



BOARD OF COUNTY COMMISSIONERS

ACTION SUMMARY

JUNE 21, 2022 ~ 9:00 AM

COMMISSION CHAMBERS

2401 SE MONTEREY ROAD, STUART, FLORIDA 34996

COUNTY COMMISSIONERS

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

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 9:00 AM

1. INVOCATION – **Father Christian Anderson**, St. Mary's Episcopal 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-8, CNST-9, and CNST-10.*

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 BRIGHTLINE WILL BE PROVIDING THE BOARD OF COUNTY COMMISSIONERS WITH A PRESENTATION

Commissioner Doug Smith, Chair of the Board of County Commissioners, requested a presentation from Brightline on their project status.

Agenda Item: 22-0892

ACTION TAKEN: *The Board heard the presentation.*

PROC-2 PRESENT A PROCLAMATION PREVIOUSLY APPROVED VIA THE CONSENT AGENDA

The Chairman will present the proclamation declaring July 2022 as Parks and Recreation Month in Martin County, Florida.

Agenda Item: 22-0834

ACTION TAKEN: The proclamation was presented.

PROC-3 PRESENT A TOKEN OF RECOGNITION AND APPRECIATION TO TARYN KRYZDA UPON THE OCCASION OF HER RETIREMENT FROM SERVICE WITH THE MARTIN COUNTY BOARD OF COUNTY COMMISSIONERS

Taryn Kryzda has been a Martin County employee for 35 years beginning in the Engineering Department in 1987.

Agenda Item: 22-0911

ACTION TAKEN: The Board and staff recognized Ms. Kryzda.

COMMENTS

1. PUBLIC - PLEASE LIMIT COMMENTS TO THREE MINUTES.
2. COMMISSIONERS – The Board directed staff to pursue grant applications for Cypress Creek and the Reach Center with matching funds set aside previously.
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: 22-0636 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 May 21, 2022 and June 3, 2022. 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: 22-0639

CNST-3 BOARD OF COUNTY COMMISSION MINUTES TO BE APPROVED

The Board is asked to approve minutes from the April 19, May 3, and May 17, 2022 regular meetings and acknowledge the Resolution Re-Adopting Resolution Number 21-12.22 to Correct Map and Legal Descriptions of County Commission District Boundaries and the Affidavit of Publication for May 13 and 20, 2022.

Agenda Item: 22-0807

CNST-4 MODIFY ELECTION PRECINCTS AT THE REQUEST OF THE MARTIN COUNTY SUPERVISOR OF ELECTIONS

The Supervisor of Elections periodically amends voting precincts for a variety of reasons such as polling location changes, population adjustments, voting trends, among others. Chapter 101.001 FS provides a requirement that the Board of County Commissioners approve changes to precinct creation and boundaries.

Agenda Item: 22-0949

CNST-5 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: 22-0641

CNST-6 BOARDS AND COMMITTEES STATUS REPORT

This quarterly Status Report is provided to keep the Commission apprised of all the current vacancies, expired terms, etc. on their various boards and committees.

Agenda Item: 22-0642

BUILDING

CNST-7 REQUEST FOR FINE REDUCTION STIPULATION AND AGREED RECOMMENDED ORDER REGARDING THE CODE ENFORCEMENT CASE OF MITCHELL ROBERT LANDIS CASE NUMBER 08-0021539

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 Mitchell Robert Landis.

Agenda Item: 22-0907

CNST-8 REQUEST FOR FINE REDUCTION STIPULATION AND AGREED RECOMMENDED ORDER REGARDING THE CODE ENFORCEMENT CASE OF ORJAN AHLSTROM CASE NUMBER 12-0065335

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 Orjan Ahlstrom.

Agenda Item: 22-0908

ACTION TAKEN: The Board accepted the Magistrate's recommendations that the lien on the property be reduced to \$2,677.50 and accept it as full payment.

CNST-9 REQUEST FOR FINE REDUCTION STIPULATION AND AGREED RECOMMENDED ORDER REGARDING THE CODE ENFORCEMENT CASE OF DAVID F. CULBERSON CASE NUMBER 15-0097167

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 David F. Culberson.

Agenda Item: 22-0909

ACTION TAKEN: The Board accepted the Magistrate's recommendations that the lien on the property be reduced to \$5,000.00 and accept it as full payment.

CNST-10 REQUEST FOR FINE REDUCTION STIPULATION AND AGREED RECOMMENDED ORDER REGARDING THE CODE ENFORCEMENT CASE OF ORJAN AHLSTROM CASE NUMBER 04-0012253

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 Orjan Ahlstrom.

