



BOARD OF COUNTY COMMISSIONERS

ACTION SUMMARY
APRIL 27, 2021 ~ 9:00 AM

COMMISSION CHAMBERS
2401 SE MONTEREY ROAD, STUART, FLORIDA 34996

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

PRESETS

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

CALL TO ORDER AT 9:06 AM

1. INVOCATION - **Reverend Anil K. Singh**, Trinity United Methodist Church of Jensen Beach
2. PLEDGE OF ALLEGIANCE
3. ADDITIONAL ITEMS – [The Additional Item of DPQJ-2 was added to the Agenda.](#)
4. APPROVAL OF AGENDA – [The Agenda was approved.](#)
5. APPROVAL OF CONSENT AGENDA – [The Consent Agenda was approved.](#)

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 Chair will present proclamations declaring May 2021 as the 20th Anniversary of Place of Hope Month and Historic Preservation Month in Martin County, Florida.

Agenda Item: 21-0595

[ACTION TAKEN: The Board presented proclamations declaring May 2021 as the 20th Anniversary of Place of Hope Month and Historic Preservation Month.](#)

COMMENTS

1. PUBLIC - PLEASE LIMIT COMMENTS TO THREE MINUTES.
2. COMMISSIONERS – The Board directed staff to send a Chair letter of support for the Loxa-Lucie Initiative. The Board directed the County Administrator to offer the Village of Indiantown an annual grant of \$300,000 for 5 years directed towards enhancement of fire rescue, delivery of water, fire flow from their utility.
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: 21-0386 (no 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 March 27, 2021 and April 9, 2021. 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: 21-0384

CNST-3 BOARD OF COUNTY COMMISSION MINUTES TO BE APPROVED

The Board is asked to approve minutes from the April 13, 2021 regular meeting.

Agenda Item: 21-0685

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: 21-0668

CNST-5 ADOPT PROCLAMATIONS TO BE PRESENTED AT THE MAY 11, 2021 MEETING

The Board is asked to adopt proclamations declaring Hurricane Preparedness Week, Mental Health Awareness Month, Apraxia Awareness Day, and celebrating the 30th Anniversary for The Salvation Army in Martin County, Florida.

Agenda Item: 21-0510

CNST-6 APPROVAL OF POLICY FOR INDIGENT HOSPITALIZATION ASSISTANCE

This is a request for review and approval of a policy to provide for the expenditure of funds from the County health care fund for the Indigent Hospitalization Assistance Program pursuant to and in compliance with Chapter 163, General Ordinances, Martin County Code.

Agenda Item: 21-0625

CNST-7 APPROVAL OF POLICY FOR THE FLORIDA HEALTH CARE RESPONSIBILITY ACT (HCRA)

This is a request for review and approval of a policy to provide for the expenditure of funds from the County health care fund for HCRA payments pursuant to and in compliance with Chapter 154, Part IV, ss. 154.30-15.331, Florida Statutes and Chapter 59H-1, Florida Administrative Code (Regulations).

Agenda Item: 21-0632

BUILDING

CNST-8 REQUEST FOR FINE REDUCTION STIPULATION AND AGREED RECOMMENDED ORDER REGARDING THE CODE ENFORCEMENT CASE OF PEGASUS I LLC CASE NUMBER ENF2019060137

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 Pegasus I LLC.

Agenda Item: 21-0633

CNST-9 REQUEST FOR FINE REDUCTION STIPULATION AND AGREED RECOMMENDED ORDER REGARDING THE CODE ENFORCEMENT CASE OF RAYMOND W. HOFFMAN CASE NUMBER ENF2019040699

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 Raymond W. Hoffman.

Agenda Item: 21-0615

COUNTY ATTORNEY

CNST-10 REQUEST FOR APPROVAL OF SETTLEMENT AGREEMENT AND RELEASE BETWEEN MARTIN COUNTY AND RIDDICK BAYRUNNER BOATS, INC., DOING BUSINESS AS CAROLINA OFFSHORE, AND SIDNEY WOOD RIDDICK, JR.

