



BOARD OF COUNTY COMMISSIONERS

ACTION SUMMARY

AUGUST 11, 2020 ~ 9:00 AM

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

COUNTY COMMISSIONERS

Harold E. Jenkins II, Chairman ~ via Zoom
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

PRESETS

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

CALL TO ORDER AT 9:03 AM

1. MOMENT OF SILENCE
2. PLEDGE OF ALLEGIANCE
3. ADDITIONAL ITEMS – The Additional Item of DEPT-5 was added to the Agenda.
4. APPROVAL OF AGENDA – The Agenda was approved with DEPT-3 being withdrawn from the Agenda and PHQJ-1 being continued to August 25, 2020.
5. APPROVAL OF CONSENT AGENDA – The Consent Agenda was approved minus CNST-6.

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 PLAQUE OF RECOGNITION AND APPRECIATION TO GLENN NORRIS UPON THE OCCASION OF HIS RETIREMENT FROM SERVICE WITH THE MARTIN COUNTY BOARD OF COUNTY COMMISSIONERS, MARTIN COUNTY FIRE RESCUE & TELECOMMUNICATIONS

Mr. Norris has completed 32 years of service with Martin County Board of County Commissioners and Martin County Fire Rescue.

Agenda Item: 20-0900

ACTION TAKEN: Glenn Norris was presented a plaque.

COMMENTS

1. PUBLIC - PLEASE LIMIT COMMENTS TO THREE MINUTES.
2. COMMISSIONERS – The Board requested staff to properly and legally advertise for a public hearing on August 25 regarding a County Ordinance for face masks.
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: 20-0673 Supplemental Memorandum (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 July 11, 2020 and July 24, 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: 20-0677

CNST-3 BOARD OF COUNTY COMMISSION MINUTES TO BE APPROVED

The Board is asked to approve minutes from the July 20, 2020 FY20/21 Budget Workshop meeting and the July 28, 2020 regular meeting.

Agenda Item: 20-0966

CNST-4 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 Resiliency and Energy District (FRED) 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: 20-0901

RESOLUTION NO. 20-8.1

BUILDING

CNST-5 REQUEST FOR FINE REDUCTION STIPULATION AND AGREED RECOMMENDED ORDER REGARDING THE CODE ENFORCEMENT CASE OF O'CONNOR ENTERPRISES OF SOUTH FL, LLC, CASE NO. ENF2019060314

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 Stipulation and Agreed Recommended Order regarding the Code Enforcement case of O'Connor Enterprises of South FL, LLC.

Agenda Item: 20-0908

PARKS AND RECREATION

CNST-6 SEASIDE CAFÉ STUART BEACH - AUTHORIZATION TO APPLY FOR A SPECIAL COUNTY COMMISSION LIQUOR LICENSE 4COPSCC

The Parks and Recreation Department is requesting approval to apply for a State of Florida 4COPSCC license to sell liquor for onsite consumption at Seaside Café in Stuart Beach located at 825 NE Ocean Boulevard; and to authorize the Chairman of the Martin County Board of County Commissioners (BOCC) to sign the license as required by the State of Florida.

Agenda Item: 20-0878

ACTION TAKEN: The Board authorized staff to apply for the 4COPSCC Special County Commission liquor license issued by the State of Florida for Seaside Café and authorized the Chairman to sign the application. The alcoholic beverage options will be brought back to the Board.

PUBLIC WORKS

CNST-7 ADOPTION OF A RESOLUTION APPROVING AND ACCEPTING A NON-EXCLUSIVE FLOW-THROUGH DRAINAGE AND ACCESS EASEMENT FROM 41164 JACK JAMES, LLC. (PROPERTY KNOWN AS "STUART 95 PLAZA") FOR ADDITIONAL NATURAL FLOWAGE AND DRAINAGE IN STUART

This is a request for the adoption of a Resolution accepting and approving a Non-Exclusive Flow-Through Drainage and Access Easement from Stuart 95 Plaza, for additional drainage flow through connection for Jack James Drive and Kanner Highway in Stuart.

