



BOARD OF COUNTY COMMISSIONERS

ACTION SUMMARY
OCTOBER 27, 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
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
- 10:30 AM Public Hearing to Consider Adoption of an Ordinance Amending Article 6 Relating to Tobacco Products and Article 7 Relating to Electronic Nicotine Delivery Devices, Chapter 87, General Ordinances, Martin County Code
- 5:05 PM Public Comment

CALL TO ORDER AT 9:06 AM

1. INVOCATION - Pastor Dave Albers, Redeemer Lutheran Church
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.*
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 declaring Hospice and Palliative Care Month.

Agenda Item: 20-1142

ACTION TAKEN: *The Board presented a proclamation declaring Hospice and Palliative Care Month.*

COMMENTS

- 1. PUBLIC - PLEASE LIMIT COMMENTS TO THREE MINUTES.
- 2. COMMISSIONERS – The Board asked staff to send a Chair letter to the School Board and Superintendent asking them to engage with the community regarding the planning and design of the new Palm City and Jensen Beach Elementary Schools. The Board asked staff to send another Chair letter in support of the grant for Quit Doc.
- 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: 20-0731 Supplemental Memorandum (3 items)

ACTION TAKEN:

- A. CONSULTANT'S COMPETITIVE NEGOTIATION ACT (CCNA) CONTRACT AWARD
 - 1. MURPHY ROAD BRIDGE REPLACEMENT CONSTRUCTION ENGINEERING & INSPECTION (CEI) SERVICES (RFQ2020-3236) - The Board awarded the Contract to AE Engineering, Inc. in the amount of \$570,900.00 and authorized the County Administrator or designee to execute any and all documents related to this request.
- B. REQUEST TO INCREASE CONTINUING SERVICES CONTRACT NOT-TO-EXCEED VALUES
 - 1. FIRE RESCUE UNIFORMS (RFB2016-2860) - The Board approved a \$25,000 increase to the Contract NTE limit for RFB2016-2860: Fire Rescue Uniforms and authorized the County Administrator or designee to execute any and all documents related to this request.
 - 2. TREE TRIMMING (RFB2018-3046) – The Board approved a \$50,000 increase to the Contract NTE limit for RFB2018-3046: Tree Trimming and authorized the County Administrator or designee to execute any and all documents related to this request.

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 September 26, 2020 and October 9, 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: 21-0031

CNST-3 BOARD OF COUNTY COMMISSION MINUTES TO BE APPROVED

The Board is asked to approve minutes from the October 13, 2020 regular meeting.
Agenda Item: 21-0085

CNST-4 FY21 TREASURE COAST SPORTS COMMISSION CONTRACT

The Treasure Coast Sports Commission, Inc. (TCSC) is the official sports marketing arm of Martin County and their annual contract is being presented to the Board of County Commissioner (BOCC) for consideration. The Tourist Development Council (TDC) reviewed and approved this contract for consideration by the BOCC at the October 8, 2020 TDC meeting.
Agenda Item: 20-1114

CNST-5 ADOPT PROCLAMATIONS TO BE PRESENTED AT THE NOVEMBER 10, 2020 MEETING

The Board is asked to adopt the following proclamations: declaring Veterans Day and Alzheimer's Disease Awareness Month in Martin County, Florida.
Agenda Item: 20-1116

CNST-6 REQUEST APPROVAL OF RESOLUTION ACCEPTING TWO SIDEWALK EASEMENTS AND A WARRANTY DEED DONATING RIGHT-OF-WAY AS PART OF THE GOMEZ AFFORDABLE HOUSING PROJECT IN HOBE SOUND

This item is requesting approval of two Sidewalk Easements and a Warranty Deed donating property as right-of-way to the County as part of the Community Redevelopment Agency's funded and approved project in the Capital Improvement Plan, the Gomez Affordable Housing project in the Pettway Park Subdivision of Hobe Sound.

Agenda Item: 20-1003

[RESOLUTION NO. 20-10.11](#)

BUILDING

CNST-7 REQUEST FOR FINE REDUCTION STIPULATION AND AGREED RECOMMENDED ORDER REGARDING THE CODE ENFORCEMENT CASE OF HEMAJAY LLC CASE NUMBER 14-0080737

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 Hemajay LLC.

Agenda Item: 20-1134

CNST-8 REQUEST FOR FINE REDUCTION STIPULATION AND AGREED RECOMMENDED ORDER REGARDING THE CODE ENFORCEMENT CASE OF JENSEN BEACH MHP LLC CASE NUMBER ENF2019070447-01

Pursuant to the provisions of Section 1.98B, General Ordinances, 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 Jensen Beach MHP LLC.

