

**MARTIN COUNTY, FLORIDA  
SUPPLEMENTAL MEMORANDUM**

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**TO:** Honorable Members of the Board of County Commissioners      **DATE:** August 4, 2020

**VIA:** Taryn Kryzda  
County Administrator

**FROM:** Jennifer Manning  
Director of the Office of Management & Budget

**REF:** 20-0681  
**SUBJECT: OFFICE OF MANAGEMENT AND BUDGET ITEMS WHICH REQUIRE  
BOARD APPROVAL**

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**PERMISSION TO APPLY**

1. **PERMISSION TO APPLY FOR FLORIDA INLAND NAVIGATION DISTRICT FOR DERELICT VESSEL  
REMOVAL FUNDING**

- **Requestor** – Building Department
- **Granting Agency** – Florida Inland Navigation District (FIND)
- **Project Description** – Nine vessels throughout the waterways of Martin County have been determined to be derelict. Martin County, through its derelict vessel program, hired a contractor to remove the vessels from the water and dispose of them. The FIND grant program may fund up to 75% of removal costs, with a total annual cap of \$30,000 per fiscal year per county.
- **Requested Grant Award** – \$30,000
- **Budgetary Impact** – The grant match of \$11,645 is available in the County's derelict vessel removal program and has already been expended for these vessels.
- **Annual Operating Cost** – This is a one-time event.

**ALTERNATIVE ACTION:**

- **Programmatic Implication if not approved** – The derelict vessels will still need to be removed by the County.
- **Financial Fiscal impact if not approved** – Martin County will be responsible for 100% of the removal costs \$41,645.

**DOCUMENTS REQUIRING ACTION:**

- None at this time.

**RECOMMENDATION:**

- Move that the Board authorize 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**

- **Requestor** – Utilities and Solid Waste Department
- **Granting Agency** – South Florida Water Management District
- **Project Description** – This grant program is available to public utilities through legislative funding and can offer State match for a project involving construction of Tropical Farms Floridan Aquifer production wells 6 and 7 Raw Water Main Addition. This project is estimated to cost \$1,454,000. If awarded, this grant would reimburse Martin County Utilities for 50%, or \$727,000 of the total cost of this project.
- **Requested Grant Award** – \$ 727,000
- **Budgetary Impact** – Grant Match of \$727,000 is budgeted in the FY20 Utilities CIP Budget, Tropical Farms Water Treatment Plant project number 3000.
- **Annual Operating Cost** – None

**ALTERNATIVE ACTION:**

- **Programmatic Implication if not approved** – Without this funding source, 100% of this project's cost would have to come from Utilities CIP budget for the Tropical Farms Water Treatment Plant project number 3000.
- **Financial Fiscal impact if not approved** – the Utilities funds would cover 100% of the project cost.

**DOCUMENTS REQUIRING ACTION:**

- None at this time.

**RECOMMENDATION:**

- Move that the Board authorize the Utilities and Solid Waste Department to apply for the Alternative Water Supply project funding; and
- Move that the Board authorize 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**

- **Requestor** – Martin County Library System
- **Granting Agency** – DLIS Florida CARES Act grant program
- **Project Description** – The Library has quarantined it's print magazines to prevent the spread of COVID-19. If approved, this grant would fund online access to 25 magazines.
- **Requested Grant Award** – \$14,000
- **Budgetary Impact** – None
- **Annual Operating Cost** – Staff time to administer the grant.

**ALTERNATIVE ACTION:**

- **Programmatic Implication if not approved** – None
- **Financial Fiscal impact if not approved** – None

**DOCUMENTS REQUIRING ACTION:**

- Debarment
- Direct Deposit Authorization
- Federal Funding Accountability and Transparency Act (FFATA) Reporting

**RECOMMENDATION:**

- Move that the Board authorize the Martin County Library System to apply for the FY2020-2021 DLIS Florida CARES Act grant to fund downloadable magazines; and
- Move that the Board authorize the County Administrator to execute the Debarment, Direct Deposit Authorization, and Federal Funding Accountability and Transparency Act (FFATA) Reporting Form.

