



**BOARD OF COUNTY COMMISSIONERS**

**ACTION SUMMARY**

**JANUARY 12, 2021 ~ 9:00 AM**

**COMMISSION CHAMBERS**

**2401 SE MONTEREY ROAD, STUART, FLORIDA 34996**

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**COUNTY COMMISSIONERS**

*Stacey Hetherington, Chair  
Doug Smith, Vice Chairman  
Harold E. Jenkins II  
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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**PRESETS**

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

**CALL TO ORDER AT 9:03 AM**

1. INVOCATION - Pastor James L. Brocious, Stuart Alliance Church
2. PLEDGE OF ALLEGIANCE – Bob Yago, Hall Bryan VFW 10132
3. ADDITIONAL ITEMS – The Additional Items of DEPT-7 and DEPT-8 were added to the Agenda.
4. APPROVAL OF AGENDA – The Agenda was approved with R&P-1 being withdrawn from the Agenda.
5. APPROVAL OF CONSENT AGENDA – The Consent Agenda was approved minus CNST-1 and CNST-8.

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 asked for an Agenda Item regarding neighborhood speed limits and traffic calming.
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: 21-0179 **Supplemental Memorandum (2 items)**

**ACTION TAKEN:**

**A. CONTRACTS OVER \$500,000**

1. **CULPEPPER RANCH PHASE II BERM (RFB2021-3269)** – The Board awarded the contract to the lowest responsive and responsible bidder, Almazan Construction, in the amount of \$782,520.00 and authorized the County Administrator or designee to execute any and all documents related to this request.
2. **OLD PALM CITY RIPPLE STORMWATER PROJECT (CONSTRUCTION) (RFP2021-3277)** – The Board awarded the contract to XGD Systems, LLC, in the amount of \$983,106.95; approved the revised FY21 Old Palm City Ripple Eco Art Stormwater Project CIP sheet to recognize updated comprehensive construction and landscape contracts; 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 December 19, 2020 and December 25, 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: 21-0209

**CNST-3** **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: 21-0191

## **BUILDING**

### **CNST-4 REQUEST FOR FINE REDUCTION STIPULATION AND AGREED RECOMMENDED ORDER REGARDING THE CODE ENFORCEMENT CASE OF SHIRLEY WICKER CASE NUMBER 16-0107914**

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 Shirley Wicker.

Agenda Item: 21-0284

### **CNST-5 REQUEST FOR FINE REDUCTION STIPULATION AND AGREED RECOMMENDED ORDER REGARDING THE CODE ENFORCEMENT CASE OF ROBERT J. RATIGAN CASE NUMBER ENF2019030439-01**

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 Stipulation and Agreed Recommended order regarding the Code Enforcement case of Robert J. Ratigan.

Agenda Item: 21-0285

## **PUBLIC WORKS**

### **CNST-6 ADOPTION OF A RESOLUTION APPROVING AND ACCEPTING A WARRANTY DEED FOR THE DEDICATION OF RIGHT-OF-WAY ALONG SW MAPP ROAD ADJACENT TO THE OAKS IN PALM CITY FROM RALPH S. PARKS, AS SUCCESSOR TRUSTEE**

As a condition of approval of a Minor Final Site Plan for The Oaks, the Applicant is required to dedicate right-of-way necessary to make SW Mapp Road consistently 80 feet wide. Staff is requesting the adoption of a Resolution approving and accepting a Warranty Deed dedicating to Martin County the property necessary for right-of-way along SW Mapp Road adjacent to the former Loxahatchee Nursery of Stuart, now known as The Oaks.

Agenda Item: 21-0261

**RESOLUTION NO. 21-1.9**

### **CNST-7 ACCEPTANCE OF A UTILITY EASEMENT FROM MARK DEMBOSKI AND JUDY A. DEMBOSKI FOR WATER SERVICES AND MAINTENANCE OF CERTAIN UTILITY RELATED EQUIPMENT FOR THE EVERGREEN/ WINDSTONE WATER MAIN EXTENSION PROJECT**

This is a request for the adoption of a Resolution accepting and approving a Utility Easement from Mark Demboski and Judy A. Demboski for water services and maintenance of certain utility related equipment for the Evergreen/Windstone water main extension project.