Agenda Item: 20-0840

RESOLUTION NO. 20-8.2

UTILITIES AND SOLID WASTE

CNST-8 INITIAL ASSESSMENT RESOLUTION FOR THE GOLDEN GATE WASTEWATER MUNICIPAL SERVICE BENEFIT UNIT

Board action is requested to adopt the initial assessment resolution for the Golden Gate Wastewater Municipal Service Benefit Unit to allow installation of a vacuum assisted gravity wastewater collection system and associated vacuum pump station.

Agenda Item: 20-0890

RESOLUTION NO. 20-8.3

PUBLIC HEARINGS

PH-1 PUBLIC HEARING TO CONSIDER ADOPTION OF THE FINAL ASSESSMENT RESOLUTION FOR FISCAL YEAR 2021 SOLID WASTE ASSESSMENT AND CERTIFICATION OF THE SPECIAL ASSESSMENT ROLL TO THE TAX COLLECTOR

The Board of County Commissioners is required to adopt the Final Assessment Resolution for fiscal year 2021 (FY21) single-family solid waste assessment rates as set forth in Section 151.56, General Ordinances, Martin County Code and certify the special assessment roll to the Tax Collector as required by Section 151.57, General Ordinances, Martin County Code.

Agenda Item: 20-0918

RESOLUTION NO. 20-8.4

ACTION TAKEN: The Board received public comment, adopted the Final Assessment Resolution for the Solid Waste Municipal Service Benefit Unit, and certified and approved the Special Assessment Roll to the Tax Collector.

PH-2

PUBLIC HEARING TO CONSIDER ADOPTION OF ORDINANCE AMENDING SECTION 3.201.C, LDR, PROVIDING THAT AFTER DECLARATION OF LOCAL STATE OF EMERGENCY TEMPORARY USE OF RECREATIONAL VEHICLES FOR OCCUPANCY IS AUTHORIZED WHEN A DWELLING IS UNINHABITABLE

Amendment of Section 3.201.C, Accessory Uses by Zoning Districts, Land Development Regulations is proposed to address a need recognized within Emergency Order 20-14 (Hobe Heights Flooding). The draft ordinance proposes that after declaration of a local state of emergency, temporary use of recreational vehicles for occupancy is authorized when a dwelling on the property is uninhabitable. Emergency Order 20-14 temporarily suspended enforcement of Section 3.201.C.2.h which prohibits living in recreational vehicles. The proposed amendment is necessary in order to provide a solution which extends beyond the time permitted under Florida law for this emergency order and others in the future.

Agenda Item: 20-0950 Supplemental Memorandum **ORDINANCE NO. 1138**

ACTION TAKEN: The Board adopted the Ordinance amending Section 3.201.C, Land Development Regulation.

PUBLIC HEARING QUASI-JUDICIAL

PHQJ-1

REQUEST FOR APPROVAL OF HOBE SOUND PUBLIX FINAL SITE PLAN

Publix Super Markets, Inc. has requested approval of a major development final site plan to develop an approximately 29,637 square foot grocery store with a 1,400 square foot attached liquor store located at the northeast corner of SE Federal Highway and SE Osprey Street in Hobe Sound. Due to an issue with the applicant's required notices, the public hearing must be continued.

Agenda Item: 20-0956

ACTION TAKEN: The Board continued this item to the August 25, 2020 meeting at the applicant's request.

**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: 20-0681 Supplemental Memorandum (10 items)

ACTION TAKEN:

1. PERMISSION TO APPLY FOR FLORIDA INLAND NAVIGATION DISTRICT FOR DERELICT VESSEL REMOVAL FUNDING – The Board authorized staff to apply for funding from FIND for 75% of the costs up to \$30,000 to remove the nine derelict vessels.
2. PERMISSION TO APPLY FOR ALTERNATIVE WATER SUPPLY PROJECT FUNDING - The Board authorized the Utilities and Solid Waste Department to apply for the Alternative Water Supply project funding and authorized the Utilities and Solid Waste Director to be the authorized representative to sign the grant application and related documentation.
3. PERMISSION TO APPLY FOR THE FY 2020-2021 DIVISION OF LIBRARY AND INFORMATION SERVICES' FLORIDA CORONAVIRUS AID, RELIEF, AND