**REVIEWED BY COUNTY ATTORNEY'S OFFICE**

**PERMISSION TO ACCEPT**

**4. PERMISSION TO ACCEPT THE STATE OF FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION NF079 GRANT FOR THE RIPPLE STORMWATER WATER QUALITY RETROFIT, PHASE II**

- **Agreement/Contract drafted by** – State of Florida Department of Environmental Protection (FDEP).
- **Parties to the Agreement/Contract** – State of Florida Department of Environmental Protection (FDEP) and Martin County Board of County Commissioners.
- **Purpose of the Agreement/Contract** – Grant award of \$315,285 for funding the construction of the Ripple Eco Art Stormwater Quality Retrofit Project.
- **New/Renewal/Modified** – This is a new contract.
- **Duration**– Upon Execution through September 30, 2023.
- **Benefits to Martin County** – Enables the County to capture and treat runoff from an estimated 20.25-acre area in Old Palm City and provide water quality benefits by reducing nutrient loads to the St. Lucie Estuary, and assists the County in reaching our BMAP load requirements. This project will also help with flood control enhancing the neighborhood restoration program through Martin County Public Works Department and is collaborating with the Countywide Utilities program, septic to sewer program (Connect to Protect) through land use and design.
- **Cost to Martin County** – A grant match of \$97,000 is required, which is already budgeted in the Community Development capital project budget. Staff time to administer the grant.

**ALTERNATIVE ACTION:**

- **Programmatic Implication if not approved** – No reduction in nutrient loads to the St. Lucie Estuary. No additional gains in flood control.
- **Financial Fiscal impact if not approved** – None

**DOCUMENTS REQUIRING ACTION:**

- Grant Contract (4 copies)
- Budget Resolution

**RECOMMENDATION:**

- Move that the Board authorize 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
- Move that the Board adopt the Budget Resolution.

**REVIEWED BY COUNTY ATTORNEY'S OFFICE**

**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)**

- **Agreement/Contract drafted by** – State of Florida Department of Transportation (FDOT)
- **Parties to the Agreement/Contract** – FDOT and the Martin County Board of County Commissioners
- **Purpose of the Agreement/Contract** – To provide funding for this project up to \$681,569. The total estimated cost of the Project is \$ 908,759. The Murphy Road Resurfacing (from SW Mapp Road/SW Matheson Avenue to the Martin/St. Lucie Countyline) Project, along with drainage piping improvements, and pavement marking striping
- **New/Renewal/Modified** – New
- **Duration:** Martin County agrees to complete the Project on or before December 31, 2021 (date of Agreement expiration).
- **Benefits to Martin County** –To replace highly needed infrastructure and reduce maintenance. Policy 14.1A.10 of the Comprehensive Plan requires staff to identify project that eliminate public hazards and repair, remodeling, renovations or replacement of obsolete or worn out facilities.
- **Cost to Martin County** – Costs in excess of the programmed funding or attributable to actions which have not received the required approval of FDOT shall not be considered eligible costs and shall be funded with FY 21 Capital Improvement Funds (CIP). Annual maintenance cost is estimated to be \$1,000 per year. Staff time to administer the grant.

**ALTERNATE ACTION:**

- **Programmatic Implication if not approved** – The project would be put on hold until an alternative funding source was identified.
- **Financial Fiscal impact if not approved** – The County will forfeit \$ 681,569 in grant funding for the Construction of the project.

**DOCUMENTS REQUIRING ACTION:**

- SCOP Agreement (2 copies)
- Board Resolution (2 copies)
- Budget Resolution

**RECOMMENDATION:**

- Move that the Board authorize 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; and
- Move that the Board adopt the Board Resolution; and
- Move that the Board adopt the Budget Resolution.

**REVIEWED BY COUNTY ATTORNEY'S OFFICE**

**6. PERMISSION TO ACCEPT THE FLORIDA DEPARTMENT OF TRANSPORTATION (FDOT) LOCAL AGENCY PROGRAM (LAP) AGREEMENT FOR THE DIXIE HIGHWAY (SE 6<sup>TH</sup> ST. TO SE 5<sup>TH</sup> ST)/FLORIDA STREET (SE JOHNSON AVE. TO SE DIXIE HWY) SIDEWALK EXTENSION PROJECT (FM# 441567-1-58-01)**