This agenda item concerns the approval of a settlement agreement between Martin County and Riddick Bayrunner Boats, Inc., doing business as Carolina Offshore, and Sidney Wood Riddick, Jr., who owns Riddick Bayrunner Boats, Inc., in connection with County's purchase of a boat and boat trailer.

Agenda Item: 21-0649

FIRE RESCUE

CNST-11 FIRST AMENDMENT TO EMERGENCY SERVICES AGREEMENT FOR MUTUAL ASSISTANCE AND AUTOMATIC AID BETWEEN PALM BEACH COUNTY AND MARTIN COUNTY

The Emergency Services Agreement for Mutual Assistance and Automatic Aid Between Palm Beach County and Martin County (Agreement) is being amended to comply with the training requirements of the Insurance Safety Office.

Agenda Item: 21-0642

PUBLIC HEARINGS

PH-1 PUBLIC HEARING TO CONSIDER ADOPTION OF AN ORDINANCE AMENDING ARTICLE 3, LAND DEVELOPMENT REGULATIONS REGARDING CENTERLINE SETBACKS

This is a public hearing to consider adoption of an ordinance amending Article 3, Land Development Regulations, Martin County Code regarding centerline setbacks to provide for an exemption from centerline setbacks for both public and private rights-of-way platted prior to April 29, 1986.

Agenda Item: 21-0629

ORDINANCE NO. 1156

ACTION TAKEN: The Board approved the Ordinance.

PH-2 PUBLIC HEARING TO CONSIDER ADOPTION OF AN ORDINANCE AMENDING CHAPTER 67, ARTICLE 13, NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM ORDINANCE, GENERAL ORDINANCES

The County is required by its National Pollutant Discharge Elimination System (NPDES) permit to prevent and abate pollution through the regulation and control of connections and discharges to the municipal separate storm sewer system. Pursuant to an audit performed by the Florida Department of Environmental Protection, revisions to the existing ordinance are required.

Agenda Item: 21-0640 **Supplemental Memorandum**

ORDINANCE NO. 1157

ACTION TAKEN: The Board approved the Ordinance.

PUBLIC HEARINGS QUASI-JUDICIAL

PHQJ-1 PULTE GROUP REQUESTS APPROVAL OF REZONING TO PLANNED UNIT DEVELOPMENT (PUD) THROUGH A PUD ZONING AGREEMENT INCLUDING A MASTER SITE PLAN AND PHASING PLAN FOR THE HIGHPOINTE PROJECT (C148-008)

This is a request for approval of a zoning district change from the current RE-2A, Rural Estate District to the Planned Unit Development (PUD) District through the Highpointe PUD Zoning Agreement including a master site plan and phasing plan with a Deferral of Public Facilities Reservation. The project is located on approximately 321 acres with an existing church development to be incorporated into the master plan. The site is located at 10205 SW Pratt Whitney Road adjacent to the Florida Turnpike and approximately 1 mile east of SW Kanner Highway in Stuart.

Agenda Item: 21-0628 Supplemental Memorandum RESOLUTION NO. 21-4.14

ACTION TAKEN: The Board received and filed the Agenda Item and all attachments as an exhibit and approved the request for the zoning district change from the RE-2A, Rural Estate District to the Planned Unit Development District through the Highpointe PUD zoning Agreement including the master site plan, phasing plan, and Preserve Area Management Plan. The approval includes changing language in the PUD Agreement - Temporary Signage from 5 signs to 2 signs and the \$25,000 donation to be used at the sole discretion of the Public Works Department Director rather than the County.

**PHQJ-2 REQUEST ABANDONMENT OF PORTIONS OF UNOPENED RIGHTS-OF-WAY
CONDITIONED UPON THE CONVEYANCE OF COMPARABLE RIGHT OF WAY
LYING WITHIN GOMEZ GRANT**

This is a request for the Board to consider an application for the abandonment of two portions of rights-of-way and a waiver of the required privilege fee in conjunction with the abandonment. The request includes conveying right-of-way in consideration for the privilege fee.