Agenda Item: 22-0910

ACTION TAKEN: The Board accepted the Magistrate's recommendations that the lien on the property be reduced to \$555.50 and accept it as full payment.

PARKS AND RECREATION

CNST-11 APPROVAL OF A TRANSPORTATION SERVICES AGREEMENT BETWEEN THE MARTIN COUNTY BOARD OF COUNTY COMMISSIONERS AND THE SCHOOL BOARD OF MARTIN COUNTY

The Transportation Services Agreement (Agreement) with the School Board of Martin County (School Board) addresses the School Board's provision of school buses to Martin County for the transportation of after-school and summer camp participants to field trips, special events and other activities.

Agenda Item: 22-0875 **Supplemental Memorandum**

PUBLIC WORKS

CNST-12 APPROVAL AND ACCEPTANCE OF FIRST AMENDMENT TO OPTION TO LEASE WITH THE MARTIN COUNTY POLICE ATHLETIC LEAGUE, INC., EXTENDING THE TERM OF THE OPTION FOR CERTAIN COUNTY-OWNED REAL PROPERTY IN GOLDEN GATE

This request is for the approval of a First Amendment to Option to Lease between Martin County and Martin County Police Athletic League, Inc. (MCPAL), extending the term of the Option to Lease for two additional years. MCPAL's request for the two-year extension is due to COVID-19 related circumstances. The subject property is owned by Martin County and located in Golden Gate.

Agenda Item: 22-0864

CNST-13 APPROVAL AND ACCEPTANCE OF AN OFFICE LEASE FOR BUILDINGS 29 AND 30 AT THE MARTIN COUNTY AIRPORT TO LIBERATOR MEDICAL SUPPLY, INC.

This is a request for the approval and acceptance of an Office Lease for Buildings 29 and 30 at the Martin County Airport/Witham Field to Liberator Medical Supply, Inc. (Liberator).

Agenda Item: 22-0906

CNST-14 REQUEST APPROVAL OF THE LIST OF SPECIAL EVENTS REQUIRING ROAD CLOSURE(S) JULY 1ST, 2022 THROUGH JUNE 30TH, 2023

Staff requests that the Board of County Commissioners approve the list of Special Events Requiring Road Closure(s) from July 1st, 2022 through June 30th, 2023.

Agenda Item: 22-0914

CNST-15 AUTHORIZATION FOR MARTIN COUNTY REPRESENTATIVE TO VOTE FOR PAL-MAR WATER CONTROL DISTRICT SUPERVISOR(S) AT THE JUNE 27, 2022 ANNUAL LANDOWNERS' 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 27, 2022. Staff recommends that the Board of County Commissioners update the Proxy authorizing Commissioner Jenkins to vote on June 27, 2022, to effectuate Board of County Commissioners' direction.

Agenda Item: 22-0973

BOARD AND COMMITTEE APPOINTMENTS

B&C-1 VALUE ADJUSTMENT BOARD APPOINTMENT

After solicitation of applicants, the Board is asked to make the necessary appointment to the Value Adjustment Board.

Agenda Item: 22-0809

RESOLUTION NO. 22-6.12

ACTION TAKEN: The Board re-appointed Diane Castellucci to the Value Adjustment Board for a term to begin immediately and end when the 2022 Value Adjustment Board completes their functions and authorized the Chairman to sign the Resolution of Appointment.

PUBLIC HEARINGS

PH-1 CONSIDER A RESOLUTION AUTHORIZING THE ISSUANCE OF MARTIN COUNTY, FLORIDA REVENUE REFUNDING BONDS (FLORIDA POWER & LIGHT COMPANY PROJECT), SERIES 2022, (THE “SERIES 2022 BONDS”), IN THE AGGREGATE PRINCIPAL AMOUNT OF NOT EXCEEDING \$95,700,000

Florida Power & Light Company (“FPL”) requests that the County consider approval of the issuance of revenue refunding bonds, secured solely by loan repayments from FPL under a Loan Agreement with the County, in order to provide for the refinancing of outstanding pollution control revenue refunding bonds previously issued by the County to assist in the refinancing of pollution control facilities at FPL’s Martin Plant.

Agenda Item: 22-0938

RESOLUTION NO. 22-6.11

ACTION TAKEN: The Board approved the Resolution approving the issuance of the Bonds; approved the form of, as well as the execution and delivery of the Loan Agreement, the Underwriting Agreement, the Official Statement and the Trust Indenture; and authorize the Chairman to execute all of the documents as well as any necessary related documents.