**A: FDOT grant agreement**

- **Agreement/Contract drafted by** – State of Florida Department of Transportation (FDOT)
- **Parties to the Agreement/Contract** – FDOT and the Martin County Board of County Commissioners (on behalf of the City of Stuart)
- **Purpose of the Agreement/Contract** – To provide funding for this project up to \$302,955, the estimated cost for the project is \$411,396. The project scope consists of sidewalk construction on Construct a 6-foot Sidewalk on the South side of SE Florida St. from SE Johnson Ave. to CR-707/Dixie Hwy.
- **New/Renewal/Modified** – New
- **Duration**: Martin County agrees to complete the Project on or before December 31, 2022 (date of Agreement expiration).
- **Benefits to Martin County** – The grant funding will provide for new public facilities and/or improvements that eliminate public hazards.
- **Background Information** – The County and City have agreed to cooperate in the implementation of the project whereby the County utilizes its LAP certification and eligibility to participate in the FDOT's LAP grant program and will contract for construction of the project on the City's behalf via an Interlocal Agreement.
- **Cost to Martin County** – Per the Interlocal Agreement, the City acknowledges and agrees that it will be solely liable to the County for all costs associated with the project not covered by the grant. Prior to the County's issuance of a Notice to Proceed to the Contractor, the City agrees to provide: 1) the total Bid Award, including a 15% contingency amount, 2) \$21,090 non-refundable Contract Administration Fee outlined in Exhibit "B" of the Interlocal Agreement. The City agrees that it shall be solely responsible for maintenance, replacement and repair of the Project (including, but not limited to, all landscaping, irrigation, signage, fencing, guardrail and handrail) and that County shall have no responsibility for maintenance, replacement and repair of the Project.

**B. Interlocal Agreement**

- **Agreement/Contract drafted by** – Martin County Attorney's Office
- **Parties to the Agreement/Contract** – Martin County Board of County Commissioners and City of Stuart City Commission

- **Purpose of the Agreement/Contract** – The Interlocal Agreement will allow Martin County to utilize its FDOT LAP Certification to implement a sidewalk improvements project on behalf of the City of Stuart. The Interlocal Agreement specifies the roles and responsibilities of the County and the City. The County will implement and manage the Project on behalf of the City.
- **New/Renewal/Modified** – New
- **Duration** – Continues until the project is completed. The City assumes all maintenance responsibility upon completion of the Project, as indicated in the Interlocal Agreement.
- **Benefits to Martin County** – The implementation of the project will provide new public facilities and/or improvements that eliminate public hazards.
- **Cost to Martin County** – Per the Interlocal Agreement, the City acknowledges and agrees that it will be solely liable to the County for all costs associated with the project not covered by the grant. Prior to the County's issuance of a Notice to Proceed to the Contractor, the City agrees to provide: 1) the total Bid Award, including a 15% contingency amount, and 2) \$21,090 non-refundable Contract Administration Fee outlined in Exhibit "B" of the Interlocal Agreement. The City agrees that it shall be solely responsible for maintenance, replacement and repair of the Project (including, but not limited to, all landscaping, irrigation, signage, fencing, guardrail and handrail) and that County shall have no responsibility for maintenance, replacement and repair of the Project.

**ALTERNATIVE ACTION:**

- **Programmatic Implication if not approved** – None
- **Financial Fiscal impact if not approved** – None

**DOCUMENTS REQUIRING ACTION:**

- LAP Agreement (2 copies)
- Interlocal Agreement (2 copies)
- Board Resolution (3 copies)
- Budget Resolution

**RECOMMENDATION:**

- Move that 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; and
- Move that the Board authorize the Chairman to execute the Interlocal Agreement between Martin County and the City of Stuart; and
- Move that the Board adopt the Board Resolution; and
- Move that the Board adopt the Budget Resolution.

**REVIEWED BY COUNTY ATTORNEY'S OFFICE**

**7. PERMISSION TO ACCEPT THE STATE HOUSING INITIATIVES PARTNERSHIP (SHIP) CORONAVIRUS RELIEF FUNDS (CRF)**

- **Agreement/Contract drafted by** – Florida Housing Finance Corporation
- **Parties to the Agreement/Contract** – Florida Housing Finance Corporation and Martin County Board of County Commissioners.
- **Purpose of the Agreement/Contract** – CRF funds awarded of \$572,301 to fund housing emergency assistance; eviction prevention/rental assistance; Mortgage payments and buydowns; assistance to homeowners to pay insurance deductibles; housing re-entry assistance such as security deposits, utility deposits and temporary storage of household furnishings; Foreclosure or eviction prevention, including monthly rent and associated fees; Homeownership counseling for very low to moderate income families.
- **New/Renewal/Modified** – This is a new award.
- **Duration**: March 1, 2020 – December 30, 2020.
- **Benefits to Martin County** – Enables the County to assist very low to moderate income households and individuals with assistance with rental payments, mortgage payments and home repairs due to the Coronavirus affecting their income.
- **Cost to Martin County** – Staff time to administer the grant.

