east of SW Kanner Highway.

Agenda Item: 20-0655 **Supplemental Memorandum**

ACTION TAKEN: The Board continued this item to the July 14, 2020 meeting at the applicant's request.

### **PHQJ-2 NNA KANSAS WEST, LLC REQUESTS APPROVAL OF REZONING TO LI, LIMITED INDUSTRIAL**

NNA Kansas West, LLC (K048-002) requests approval of a zoning district change from PUD-C, Commercial Planned Unit Development District and R-3A, Liberal Multi-Family District to LI, Limited Industrial District or the most appropriate zoning district for an approximate 11.54-acre parcel located on the southeast corner of the Florida Turnpike and SW Kanner Highway, also fronting SW Old Kansas Avenue.

Agenda Item: 20-0656

**RESOLUTION NO. 20-5.13**

ACTION TAKEN: The Board received and filed the Agenda Item Summary and all attachments for the record and approved the request to amend the Martin County Zoning Atlas to change the zoning districts on the subject property from PUD-C, Commercial Planned Unit Development District and R-3A, Liberal Multiple Family District to LI, Limited Industrial District, and adopted the Resolution of approval.

**PHQJ-3 MC320, LLC REQUEST FOR MAJOR FINAL SITE PLAN APPROVAL**

MC320, LLC requests approval of a Major Final Site Plan (M226-001) for the development of a sand mining operation resulting in the construction of an approximate 33-acre lake on an approximate 174-acre parcel. Included is a request for a Certificate of Public Facilities Reservation.

Agenda Item: 20-0664

**RESOLUTION NO. 20-5.14**

**ACTION TAKEN:** The Board received and filed the Agenda Item Summary and all attachments for the record and approved the request for major final site plan approval for the MC320 project.

**REQUESTS AND PRESENTATIONS**

**R&P-1 COMPREHENSIVE EVERGLADES RESTORATION PLAN (CERP) - LOXAHATCHEE RIVER WATERSHED RESTORATION PLAN (LRWRP)**

This presentation is to provide a summary of progress on the Loxahatchee River Watershed Restoration Plan. This is a completion of the May 5 BOCC meeting item that included presentations from the Army Corps and the Water Management District.

Agenda Item: 20-0703

**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: 20-0531 **Supplemental Memorandum (8 items)**

**ACTION TAKEN:**

1. **PERMISSION TO APPLY FOR FY19 FEDERAL TRANSIT ADMINISTRATION (FTA) SECTION 5339 BUS AND BUS FACILITIES FORMULA GRANT PROGRAM FUNDS** - The Board authorized the County Administrator or designee to apply for the FY19 FTA Section 5339 Bus and Bus Facilities Formula Grant Program Funds.
2. **PERMISSION TO APPLY FOR THE FY20 BUREAU OF JUSTICE ASSISTANCE (BJA) GRANT FOR THE MARTIN COUNTY ADULT DRUG COURT PROGRAM** - The Board authorized the Human Services Division to apply for the FY20 BJA grant for the Adult Drug Court Program.
3. **PERMISSION TO APPLY FOR FUNDING FROM THE FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION 2021 SECTION 319(H) NONPOINT SOURCE GRANT FUNDING** - The Board authorized the Utilities and Solid Waste Department to apply for the 319(h) Grants program funding and authorized the Utilities and Solid Waste Director to be the authorized representative to sign the grant application.
4. **PERMISSION TO APPLY FOR THE FY20 BUREAU OF JUSTICE ASSISTANCE CORONAVIRUS EMERGENCY SUPPLEMENTAL FUNDING PROGRAM SOLICITATION FY 2020 FORMULA GRANT SOLICITATION FOR THE MARTIN COUNTY SHERIFF'S OFFICE** - The Board authorized the Martin County Sheriff's