PH-2 LEGISLATIVE PUBLIC HEARING TO CONSIDER ADOPTION OF COMPREHENSIVE PLAN AMENDMENT (CPA) 21-08 BECKER B14 TEXT

This is a request for an amendment to the text of Chapter 4, Future Land Use Element of the Comprehensive Growth Management Plan which, if approved, would create a new future land use designation, Rural Lifestyle.

Agenda Item: 22-0915

ACTION TAKEN: The Board tabled this item at the applicant’s request.

PH-3 LEGISLATIVE PUBLIC HEARING TO CONSIDER ADOPTION OF COMPREHENSIVE PLAN AMENDMENT (CPA) 21-09 BECKER B14 FLUM

This is a request for an amendment to the Future Land Use Map (FLUM) on 1,493.91 acres. If approved, the request would change the future land use designation from Agricultural (up to one unit per 20 acres) to Rural Lifestyle (up to one unit per 5 acres). The parcel is located north of SE Bridge Road and approximately one mile east of Interstate 95.

Agenda Item: 22-0917

ACTION TAKEN: The Board tabled this item at the applicant’s request.

PUBLIC HEARING **QUASI-JUDICIAL**

PHQJ-1 REQUEST REZONING APPROVAL TO PLANNED UNIT DEVELOPMENT (PUD) THROUGH A PUD AGREEMENT INCLUDING A MASTER SITE PLAN FOR THE DISCOVERY PROJECT (H123-022)

This is a request for approval of the Discovery Planned Unit Development (PUD) Zoning Agreement and Master Site Plan (H123-022). Becker B-14 Grove, Ltd and Hobe Sound Equestrian LLC request approval of a rezoning from AG-20A and RE-2A to PUD including a master site plan for the development of 317 residential lots, an 18 hole golf course, golf and recreation club and polo facilities and the associated infrastructure on an approximate 1,531 acre parcel. Included is a request for a deferral of Public Facilities Reservation.

Agenda Item: 22-0953 **Supplemental Memorandum**

ACTION TAKEN: The Board tabled this item at the applicant's request.

PUBLIC HEARING

PH-4 COMPREHENSIVE PLAN AMENDMENT (CPA) 22-01, WILLIS CUSTOM YACHTS

This is a request for a small-scale amendment to the Future Land Use Map (FLUM). If approved, the request would assign the Marine Waterfront Commercial Future Land Use designation to abandoned rights of way on ±2.065 acres within a ±66.2-acre parcel located on the north and south sides of the St. Lucie Canal and accessed from SW Jack James Drive and SW Swallowtail Way.

Agenda Item: 22-0913

ORDINANCE NO. 1183

ACTION TAKEN: The Board approved the Ordinance adopting CPA 22-01, Willis Custom Yachts FLUM which assigns the Marine Waterfront Commercial future land use designation.

PUBLIC HEARING **QUASI-JUDICIAL**

PHQJ-2 PUBLIC HEARING TO CONSIDER AMENDMENT OF THE MARTIN COUNTY ZONING ATLAS TO CHANGE THE ZONING DISTRICT CLASSIFICATION RELATED TO COMPREHENSIVE PLAN AMENDMENT (CPA) 22-01, WILLIS CUSTOM YACHTS

Willis Custom Yachts submitted an application to assign the WGC, Waterfront General Commercial zoning district classification to 2.065 acres of undesignated abandoned right of way located on the north and south side of the St. Lucie Canal and accessed from SW Jack James Drive and SW Swallowtail Way, and to rezone from the LI, Limited Industrial District to the GI, General Industrial District, a ±6.85-acre portion of the 66.2-acre parcel located at the intersection of SW Blue Water Way and SW Jack James Drive.

Agenda Item: 22-0916

RESOLUTION NO. 22-6.13

ACTION TAKEN: The Board received and filed the Agenda Item Summary and all its attachments including the staff report as an exhibit and amended the Martin County Zoning Atlas to change the zoning district classification on 2.065 acres from undesignated to WGC, Waterfront General Commercial and from LI, Limited Industrial to GI, General Industrial on 6.85 acres.