Agenda Item: 20-1135

CNST-9 REQUEST FOR FINE REDUCTION STIPULATION AND AGREED RECOMMENDED ORDER REGARDING THE CODE ENFORCEMENT CASES OF WILLIAM HALL POWER JR: CASE NUMBER 11-0050384, 16-0101104 & ENF2018100201

Pursuant to the provisions of Section 1.98B, General Ordinances, 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 William Hall Power, Jr.

Agenda Item: 20-1136

PUBLIC WORKS

CNST-10 ACCEPTANCE OF A UTILITY EASEMENT FROM SEACOAST HOTELS, INC. FOR FIRE AND WATER SERVICE LOCATED ON THE SOUTHWEST AND SOUTHEAST CORNERS OF TRACT 1 ADJACENT TO FISCHER STREET IN STUART

This is a request for the adoption of a Resolution accepting and approving a Utility Easement from Seacoast Hotels, Inc., a Florida corporation, for fire and water service located on the southwest and southeast corners of Tract 1 adjacent to Fischer Street within the City of Stuart.

Agenda Item: 20-1042

[RESOLUTION NO. 20-10.12](#)

CNST-11 ADOPTION OF A RESOLUTION APPROVING AND ACCEPTING TWO EASEMENTS FROM THE BOARD OF TRUSTEES OF THE INTERNAL IMPROVEMENT TRUST FUND (STATE) FOR A WEIR DRAINAGE PROJECT FOR WARNER CREEK

This is a request for the adoption of a resolution approving and accepting two Easements from the State for access, construction, and maintenance of a weir project at Warner Creek, which will be within the Savannas Preserve State Park located off of NE Jensen Beach Boulevard north of Pinecrest Lakes Boulevard in Jensen Beach.

Agenda Item: 21-0020

[RESOLUTION NO. 20-10.13](#)

PUBLIC HEARINGS

PH-1 LEGISLATIVE PUBLIC HEARING TO CONSIDER ADOPTION OF COMPREHENSIVE PLAN AMENDMENT 19-28, GOLDEN GATE FUTURE LAND USE MAP

If adopted, this amendment will change the Medium Density Residential, High Density Residential, and General Commercial future land use designations within the Golden Gate CRA to CRA Center, CRA Neighborhood, Industrial, Recreational, or General Institutional future land use designations and will repeal the Golden Gate Mixed-Use Future Land Use Overlay. The Industrial and Recreational future land use designations are retained on land that currently has one of those designations.

Agenda Item: 20-1120 **Supplemental Memorandum**

[ORDINANCE NO. 1146](#)

ACTION TAKEN: The Board approved adoption of CPA 19-28, Golden Gate FLUM.

PH-2 LEGISLATIVE PUBLIC HEARING TO CONSIDER ADOPTION OF COMPREHENSIVE PLAN AMENDMENT (CPA) 20-02, MARTINEZ COVE ROAD

This is a request for a small-scale amendment to the Future Land Use Map (FLUM) on a 2.38-acre parcel. The request would change the future land use designation from Rural Density Residential (up to 1 unit per 2 acres) to Residential Estate Density (up to 2 units per acre). The parcel is addressed at 1500 SE Cove Road and is located west of SE Grace Lane.

Agenda Item: 20-1141

ORDINANCE NO. 1148

ACTION TAKEN: The Board approved CPA 20-02, Martinez Cove Road, which assigns the Residential Estate Density (2 upa) future land use designation to the property.

PH-3 PUBLIC HEARING TO CONSIDER ADOPTION OF AN ORDINANCE AMENDING ARTICLE 6 RELATING TO TOBACCO PRODUCTS AND ARTICLE 7 RELATING TO ELECTRONIC NICOTINE DELIVERY DEVICES, CHAPTER 87, GENERAL ORDINANCES, MARTIN COUNTY CODE

On December 20, 2019, President Trump signed legislation to raise the federal minimum age for the purchase of tobacco products from 18 to 21. The proposed ordinance brings Martin County into compliance with existing federal law by raising the minimum age to purchase tobacco products to 21. The amendment also creates a Tobacco Distribution License (TDL) which all tobacco retailers will have to obtain in order to sell tobacco products within unincorporated Martin County. Retailers that violate the ordinance by selling to underaged persons will be penalized with a monetary fine and the suspension of their license.

Agenda Item: 20-1148

ACTION TAKEN: The Board asked staff to return by November 17, 2020 or as soon as possible with an ordinance for the minimum age to be 21 and older, work with the Sheriff's Office for a higher inspection rate, the penalties for violations affect everyone, and a license will only be necessary if that business doesn't have another licenses.

