



Board of County Commissioners

2401 SE Monterey Road
Stuart, Florida 34996

Agenda Item Summary

File ID: 19-0512

PH-1

Meeting Date: 6/4/2019

PLACEMENT: Public Hearings

TITLE:

PUBLIC HEARING TO CONSIDER ADOPTION OF ORDINANCE AMENDING SECTION 79.257 OF ARTICLE 7 OF CHAPTER 79, FIRE PREVENTION AND PROTECTION, GENERAL ORDINANCES, MARTIN COUNTY CODE, REGARDING MUNICIPAL SERVICE TAXING UNIT (MSTU) FOR FIRE RESCUE SERVICES

EXECUTIVE SUMMARY:

The Board of County Commissioners ("Board") is requested to adopt proposed amendments to the boundaries identified for the Countywide Fire/Rescue MSTU to include the incorporated area of the Village of Indiantown.

DEPARTMENT: Fire Rescue

PREPARED BY: **Name:** Elizabeth V. Lenihan
Title: Assistant County Attorney

REQUESTED BY: William Schobel, Fire Chief

PRESET:

PROCEDURES: None

BACKGROUND/RELATED STRATEGIC GOAL:

The Board has been providing fire protection services to the incorporated Village of Indiantown ("Town") through an Interlocal Agreement commencing on September 27, 2018. Currently, the Town is invoiced on a quarterly interval based on the adopted Fire Rescue millage rate applied to the taxable value of the Town. In May of 2019, the Village Council of the Village of Indiantown passed an ordinance requesting and consenting that the Town be included into the boundary definition of the Countywide Fire/Rescue MSTU.

ISSUES:

None

LEGAL SUFFICIENCY REVIEW:

This is a legislative matter. Legislative decisions are those in which the local government formulates policy rather than applying specific rules to a particular situation. A local government's approval or

denial of an issue in its legislative capacity is typically subject to a fairly debatable standard of review. Fairly debatable means that the government's action must be upheld if reasonable minds could differ as to the propriety of the decision reached. Decisions subject to the fairly debatable standard of review need only be rationally related to a legitimate public purpose, such as the health, safety, and welfare of the public, to be valid. Given this broad discretion, only decisions that arbitrary and capricious or illegal are subject to serious legal challenge.

RECOMMENDED ACTION:

RECOMMENDATION

Move that the Board adopt the proposed Ordinance.

ALTERNATIVE RECOMMENDATIONS

None

FISCAL IMPACT:

RECOMMENDATION

The inclusion of the Village of Indiantown in the Countywide Fire Rescue MSTU will generate approximately \$5,950,000 in ad valorem revenue.

Funding Source	County Funds	Non-County Funds
Subtotal		
Project Total		

ALTERNATIVE RECOMMENDATIONS

None

DOCUMENT(S) REQUIRING ACTION:

- ☐ Budget Transfer / Amendment ☐ Chair Letter ☐ Contract / Agreement
☐ Grant / Application ☐ Notice ☒ Ordinance ☐ Resolution
☐ Other:

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