- ECONOMIC SECURITY (CARES) ACT GRANT FOR DOWNLOADABLE MAGAZINES AT THE LIBRARY - The Board authorized the Martin County Library System to apply for the FY2020-2021 DLIS Florida CARES Act grant to fund downloadable magazines and authorized the County Administrator to execute the Debarment, Direct Deposit Authorization, and Federal Funding Accountability and Transparency Act (FFATA) Reporting Form.
4. PERMISSION TO ACCEPT THE STATE OF FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION NF079 GRANT FOR THE RIPPLE STORMWATER WATER QUALITY RETROFIT, PHASE II - The Board authorized the Chairman to execute the FDEP 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. 20-8.7
 5. PERMISSION TO ACCEPT THE SMALL COUNTY OUTREACH PROGRAM (SCOP) GRANT FUNDING THROUGH THE FLORIDA DEPARTMENT OF TRANSPORTATION (FDOT) FOR THE MURPHY ROAD RESURFACING (FROM SW MAPP ROAD/SW MATHESON TO MARTIN COUNTY/ST. LUCIE COUNTYLINE) PROJECT (FM# 436378-1-54-01) - The Board authorized the Chairman to execute the SCOP agreement 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. 20-8.8 and 20-8.9
 6. PERMISSION TO ACCEPT THE FLORIDA DEPARTMENT OF TRANSPORTATION (FDOT) LOCAL AGENCY PROGRAM (LAP) AGREEMENT FOR THE DIXIE HIGHWAY (SE 6TH ST. TO SE 5TH ST)/FLORIDA STREET (SE JOHNSON AVE. TO SE DIXIE HWY) SIDEWALK EXTENSION PROJECT (FM# 441567-1-58-01) - The Board authorize the Chairman to execute the LAP agreement as well as any non-monetary grant related documents upon review and concurrence of the County Attorney's Office; authorized the Chairman to execute the Interlocal Agreement between Martin County and the City of Stuart; adopted the Board Resolution; and adopted the Budget Resolution. RESOLUTION NOS. 20-8.10 and 20-8.11
 7. PERMISSION TO ACCEPT THE STATE HOUSING INITIATIVES PARTNERSHIP (SHIP) CORONAVIRUS RELIEF FUNDS (CRF) - The Board authorized the Chairman to execute to sign any grant related documents, upon review and concurrence of the County Attorney's Office and adopted the Budget Resolution. RESOLUTION NO. 20-8.12
 8. APPROVE A BUDGET RESOLUTION FOR THE STATE FY20/21 TRANSPORTATION DISADVANTAGED PLANNING GRANT FOR THE MARTIN METROPOLITAN PLANNING ORGANIZATION (MPO) – The Board adopted the Budget Resolution for State FY20/21 funding allocation for the MPO. RESOLUTION NO. 20-8.13
 9. CONTRACT BETWEEN SENIOR RESOURCE ASSOCIATION AND THE MARTIN COUNTY BOARD OF COUNTY COMMISSIONERS TO PROVIDE 10% LOCAL MATCH TO THE TRANSPORTATION DISADVANTAGED TRIP AND EQUIPMENT GRANT – The Board approved the Agreement to provide the local match to the Senior Resource Association's TD Grant.
 10. COUNTY ATTORNEY'S OFFICE REQUEST FOR FUNDS FROM GENERAL FUND RESTRICTED RESERVES FOR HOBE SOUND RANCH, LTD. V. MARTIN COUNTY, CASE NO.: CASE NO. 2018-CA-000710 - The Board approved the

Budget Transfer to increase the budget and authorized the County Administrator or designee to approve this Budget Transfer in the amount of \$402,300.00 from General Fund Restricted Reserves for Contingencies.