PH-4 LEGISLATIVE PUBLIC HEARING TO CONSIDER TRANSMITTAL OF COMPREHENSIVE PLAN AMENDMENT 19-6, KL WATERSIDE, LLC FLUM

An application for a Comprehensive Growth Management Plan (CGMP) Future Land Use Map amendment (FLUM) from Agricultural, Industrial and Marine Waterfront Commercial to Industrial and Agricultural within a 499.4-acre parcel.

Agenda Item: 21-0051

ACTION TAKEN: The Board approved transmittal of CPA 19-6 to the State Land Planning Agency and other state and regional reviewing agencies.

PH-5 LEGISLATIVE PUBLIC HEARING TO CONSIDER TRANSMITTAL OF COMPREHENSIVE PLAN AMENDMENT (CPA) 19-5, KL WATERSIDE, LLC, A TEXT AMENDMENT

This is a request for text amendments to Chapter 4, Future Land Use Element. The application also includes amendments to Figure 4-2 Urban Service Districts retracting the Primary Urban Service District (PUSD); creating a Freestanding Industrial Urban Service District; and changing Figures 11-1, Areas Currently Served by Regional Utilities and 11-2, Potential Service Areas. The changes to Figures 11-1 and 11-2 are considered text amendments to Chapter 11, Potable Water Services Element.

Agenda Item: 21-0052

ACTION TAKEN: The Board approved transmittal of CPA 19-5 to the State Land Planning Agency and other state and regional reviewing agencies giving staff the ability to edit the language regarding the warranty deed.

PH-6 REQUEST APPROVAL FOR A RESOLUTION TO INCLUDE NEIGHBORHOOD ENHANCEMENT PROJECTS IN EACH MARTIN COUNTY COMMUNITY REDEVELOPMENT AREA'S COMMUNITY REDEVELOPMENT PLAN

The Community Redevelopment Agency (CRA) is recommending an amendment to each of the six CRA area's Community Redevelopment Plans. This modification would add a Neighborhood Enhancement Project Sheet for construction of smaller capital improvements in each area.

Agenda Item: 21-0069

RESOLUTION NO. 20-10.15

ACTION TAKEN: The Board approved a Resolution to include Neighborhood Enhancement projects in each Community Redevelopment Area's Community Redevelopment Plan.

PUBLIC HEARINGS QUASI-JUDICIAL

PHQJ-1 PUBLIC HEARING TO CONSIDER AMENDMENT OF THE MARTIN COUNTY ZONING ATLAS TO CHANGE THE ZONING DISTRICT FOR CPA 20-02, MARTINEZ COVE ROAD

This amendment is a rezoning request to change the zoning from A-1 to RE-1/2A, Residential Estate District, on a 2.38-acre parcel, located at 1500 SE Cove Road, west of SE Grace Lane. The proposed rezoning is contingent upon the approval of CPA 20-02, a request to amend the future land use designation from Rural Density Residential to Residential Estate Density.

Agenda Item: 20-1145

RESOLUTION NO. 20-10.14

ACTION TAKEN: The Board received and filed the Agenda Item Summary and all attachments as an exhibit and amended the Martin County Zoning Atlas to change the zoning district on the subject 2.38 acres of land from A-1 to RE-1/2 A Zoning District.

PHQJ-2 SECOND PUBLIC HEARING TO CONSIDER ADOPTION OF AN ORDINANCE CREATING DIVISION 7, GOLDEN GATE COMMUNITY REDEVELOPMENT CODE, IN ARTICLE 12, LDR, AND AMENDING THE ZONING ATLAS

This is the second public hearing before the Board of County Commissioners on a proposed ordinance to amend the Land Development Regulations (LDRs) to create Article 12, Division 7, Golden Gate Community Redevelopment Code and repeal Section 3.267, Golden Gate Community Redevelopment Area, LDR. The proposed ordinance also amends the Zoning Atlas to assign the Golden Gate Redevelopment Zoning District and other zoning districts for consistency with the Future Land Use Map. Adopting the ordinance will implement Chapter 18, Community Redevelopment Element of the Comprehensive Growth Management Plan, the Golden Gate Redevelopment Plan, and CPA 19-27, Golden Gate Future Land Use Map.

Agenda Item: 20-1121 **Supplemental Memorandum** **ORDINANCE NO. 1147**

ACTION TAKEN: The Board received and filed the Agenda Item Summary and all attachments as an exhibit and adopted the Ordinance creating Division 7, Golden Gate Community Redevelopment Code, of Article 12, LDR; amending the Zoning Atlas to assign the Golden Gate Redevelopment Zoning District and other zoning districts; and repealed Section 3.267, Golden Gate Community Redevelopment Area, LDR.