Agenda Item: 21-0601

RESOLUTION NO. 21-4.15

ACTION TAKEN:

1. The Board received and filed the Agenda Item Summary and all attachments for the record as an exhibit;
2. The Board adopted the Resolution abandoning portions of unopened platted rights-of-way, lying within Gomez Grant, as described in Exhibits "A" and "B", subject to the following conditions precedent:
 - a. conveyance of land described in Exhibit "C" to Martin County for right-of-way dedication;
 - b. proper publication of a Notice of Adoption of this Resolution;
3. The Board found the conveyance of the parcel to Martin County by the Petitioner as good cause and therefore agrees to waive the privilege fee;
4. The Board agrees to grant an exception to the requirement that the Petitioner receive the approval of a majority of electors participating in a referendum election, finding that the Petitioner has conveyed to the County comparable land for access to the same body of water as the lands being abandoned, said access is in such condition as not to work a hardship to the users thereof, and that the Board finds the distance between the conveyed land and abandoned lands reasonable; and
5. The Board authorized the Chair to execute all documents necessary to complete the transaction.

PHQJ-3 REQUEST ABANDONMENT OF A PORTION OF UNOPENED RIGHT-OF-WAY CONDITIONED UPON THE CONVEYANCE OF OTHER RIGHT-OF-WAY LYING WITHIN ST. LUCIE INLET FARMS

This is a request for the Board to consider an application for the abandonment of a portion of right-of-way and a waiver of the required privilege fee in conjunction with the abandonment. The request includes donated right-of-way, in consideration for the privilege fee.

Agenda Item: 21-0603

RESOLUTION NO. 21-4.16

ACTION TAKEN:

1. The Board received and filed the Agenda Item Summary and all attachments for the record as an exhibit;
2. The Board adopted the Resolution abandoning a portion of unopened right-of-way, described in Exhibit "A" and lying within St. Lucie Inlet Farms subject with the following conditions precedent:
 - a. conveyance of property described in Exhibit "B" to Martin County; and
 - b. proper publication of a Notice of Adoption of this Resolution;
3. The Board agreed to waive the privilege fee, finding good cause shown by the Petitioner by conveyance of the parcel to Martin County; and
4. The Board authorized the Chair to execute all documents necessary to complete this transaction.

**DEPARTMENTAL QUASI-JUDICIAL
GROWTH MANAGEMENT**

DPQJ-1 REQUEST FOR APPROVAL OF KANNER LAKE (FKA KANNER 5601) PLAT

This is a request by Kanner 5601, LLC, for approval of a plat, consistent with the approved final site plan of a residential development, consisting of sixty-five (65) residential lots and one (1) commercial parcel on approximately 26.02 acres. The subject site is located on the east side of South Kanner Highway approximately 4,800 feet north of SE Salerno Road in Stuart. Included in this application is a request for a certificate of adequate public facilities exemption.

Agenda Item: 21-0608

RESOLUTION NO. 21-4.17

ACTION TAKEN: The Board received and filed the Agenda Item and all attachments including the staff report as an exhibit; approved the Plat for Kanner Lake including the Contract for Construction of Required Improvements and Infrastructure; and approved the Resolution approving and accepting a Special Warranty Deed dedicating 10-feet of right-of-way to maintain the existing drainage canal along the northeast side of the property from Kanner 5601, LLC, a Florida limited liability company.

DPQJ-2 REQUEST PLAT APPROVAL FOR BANYAN BAY PUD, PHASE 2C (B082-041)

Banyan Bay Macks, LLC requests approval of the Banyan Bay PUD Phase 2C plat. Banyan Bay is an existing approximate 251-acre residential PUD located between SW Kanner Highway and the St. Lucie River in Stuart. Main access is provided at the signalized intersection at SW Kanner Highway and SE Pomeroy Street. Included is a request for a Certificate of Public Facilities Exemption.