**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: 22-0644 Supplemental Memorandum (4 items)

ACTION TAKEN:

1. PERMISSION TO APPLY FOR THE FY2023 MOSQUITO CONTROL GRANT FROM THE STATE OF FLORIDA, DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES - The Board authorized the Public Works Department's Mosquito Control Division to apply for grant funding for the purpose of Arthropod Control in Martin County and authorized the Chairman or designee to execute the FY23 Detailed Work Plan Budget – Arthropod Control.
2. PERMISSION TO ACCEPT LOCAL AGENCY PROGRAM (LAP) GRANT FUNDING THROUGH THE FLORIDA DEPARTMENT OF TRANSPORTATION (FDOT) FOR THE SE OCEAN BOULEVARD FROM WEST OF SE HOSPITAL AVENUE TO SE PALM BEACH ROAD SIDEWALK PROJECT (FM# 438346- 2-58-01) - The Board authorized the Chairman to execute the LAP Agreement as well as any non-monetary grant related documents upon review and concurrence by the County Attorney's Office; adopted the Board Resolution to accept the LAP Agreement; and adopted the Budget Resolution to approve the budget. RESOLUTION NOS. 22-6.14 and 22-6.15
3. BUDGET RESOLUTION TO INCREASE THE SUBSTANCE ABUSE TREATMENT ASSIST GENERAL FUND – The Board adopted the Budget Resolution. RESOLUTION NO. 22-6.16
4. CIP Revisions to amend Martin County/Indian River Lagoon Sea Grass Restoration – The Board approved the amended CIP Sheets for FY22.

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: 22-0647 Supplemental Memorandum (2 items)

ACTION TAKEN:

- A. CONTRACTS OVER \$1,000,000
 1. HOBE HILLS NEIGHBORHOOD RESTORATION (RFB2022-3408) – The Board awarded the contract to the lowest responsive and responsible bidder, Loren Jock Trucking, Inc., in the amount of \$1,021,129.00; approved the CIP revision to update the funding source to ARPA Infrastructure; and authorized the County Administrator or designee to execute any and all documents related to this request.

B. CONSULTANT'S COMPETITIVE NEGOTIATION ACT (CCNA) CONTRACT AWARD

1. **CONSTRUCTION ENGINEERING SERVICES FOR THE OLD PALM CITY VACUUM SEWER SYSTEM & WATER MAIN PROJECT (RE-BID) (RFQ2022-3394)** – The Board awarded the contract to Giffels-Webster Engineers, Inc. (GWE), in the amount of \$1,358,372.50 and authorized the County Administrator or designee to execute any and all documents related to this request.

DEPT-3 BOARDS AND COMMITTEES WITH ATTENDANCE REQUIREMENTS

On April 19, 2022 the Board of County Commissioners (BCC) requested that staff report back on the various boards and committees that have attendance requirements. Staff has assembled a list of all the boards and committees that have an attendance requirement for the BCC to provide direction.

Agenda Item: 22-0866

ACTION TAKEN: The Assistant County Administrator will return with a policy for the Board's approval.

PUBLIC WORKS

DEPT-4 FINAL APPROVAL OF A CONTRACT TO PURCHASE AND SELL REAL ESTATE BETWEEN MARTIN COUNTY AND KL WATERSIDE LLC AND ADOPTION OF A RESOLUTION ACCEPTING AND APPROVING A WARRANTY DEED FOR RELOCATION OF COUNTY OPERATIONS AND MAINTENANCE FACILITIES

This is a request for final approval by the Board of County Commissioners (Board) of a Contract to Purchase and Sell Real Estate (Contract) between Martin County (County) and KL Waterside LLC (KL), along with the adoption of a resolution upon approval, accepting and approving a Warranty Deed, all related to the County's acquisition of a 29.803-acre parcel off of SW Kanner Highway, which will be used for the relocation of County operations facilities.

Agenda Item: 22-0900 **Supplemental Memorandum** **RESOLUTION NO. 22-6.17**

ACTION TAKEN: The Board approved the Contract to Purchase and Sell Real Estate, along with the First, Second, and Third Amendments, for purchase of the 29.803-acre parcel, with approval of the proposed construction of SW Waterside Way, located on the west side of SW Kanner Highway and south of SW 96th Street; adopted a Resolution approving and accepting the Warranty Deed and authorized the Chairman to execute any and all documents necessary to complete this transaction; and adopted the draft CIP sheet for the construction of SW Waterside Way.

**DEPT-5 COMMUNITY TRANSPORTATION COORDINATOR/TRANSPORTATION
DISADVANTAGED PROGRAM UPDATE**

The Transportation Disadvantaged (TD) program is administered through our Metropolitan Planning Organization (MPO) and provides transportation services to some of our most vulnerable citizens. Senior Resource Associates has been our contracted Community Transportation Coordinator (CTC) since 2018, and will present an overview of the current program, as well as a request to increase grant match funding to allow them to pursue Innovative Service Development (ISD) grants that will become available later this year, or to overmatch the State grant funds with local funds.

Agenda Item: 22-0905

ACTION TAKEN: The Board approved Scenario #3 and this will be re-visited in six months.

PUBLIC - PLEASE LIMIT COMMENTS TO THREE MINUTES.

ADJOURNED AT 3:16 PM

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