**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: 20-0074 **Supplemental Memorandum (4 items)**

ACTION TAKEN:

1. **PERMISSION TO ACCEPT THE LOCAL AGENCY PROGRAM (LAP) GRANT FUNDING THROUGH THE FLORIDA DEPARTMENT OF TRANSPORTATION (FDOT) FOR THE RESURFACING OF ST. LUCIE BOULEVARD FROM INDIAN STREET TO E. OCEAN BOULEVARD PROJECT (FM# 48348-1-58-01) -** The Board authorized 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; adopted the Board Resolution; and adopted the Budget Resolution. **RESOLUTION NOS. 20-10.16 and 20-10.17**
2. **LAKE OKEECHOBEE SYSTEM OPERATIONS MANUAL (LOSOM) -** The Board authorized a Budget Transfer from General Fund Restricted Reserves in the amount of \$232,000 for LOSOM consultant contracts.
3. **BUDGET TRANSFER AND CIP MODIFICATION REQUEST FROM UTILITIES DEPARTMENT -** The Board approved a modification of the CIP sheet for the Water Main Assessments, as well the corresponding budget transfer.
4. **2021 FISCAL POLICY UPDATE –** The Board approved the updated FY21 Fiscal Policy.

DEPT-2 CONTRACTS THAT MEET THE THRESHOLD FOR BOARD APPROVAL \$1 MILLION OR GREATER

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: 20-0152 Supplemental Memorandum (3 items)

ACTION TAKEN:

A. CONTRACTS OVER \$1,000,000

1. OLD PALM CITY NEIGHBORHOOD RESTORATION (RFB2020-3252) – The Board awarded the contract to the lowest responsive and responsible bidder, Heavy Civil, Inc., in the amount of \$1,165,556.55 and authorized the County Administrator or designee to execute any and all documents related to this request.
2. CR-609 GUARDRAIL IMPROVEMENTS (RFB2020-3247) – The Board awarded the contract to the lowest responsive and responsible bidder, Ranger Construction, Inc., in the amount of \$2,691,183.65 and authorized the County Administrator or designee to execute any and all documents related to this request.
3. MURPHY ROAD BRIDGE REPLACEMENT (RFB2020-3246) - The Board awarded the contract to the lowest responsive and responsible bidder, Cone & Graham, Inc., in the amount of \$4,125,831.80 and authorized the County Administrator or designee to execute any and all documents related to this request.

PARKS AND RECREATION

DEPT-3 SAILFISH SANDS GOLF COURSE PRESENTATION

On August 11, 2020, the Board of County Commissioners (Board) requested staff return with an update on the golf course project including outlining change orders and current expenses to date.

Agenda Item: 20-1147

ACTION TAKEN: The Board authorized staff to seek an appropriate funding strategy to complete the bid process and construction of the 100% designed clubhouse and hitting bays not to exceed \$3,000,000.

DEPARTMENTAL QUASI-JUDICIAL

GROWTH MANAGEMENT

DPQJ-1 REQUEST APPROVAL OF THE FOURTH AMENDMENT TO THE OLD TRAIL PUD ZONING AGREEMENT (O037-002), INCLUDING A REVISED MASTER AND FINAL SITE PLAN AND PAMP

Jonathan's Landing Golf Club, Inc., requests approval of the Fourth Amendment to the Old Trail Planned Unit Development Zoning Agreement including a revised master and final site and a preserve area management plan. The existing golf course and 74 lot residential development is situated on an approximate 442-acre parcel. The site is located approximately 1 mile west of Florida's Turnpike and is accessed via Indiantown Road in Jupiter. Included with this application is a request for a Certificate of Public Facilities Exemption.

Agenda Item: 20-1104 **Supplemental Memorandum**

ACTION TAKEN: The Board received and filed the Agenda Item Summary and all attachments as an exhibit and approved the request for the Fourth Amendment to the Old Trail PUD Zoning Agreement including the revised master and final site plan and Preserve Area Management Plan.

DPQJ-2 REQUEST APPROVAL FOR OLD TRAIL PUD REPLAT NO. 1 (O037-003)

Jonathan's Landing Golf Club, Inc. requests approval of a replat of the Old Trail Planned Unit Development. The existing golf course and 74 lot residential development is situated on an approximate 442-acre parcel. The site is located approximately 1 mile west of Florida's Turnpike and is accessed via Indiantown Road in Jupiter. Included with this application is a request for a Certificate of Public Facilities Exemption.

Agenda Item: 20-1107

ACTION TAKEN: The Board received and filed the Agenda Item Summary and all attachments as an exhibit and approved the request for Old Trail PUD Replat No. 1.

PUBLIC - PLEASE LIMIT COMMENTS TO THREE MINUTES.

ADJOURNED AT 4:21 PM

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