



Agenda Item Summary

File ID: 20-0347

PH-1

Meeting Date: 2/18/2020

PLACEMENT: Public Hearings

TITLE:

PUBLIC HEARING TO CONSIDER APPROVAL OF AN ORDINANCE AMENDING SECTION 107.32, ARTICLE 2, LIBRARY BOARD OF TRUSTEES, CHAPTER 107, LIBRARIES, MARTIN COUNTY CODE TO INCREASE THE NUMBER OF MEMBERS AND TO REMOVE TERM LIMITS FOR THE LIBRARY BOARD OF TRUSTEES

EXECUTIVE SUMMARY:

The Board of County Commissioners ("Board") is requested to adopt the proposed amendment to Section 107.32, Article 2, Library Board of Trustees, Chapter 107, Libraries, General Ordinances, Martin County Code to increase the Library Board of Trustees from five members to nine members and to remove the current term limits which restricts members from serving on the Library Board of Trustees for more than two terms.

DEPARTMENT: Library

PREPARED BY: **Name:** Elysse A. Elder
Title: Senior Assistant County Attorney

REQUESTED BY: Martin County Board of County Commissioners

PRESET:

PROCEDURES: None

BACKGROUND/RELATED STRATEGIC GOAL:

At the January 14, 2020 Martin County Board of County Commissioners meeting, the Board requested that Library evaluate whether the number of members of the Library Board of Trustees should be increased from five members to nine members as a result of the quantity of qualified and beneficial applicants that submitted applications for vacancies to the Library Board of Trustees. The Library Department evaluated the request and determined that increasing the Library Board of the Trustees from five members to nine members would be beneficial. The proposed amendment also removes term limits that restrict members from serving on the Library Board of Trustees for more than two terms to be consistent with Martin County policies.

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

The Board adopt the proposed amendment to increase the number of members of the Library Board of Trustees and remove term limits.

ALTERNATIVE RECOMMENDATIONS

None

FISCAL IMPACT:

RECOMMENDATION

None

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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