- Office to apply for the Bureau of Justice Assistance, Coronavirus Emergency Supplemental Funding Program Solicitation FY2020 Formula Grant Solicitation.
5. PERMISSION TO ACCEPT THE HELP AMERICAN VOTE ACT (HAVA) GRANT AWARD FOR FEDERAL ELECTIONS CYBERSECURITY - The Board accepted the grant award from the Florida Division of Elections and adopted the Budget Resolution. RESOLUTION NO. 20-5.15
  6. PERMISSION TO ACCEPT THE CRIMINAL JUSTICE MENTAL HEALTH SUBSTANCE ABUSE (CJMHS) REINVESTMENT GRANT - The Board authorized the Chairman and/or designee to execute the CJMHS Reinvestment Grant 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. 20-5.16
  7. PERMISSION TO ACCEPT THE COMMUNITY SERVICES BLOCK GRANT (CSBG) BUDGET ALLOCATION FOR FY20 – The Board adopted the Budget Resolution. RESOLUTION NO. 20-5.17
  8. PERMISSION TO ACCEPT THE EDWARD BYRNE MEMORIAL JUSTICE ASSISTANCE GRANT (JAG) - The Board authorized the Chairman and/or designee to execute the JAG Acceptance of Federal Funding Assistance 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. 20-5.18

**DEPT-2 CONTRACTS THAT MEET THE THRESHOLD FOR BOARD APPROVAL**

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Agenda Item: 20-0533 **Supplemental Memorandum (1 item)**

**ACTION TAKEN:**

- A. **CONTRACTS OVER \$1,000,000**
  1. **LAND PLANNING, LANDSCAPE ARCHITECTURAL & LANDSCAPE DESIGN**  
– The Board awarded the Contract to: Cardno, Inc., Cotleur & Hearing, GAI Consultants | Community Solutions Group (CSG), Lucido & Associates, and Michael Flaugh Landscape Architect.

## **PUBLIC WORKS**

### **DEPT-3 PERMISSION TO APPLY FOR AND ACCEPT THE FEDERAL TRANSIT ADMINISTRATION (FTA) 5307 URBANIZED AREA CARES ACT PROGRAM GRANT**

Martin County is a Designated Recipient of the Federal Transit Administration (FTA) and therefore eligible to apply for the Section 5307 Urbanized Area Coronavirus Aid, Relief, and Economic Security (CARES) funds that were made available on March 27, 2020. The CARES Act provides funding to support the transit industry response to COVID-19.

Agenda Item: 20-0670

**RESOLUTION NO. 20-5.12**

**ACTION TAKEN:** The Board authorized the County Administrator and/or designee to execute the grant 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.

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

### **DPQJ-1 REQUEST FOR APPROVAL OF HOBE SOUND RETAIL SUBDIVISION PLAT (M190-006)**

This is a request by Palmetto Hobe Sound - SE Federal Highway LLC, for approval of the Hobe Sound Retail plat, consistent with the approved final site plan for a two-lot commercial subdivision of approximately 3.15 acres with shared infrastructure consisting of upland preserve and shared access. The site is located on the east side of US-1 approximately 1,400 feet north of SE Bridge Road in Hobe Sound.

Agenda Item: 20-0666 **Supplemental Memorandum**

**ACTION TAKEN:** The Board received and filed the Agenda Item Summary and all attachments for the record and approved the Plat for Hobe Sound Retail Subdivision including the contract for construction of required improvements and infrastructure.

## **WORKSHOP**

### **WORK-1 REVIEW THE FISCAL YEAR 2021 TENTATIVE CAPITAL IMPROVEMENT PLAN (CIP)**

The draft Fiscal Year 2021 Capital Improvement Plan (CIP) will be presented for the Board's review.

Agenda Item: 20-0689 **Supplemental Memorandum**

**ACTION TAKEN:** The Board approved the Fiscal Year 2021 CIP with the following amendments:

- The Board directed staff to get final cost estimates from the architect, obtain bids, and return to the Board on how to finance the golf course club house and directed that \$305,000 go back in the CIP for the blue and gold cart paths.

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

## **ADJOURNED AT 4:03 PM**

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