**ALTERNATIVE ACTION:**

- **Programmatic Implication if not approved** – Martin County would not be able to assist
- **Financial Fiscal impact if not approved** – None

**DOCUMENTS REQUIRING ACTION:**

- Budget resolution
- Funding agreement #076-2020

**RECOMMENDATION:**

- Move the Board authorize the Chairman, to execute to sign any grant related documents, upon review and concurrence of the County Attorney's Office; and
- Move the Board adopt the Budget Resolution.

**REVIEWED BY COUNTY ATTORNEY'S OFFICE**

**OTHER OMB ITEMS**

**8. APPROVE A BUDGET RESOLUTION FOR THE STATE FY20/21 TRANSPORTATION DISADVANTAGED PLANNING GRANT FOR THE MARTIN METROPOLITAN PLANNING ORGANIZATION (MPO)**

As the Official Planning Agency for Martin County the Martin MPO receives financial assistance from the Florida Department of Transportation Commission for the Transportation Disadvantaged. This funding is allocated on an annual basis. This budget resolution is to accept the State FY20/21 allocation of \$22,721 of State Transportation Disadvantaged funds to fund the Martin MPO.



**DOCUMENTS REQUIRING ACTION:**

- Budget Resolution

**RECOMMENDATION:**

- Move that the Board adopt the Budget Resolution for State FY20/21 funding allocation for the MPO.

**REVIEWED BY COUNTY ATTORNEY'S OFFICE**

**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**

- **Agreement/Contract drafted by** – Martin MPO and reviewed by Martin County Attorney's Office
- **Parties to the Agreement/Contract** – Senior Resource Association and Martin County Board of County Commissioners
- **Purpose of the Agreement/Contract** – For the County to supply local match funds equal to 10% of the Transportation Disadvantaged (TD) grant.
- **New/Renewal/Modified** – New Agreement
- **Duration:** July 1, 2020 through December 31, 2020
- **Benefits to Martin County** – 10% local match qualifies Senior Resource Association to receive 90% grant funds from the State that are needed to provide TD services.
- **Cost to Martin County** – \$21,640.30

**DOCUMENTS REQUIRING ACTION:**

- Agreement between Martin County BOCC and Senior Resource Association

**RECOMMENDATION:**

- Move that the Board approve the Agreement to provide the local match to the Senior Resource Association's TD Grant.

**REVIEWED BY COUNTY ATTORNEY'S OFFICE**

**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**

Hobe Sound Ranch, Ltd, (HSR) has sued Martin County for Inverse Condemnation and a claim under the Bert J. Harris Act. At this point in the litigation, HSR has claimed the alleged impacts to the value of their property is \$99,000,000.00. This lawsuit is in the Circuit Court for Martin County. Judge Levin Presiding. Both of these claims relate to property owned by HSR, also known as part of the larger "Harmony Ranch." The County Attorney's office engaged the law firm of Weiss, Serota, Helfman, Cole, and Bierman, P.L. (Weiss, Serota) as lead outside counsel. Weiss, Serota has engaged the two experts for the case. The primary attorney for this case is Susan L. Trevarthen who provided the following estimates to take the case through summary judgment rulings and then through trial, if necessary.



**BCC MEETING DATE:** August 11  
**AGENDA ITEM:** DEPT-1

1. Fees and Costs through Summary Judgment- \$192, 650.00
2. Fees and Costs from Summary Judgment through Trial - \$209,650.00
3. Total Fees and Costs - \$402,300.00

These cost estimates include legal fees, costs and expert witness fees.

**DOCUMENTS REQUIRING ACTION:**

- Budget Transfer from General Fund Restricted Reserves

**RECOMMENDATION:**

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

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