



# Board of County Commissioners

2401 SE Monterey Road  
Stuart, Florida 34996

## Agenda Item Summary

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**File ID:** 20-0658

**CNST-8**

**Meeting Date:** 5/19/2020

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**PLACEMENT:** Consent

**TITLE:**

**APPOINTMENT OF MARTIN COUNTY REPRESENTATIVE FOR JUNE 4, 2020 PAL MAR WATER CONTROL DISTRICT ANNUAL LANDOWNERS' MEETING AND BOARD OF SUPERVISORS MEETING**

**EXECUTIVE SUMMARY:**

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 4, 2020. It is necessary for the Board of County Commissioners to update the Proxy to authorize Commissioner Jenkins to vote on June 4, 2020, to effectuate Board of County Commissioner direction.

**DEPARTMENT:** County Attorney

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

**REQUESTED BY:** Board of County Commissioners

**PRESET:**

**PROCEDURES:** None

**BACKGROUND/RELATED STRATEGIC GOAL:**

The Board of Supervisors of the Pal Mar Water Control District has five supervisors. One supervisor shall be either a member of the Board of County Commissioners of Palm Beach County or a landowner within the district appointed by the Board of County Commissioners of Palm Beach County. One supervisor shall be either a member of the Board of County Commissioners of Martin County (Board) or a landowner within the district appointed by the Board of County Commissioners of Martin County. Three supervisors shall be selected by the landowners. Commissioner Jenkins is the Board's appointed representative.

On June 4, 2020, the Pal Mar Water Control District will hold its Annual Landowners' Meeting to elect supervisors. Following that meeting, the Board of Supervisors will hold a business meeting. It is necessary to update Martin County's Proxy to allow Commissioner Jenkins to participate in the election of supervisors at the Annual Landowners' Meeting.

**ISSUES:**

Section 298.12, Florida Statutes sets out the process for election of the board of supervisors and states that “Owners whose assessments have not been paid for the previous year are not entitled to vote.” Martin County did not pay assessments to the Pal Mar Water Control District last year and the parties are currently in litigation regarding the assessments.

**LEGAL SUFFICIENCY REVIEW:**

This item has been reviewed for legal sufficiency to determine whether it is consistent with applicable law.

**RECOMMENDED ACTION:**

**RECOMMENDATION**

Move that the Board approve the Proxy authorizing Commissioner Jenkins to vote on behalf of Martin County and authorize the Chairman to execute any and all items necessary to complete this transaction.

**ALTERNATIVE RECOMMENDATIONS**

*Pull* this item from the Consent Agenda and direct staff.

**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: Proxy

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