Agenda Item: 21-0599 **Additional Item**

ACTION TAKEN: The Board received and filed the Agenda Item and all attachments including the staff report as an exhibit and approved the Plat for Banyan Bay Phase 2C including the Contract for Construction of Required Improvements and Infrastructure.

**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: 21-0388 **Supplemental Memorandum (7 items)**

ACTION TAKEN:

1. Permission to Apply for the FY2021-2022 American Rescue Plan: Humanities Organizations Grant for the Aging Population Outreach Program - The Board authorized the Library Department to apply for the FY21-22 American Rescue Plan grant for the aging population outreach program.
2. Permission to Apply for the Children's Services Council Martin County (CSCMC) 21-22 Healthy Children Funding Priority Area Grant – Staff withdrew this item.
3. Permission to Accept the Federal Aviation Administration (FAA) Grant Number 3-12-0076-025-2021 for Airports Coronavirus Response Grant Program (ACRGP) - The Board authorized the County Administrator, and/or designee, to execute the FAA 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. 21-4.18**
4. Permission to Accept for Small County Outreach Program (SCOP) Grant Funding Through the Florida Department of Transportation (FDOT) for the SE Salerno Road Resurfacing (from US-1/SR-5 to SE Commerce Avenue) Project (FM# 440242-1-54-01) - The Board authorized the Chair to execute the SCOP agreement as well as any non-monetary grant related documents upon review and concurrence of the County Attorney's Office and adopted the Board and Budget Resolutions. **RESOLUTION NOS. 21-4.19 and 21-4.20**
5. Permission to Accept for Small County Outreach Program (SCOP) Grant Funding Through the Florida Department of Transportation (FDOT) for the SE Salerno Road Resurfacing (from SR-76/Kanner Highway to SE Willoughby Boulevard) Project (FM# 440299-1-54-01) - The Board authorized the Chair to execute the SCOP agreement as well as any non-monetary grant related documents upon review and concurrence of the County Attorney's Office and adopted the Board and Budget Resolutions. **RESOLUTION NOS. 21-4.21 and 21-4.22**

6. Permission to Accept the Florida Department of State Division of Library and Information Services (State), State Aid to Libraries 2021 Grant Funds - The Board adopted the Budget Resolution. RESOLUTION NO. 21-4.23
7. Permission to Accept the Florida shared-use nonmotorized (SUN) trail network program agreement for financial project No. 443500-1-54-01 - The Board authorized the Martin Metropolitan Planning Organization to execute the Florida Shared-Use Nonmotorized Trail Network Program Agreement for Financial Project No. 443500-1-54-01 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. 21-4.24

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: 21-0390 **Supplemental Memorandum (2 items)**

ACTION TAKEN:

A. CONTRACTS OVER \$1,000,000

1. **GEOTECHNICAL ENGINEERING & QUALITY CONTROL SERVICES (RFQ2021-3300)** – The Board awarded the contract to the following four firms: Andersen Andre Consulting Engineers, Inc. (AACE); Ardaman & Associates, Inc.; GFA International, Inc. (GFA); and Terracon Consultants, Inc.; and authorized the County Administrator or designee to execute any and all documents related to this request.
2. **ENGINEERING SERVICES RELATED TO THE MARTIN COUNTY AIRPORT (WITHAM FIELD) (RFQ2021-3301)** – The Board awarded the contract to the following three firms: AVCON, Inc; GAI Consultants, Inc.; and Hoyle, Tanner & Associates, Inc.; and authorized the County Administrator or designee to execute any and all documents related to this request.

PUBLIC WORKS

DEPT-3 PAL-MAR 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.

Agenda Item: 21-0606

ACTION TAKEN: The Board heard the presentation. The Board directed staff to send a Chair letter to multiple agencies stressing importance of enforcement to protect the Pal-Mar properties from trespassers and prioritize acquisition, and staff will bring back an Agenda Item regarding funding and acquisition strategies.

PUBLIC - PLEASE LIMIT COMMENTS TO THREE MINUTES.

ADJOURNED AT 12:28 PM

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