Agenda Item: 21-0276

**RESOLUTION NO. 21-1.10**

**CNST-8 ADOPTION OF TWO RESOLUTIONS FOR PURCHASE OF A 5.4 ACRE PARCEL OF ENVIRONMENTAL LANDS ON KUBIN AVENUE, ADJACENT TO MAGGIE'S HAMMOCK PARK FROM BROADBILL DEVELOPMENT, LLC**

Request for the adoption of two Resolutions, one approving and accepting a Vacant Land Contract and Warranty Deed and the other a Resolution approving fund transfer for the purchase of a 5.4-acre parcel, adjacent to Maggie's Hammock, in Rocky Point from Broadbill Development, LLC for environmental lands with funding from District 4 MSTU.

Agenda Item: 21-0305

**RESOLUTION NOS. 21-1.11 and 21-1.12**

**ACTION TAKEN:** The Board adopted the Resolution accepting and approving the Vacant Land Contract and Warranty Deed for the purchase of the 5.4-acre parcel from Broadbill Development, LLC; adopted the Resolution approving the Inter-fund transfer from the Endowment Fund for Peck Lake Park and Twin Rivers Park to the District 4 MSTU Fund; and authorized the Chair to execute any and all documents necessary to complete this transaction.

**UTILITIES AND SOLID WASTE**

**CNST-9 RECLAIMED WATER AGREEMENT AMENDMENT TEMPLATE**

The Board of County Commissioners is requested to approve the Reclaimed Water Agreement Amendment Template and authorize the Director of the Utilities & Solid Waste Department, or his/her designee, to execute Reclaimed Water Agreement Amendments. Agenda Item: 21-0283

**PUBLIC HEARINGS**

**PH-1 PUBLIC HEARING FOR CONSIDERATION OF ADOPTION OF A RESOLUTION REVISING THE LIST OF COUNTY OWNED PROPERTY THAT IS APPROPRIATE FOR AFFORDABLE HOUSING AS REQUIRED BY SECTION 125.379, FLORIDA STATUTES**

This is a request for the adoption of a Resolution, at a public hearing, identifying real property to which Martin County holds fee simple title that may be appropriate for use as affordable housing.

Agenda Item: 21-0252

**RESOLUTION NO. 21-1.13**

**ACTION TAKEN:** The Board adopted the Resolution which identified there are no current county owned properties identified for affordable housing in accordance with Section 125.379, Florida Statutes and authorized the Chair to execute any and all documents necessary to complete this transaction.

**PH-2 LEGISLATIVE PUBLIC HEARING TO CONSIDER ADOPTION 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 and Chapter 11, Potable Water Services Element/10 Year Water Supply Facilities Work Plan. The application includes amendments to Figure 4-2 Urban Service Districts retracting the Primary Urban Service District and creating a Freestanding Industrial Urban Service District; and changing Figures 11-1, Areas Currently Served by Regional Utilities and 11-2, Potential Service Areas.

Agenda Item: 21-0272 **Supplemental Memorandum** **ORDINANCE NO. 1152**

**ACTION TAKEN:** The Board approved the Ordinance adopting CPA 19-5 amending the text of Chapter 4, Future Land Use Element and Chapter 11, Potable Water Services Element/10 Year Water Supply Facilities Work Plan.

**PH-3 LEGISLATIVE PUBLIC HEARING TO CONSIDER ADOPTION OF COMPREHENSIVE PLAN AMENDMENT 19-06, KL WATERSIDE, LLC, A FUTURE LAND USE MAP AMENDMENT**

This is an application for a Comprehensive Growth Management Plan Future Land Use Map amendment to change the existing future land use designation from Agricultural, Industrial and Marine Waterfront Commercial to Industrial and Agricultural for approximately 499.4 acres located south of SW 96th Street and west of Kanner Highway (SR 76).

Agenda Item: 21-0273 **ORDINANCE NO. 1153**

**ACTION TAKEN:** The Board approved the Ordinance adopting CPA 19-06, KL Waterside, LLC, noting that the last two pages of the Ordinance are not included (pages 284 and 285 of Final Packet).

**PUBLIC HEARINGS **QUASI-JUDICIAL****

**PHQJ-1 PUBLIC HEARING TO CONSIDER AMENDMENT TO THE MARTIN COUNTY ZONING ATLAS FOR THE PROPERTY WHICH IS THE SUBJECT OF COMPREHENSIVE PLAN AMENDMENT 19-6, KL WATERSIDE, LLC, FUTURE LAND USE MAP AMENDMENT**

This application is a request for a zoning district change on approximately 499.4 acres located south of SW 96th Street and west of Kanner Highway (SR 76). It is being considered concurrent with a proposed amendment to the Future Land Use Map (FLUM), CPA 19-6, KL Waterside. The request is to rezone portions of the property from WGC, (Waterfront General Commercial) and GI to AG-20A (Agricultural) and from A-2 (Agricultural) to LI, (Limited Industrial).