DEPT-2 CONTRACTS THAT MEET THE THRESHOLD FOR BOARD APPROVAL

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Agenda Item: 20-0685 **Supplemental Memorandum (2 items)**

ACTION TAKEN:

A. CONTRACTS OVER \$1,000,000

1. **AIRPORT OPERATIONS CENTER AND AIRFIELD ELECTRICAL VAULT (RFB2020-3234)** – The Board awarded contract to Sisca Construction in the amount of \$3,330,000.00 (Base Bid + Alternate No. 1). Alternate No. 2 will not be awarded; and authorized the County Administrator or designee to execute any and all documents related to this request.

B. CONTRACT AMENDMENTS OVER 10% OF ORIGINAL CONTRACT VALUE

1. **MARTIN COUNTY GOLF COURSE RENOVATIONS (RFQ2019-3147)** – The Board approved Change Order #8 for XGD Systems, LLC in the amount of \$127,727.88 and authorized the County Administrator or designee to execute any and all documents related to this request.

BUILDING

DEPT-3 FINE REDUCTION REQUEST BY FOUNTAIN PROPERTY MANAGEMENT, INC. REGARDING CODE ENFORCEMENT CASE NO. 15-0095293

On behalf of Fountain Property Management, Inc., Michael Mortell requested a reduction of the \$39,997.00 in fines and costs which accrued in reference to Code Enforcement Case No. 15-0095293. On July 15, 2020 the Code Enforcement Magistrate (Magistrate) considered the request and staff's recommendation of a reduction to \$3,997.50. Mr. Mortell initially offered to pay a total of \$575.00. Pursuant to the Fine Reduction Request and Recommendation Against Reduction, the Magistrate recommended denial of the requested reduction to \$575.00. Pursuant to Section 1.98.B, General Ordinances, Martin County Code, the Board of County Commissioners shall vote on the recommendation of the Magistrate.

Agenda Item: 20-0921 **Supplemental Memorandum (request to withdraw)**

ACTION TAKEN: This item was withdrawn from the Agenda.

LIBRARY

DEPT-4 REQUEST ADOPTION OF MARTIN COUNTY LIBRARY SYSTEM 2021-2023 LONG RANGE SERVICES PLAN

The Library's current Long-Range Services Plan will expire on September 30, 2020. The new Long-Range Services Plan was developed to guide the staff of the Martin County Library System in the operations and programming of Library services from October 2020 to September 2023.

Agenda Item: 20-0758

ACTION TAKEN: The Board adopted the 2021-2023 Long Range Services Plan.

ADMINISTRATION

DEPT-5 UPDATE ON THE STATUS OF THE FAIRGROUNDS

On July 28, 2020 staff was asked to have an agenda item brought to the Board of County Commissioners (Board) with an update on the Fairgrounds at the next scheduled Board meeting.

Agenda Item: 20-0974 Additional Item

ACTION TAKEN: The Board heard the update.

DEPARTMENTAL QUASI-JUDICIAL

GROWTH MANAGEMENT

DPQJ-1 REQUEST FOR REVISED MASTER/FINAL SITE PLAN APPROVAL FOR THE RESERVE AT JENSEN BEACH (S185-012)

Jensen CAP Investments, LLC, requests approval for a revised master/final site plan for the development of 197 multi-family residential apartments on an approximate 23-acre site located on the east side of NE Savannah Road between NE Coy Senda and NE Business Park Place in Jensen Beach. Included is a request for a Certificate of Public Facilities Reservation.

Agenda Item: 20-0816

RESOLUTION NO. 20-8.5 and 20-8.6

ACTION TAKEN: The Board received and filed the Agenda Item and all attachments as an exhibit, approved the request for revised master/final site plan for the Reserve at Jensen Beach (correcting typos in Resolution), and approved a Budget Resolution and CIP Sheet accepting and committing the contribution plus the required transportation impact fees to fund the construction of a roundabout at the intersection of SE Savannah Road and NE Coy Senda.

PUBLIC - PLEASE LIMIT COMMENTS TO THREE MINUTES.

ADJOURNED AT 12:16 PM

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