Agenda Item: 21-0274 **RESOLUTION NO. 21-1.14**

**ACTION TAKEN:** The Board received and filed the Agenda Item Summary and all attachment including the staff report for the record and amended the Martin County Zoning Atlas to change the zoning districts on the approximately 499.4 acres of land from WGC, (Waterfront General Commercial) and GI (General Industrial) to AG-20A (Agricultural) and from A-2 (Agricultural) to LI (Limited Industrial) as set forth in the Resolution noting that the last page of the Resolution not be included (page 351 of Final Packet).

**PHQJ-2 REQUEST FOR APPROVAL OF SEAWARD BOAT STORAGE FINAL SITE PLAN**

Genie Investment Company is requesting approval of a major development final site plan to develop an approximate 25,210 square foot stabilized boat storage area and associated infrastructure. The 0.91-acre undeveloped site is located on the east side of SE Dixie Highway at the intersection of SE Seaward Street and SE Dixie Highway in Port Salerno. Included in this application is a request for a Certificate of Public Facilities Reservation.

Agenda Item: 21-0282

**RESOLUTION NOS. 21-1.15 and 21-1.16**

**ACTION TAKEN:** The Board received and filed the Agenda Item Summary and all attachment including the staff report for the record; approved the final site plan; and approved the Resolution accepting a Warranty Deed dedicating 4-feet of right-of-way to accommodate the existing pedestrian sidewalk along SE Dixie Highway and a 25-foot corner clip at SE Dixie Highway at SE Seaward Street from Genie Investment Company, an Arizona corporation.

**REQUESTS AND PRESENTATIONS****R&P-1 PALMAR INFORMATIONAL PRESENTATION**

The purpose of this informational presentation is to provide a basic overview of the Pal Mar area. The presentation will discuss the environmental value, history and unique challenges that are facing Pal Mar. Over the next year County staff will be bringing forward a series of Board items focused on different aspects of the preservation and management of Pal Mar.

Agenda Item: 21-0286 **Supplemental Memorandum**

**ACTION TAKEN:** This item was withdrawn from the Agenda.

**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: 21-0188 **Supplemental Memorandum (3 items)**

**ACTION TAKEN:**

1. Permission to Accept the CDC Drug Free Communities (DFC) Grant (1 NH28CE003044-01-00) – The Board adopted the Budget Resolution. **RESOLUTION NO. 21-1.17**
2. Permission to Accept the Florida Division of Emergency Management Grant Marc Cache Sustainment - The Board authorized the Chair to execute the FDEM 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. 21-1.18**
3. **OTHER OMB ITEMS** - On January 5, 2021, the Board requested that funding be identified for the purposes of boat ramp permitting. The Office of Management and Budget requests the approval of a Budget Transfer from Countywide Capital Project Fund Reserves in the amount of \$200,000 for this request – The Board authorized a Budget Transfer from Countywide Capital Project Fund Reserves in the amount of \$200,000 for boat ramp permitting.



**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: 21-0184 Supplemental Memorandum (2 items)

**ACTION TAKEN:**

**A. CONTRACTS OVER \$1,000,000**

1. PARKS LANDSCAPE MAINTENANCE SERVICES (RFB2021-3270) – The Board awarded the contract to Kerner LLC (DBA Kerner Environmental) and authorized the County Administrator or designee to execute any and all documents related to this request.
2. SURVEYING & MAPPING SERVICES (RFQ2021-3271) – The Board awarded the contract to the following 12 firms:

Avirom & Associates  
Betsy Lindsay, Inc.  
Bowman Consulting  
Caulfield & Wheeler, Inc.  
Civilsurv Design Group, Inc.  
DRMP, Inc.

Engineering Design & Construction, Inc.  
Morgan & Eklund, Inc.  
Northstar Geomatics  
Survtech Solutions  
WGI, Inc.  
Woolpert, Inc.

The Board authorized the County Administrator or designee to execute any and all documents related to this request

**DEPT-3 2021 LEGISLATIVE PROGRAM, UPDATE, AND STRATEGY**

Each year, the Martin County Board of County Commissioners adopts a state legislative program that sets the appropriations and policy priorities for the county. This is an overview of the proposed priorities compiled through coordination with staff, commissioners, and community stakeholders. An update on the success of the legislative program will be provided and an overview of the strategy the county will take during this upcoming session will be discussed.

Agenda Item: 21-0291 Supplemental Memorandum

**ACTION TAKEN:** The Board adopted the 2021 Legislative Program; directed staff to send a Chair letter advocating for FY22 federal funding for the Comprehensive Everglades Restoration Plan (CERP) for both the Army Corps of Engineers and the incoming executive administration; directed staff to send a Chair thank you letter to the Florida Department of Emergency Management and the delegation for assisting with the expedited review of the Hazard Mitigation Grants the County has received for the Hobe Heights flooding; and directed staff to send a Chair letter regarding SB 62 with copies going to the Regional Planning Councils.

**UTILITIES AND SOLID WASTE**

**DEPT-4 SEPTIC TO SEWER PROGRAM UPDATE**

Staff is prepared to update the Board on the status of the Septic to Sewer Program.

Agenda Item: 21-0287 Supplemental Memorandum

**ACTION TAKEN:** The Board heard the update.

**DEPT-5 SECOND AMENDMENT TO SOLID WASTE FRANCHISE AGREEMENTS TO PROVIDE A SECOND SIX-MONTH EXTENSION**

Waste Management, Inc. Florida (WMIF) is the current contractor for the Solid Waste Franchise Agreements that provide for collection of solid waste and recyclables. The term of the Franchise Agreements was set to expire September 30, 2020. The County and WMIF amended the agreements to provide for a six-month extension, extending the expiration date to March 31, 2021. A second six-month extension will extend the expiration date to September 30, 2021 and provide adequate time for WMIF to purchase new collection vehicles and begin service under the new contract beginning October 1, 2021.

Agenda Item: 21-0289 **Supplemental Memorandum**

**ACTION TAKEN:** The Board authorized the Chair to execute the modified Second Amendment to Solid Waste Franchise Agreements to extend the term of the Franchise Agreements through September 30, 2021 as presented.

**DEPT-6 FRANCHISE AGREEMENT WITH WASTE MANAGEMENT, INC. OF FLORIDA (WMIF) FOR THE COLLECTION OF SOLID WASTE AND RECYCLABLE MATERIAL**

On November 18, 2019, the County issued a Request for Proposals (RFP) from qualified vendors that wish to collect solid waste and recyclable materials for the County pursuant to an exclusive franchise agreement. The deadline for delivering proposals was February 19, 2020. Proposals were received from FCC Environmental Services (FCC), Waste Management, Inc., of Florida (WMIF) and Waste Pro. Presentations were subsequently made to the selection committee by all three proposers via Zoom on August 26, 2020. The selection committee's rankings were presented for Board consideration on September 15, 2020. In accordance with the options set forth in the RFP, the Board rejected all proposals and directed staff to negotiate a Franchise Agreement with WMIF.

Agenda Item: 21-0290 **Supplemental Memorandum**

**ACTION TAKEN:** The Board authorized the Chair to execute the Franchise Agreement between the County and WMIF for goods and services as provided for within the Agreement.

**PUBLIC WORKS**

**DEPT-7 SIXTH AMENDMENT TO THE COMMERCIAL LEASE WITH TRIUMPH AEROSTRUCTURES, LLC, REMOVING 1.57 ACRES KNOWN AS PARCEL C AT MARTIN COUNTY AIRPORT/WITHAMFIELD**

This is a request for approval of a Sixth Amendment to the lease with Triumph Aerostructures, LLC, a Delaware limited liability company, for a partial turnback of approximately 1.57 acres of property known as Parcel C at Martin County Airport/Witham Field.

Agenda Item: 21-0270 **Additional Item**

**ACTION TAKEN:** The Board approved the Sixth Lease Amendment with Triumph Aerostructures, LLC, and authorized the Chair to execute any and all documents necessary to complete this transaction.



**DEPT-8 APPROVAL OF A SHORT-TERM LEASE AGREEMENT WITH PRECISION JET CENTER, LLC, FOR PARCEL C AT THE MARTIN COUNTY AIRPORT/ WITHAMFIELD**

This is a request for approval of a Short-Term Lease Agreement of Parcel C at the Martin County Airport/Witham Field between Martin County and Precision Jet Center, LLC, a Florida corporation.

Agenda Item: 21-0271 **Additional Item**

**ACTION TAKEN:** The Board approved the Short-Term Lease with Precision Jet Center, LLC and authorized the Vice Chair or appointee to execute any and all documents necessary to complete this transaction and to authorize the County Administrator to sign the extension should it be required by Precision.

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

**ADJOURNED AT 1:56 PM**

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