

RESOLUTION NO. 2017-02

A RESOLUTION OF THE TOWN COMMISSION OF THE TOWN OF OCEAN RIDGE, FLORIDA, DESIGNATING THE TOWN PLANNING AND ZONING COMMISSION, INCLUDING THE ALTERNATES, AS THE TOWN INFRASTRUCTURE SURTAX CITIZEN OVERSIGHT COMMITTEE; ESTABLISHING THE RESPONSIBILITIES AND DUTIES OF THE OVERSIGHT COMMITTEE; ESTABLISHING PROCEDURES FOR THE CONDUCT OF MEETINGS AND OPERATIONS; ESTABLISHING A SUNSET DATE; PROVIDING AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

WHEREAS, on May 17, 2016, the Board of County Commissioners of Palm Beach County (the "BCC") adopted Ordinance No. 2016-032 to impose a voter approved one percent (1%) local government infrastructure surtax (the "Surtax") to be utilized by the County, the School Board, and the municipalities within Palm Beach County for the financing, planning, constructing, reconstructing, renovating and improving of needed infrastructure; and

WHEREAS, a referendum on the Surtax was held on November 8, 2016, and the voters of Palm Beach County approved said Surtax; and

WHEREAS, County Ordinance No. 2016-032 and the ballot language approved by voters in the referendum called for "independent oversight by citizen committees" to review the County, the School Board, and the municipalities' respective expenditures of Surtax proceeds; and

WHEREAS, County Ordinance No. 2016-032 provides that the Town may create its own citizen oversight committee to provide advice and recommendations to the Town Commission regarding the Town's expenditure of Surtax proceeds; and

WHEREAS, the Town Planning and Zoning Commission currently provides recommendations to the Town Council regarding planning and infrastructure matters, and is further authorized, under Code Section 63-31(e)(6), to conduct reviews and provide recommendations as are requested of it from time to time; and

WHEREAS, the Town Commission believes that given the current duties of the Planning and Zoning Commission, such Board is uniquely qualified and experienced to provide oversight regarding the Town's expenditure of Surtax proceeds for the financing, planning, constructing, reconstructing, renovating and improving of needed infrastructure within the Town; and

WHEREAS, the Town Commission desires to designate the Town Planning and Zoning Commission, including the two alternates, to serve as the Town Infrastructure Surtax Citizen Oversight Committee, and in that role, the Planning and Zoning Commission shall be tasked with ensuring that Surtax proceeds received by the Town are expended in a manner consistent with Florida Statutes, County Ordinance No. 2016-032, and the ballot language approved by the voters.

NOW, THEREFORE, BE IT RESOLVED BY THE TOWN COMMISSION OF THE TOWN OF OCEAN RIDGE, FLORIDA THAT:

Section 1. The Town Commission hereby designates the Town Planning and Zoning Commission, including the two alternates, as the Town Infrastructure Surtax Citizen Oversight Committee (the “Committee”).

Section 2. The membership, qualifications, terms of office, vacancies, officers and meetings shall be the same as for the Planning and Zoning Commission as provided by the Town Code. However, there must be four members present for the conduct of all Committee meetings.

Section 3. The Committee shall act solely in an oversight and advisory capacity to the Town Commission. The Committee shall prepare an annual report to the Town Commission regarding:

1. Whether the Town’s expenditure of Surtax proceeds for the fiscal year was consistent with the requirements of Section 212.055(2), Florida Statutes, and the ballot language approved by the voters; and
2. Whether the Town’s expenditure of Surtax proceeds for the fiscal year was consistent with the Town’s approved Surtax proceeds project list, or any future revisions to such list as approved and adopted by the Town Commission.

Section 4. The Committee shall compile information received from the Town on Surtax expenditures so that it is able to provide an annual report to the Town Commission by December 31st of each year, or by some other date as determined by the Committee. The Committee also shall provide a final report to the Town Commission prior to sun-setting and completing its operations. Town staff shall provide support services to the Committee, as needed, in order for the Committee to carry out its duties and responsibilities.

Section 5. Members of the Committee shall receive no compensation for the performance of their duties and responsibilities.

Section 6. Pursuant to County Ordinance No. 2016-032, the Surtax shall be in effect only through December 31, 2026. It shall “sunset” and expire thereafter, without further action by any local government. Alternatively, the Surtax shall “sunset” in the event the total aggregate distributions of Surtax proceeds equal or exceed the amount of \$2,700,000,000.00 on or before September 1 of any year during the term of the Surtax, in which event the BCC shall take all necessary action to repeal the Surtax and notify the Florida Department of Revenue prior to the applicable deadline so that the Surtax will not continue for the following calendar year. The Planning and Zoning Commission, including the alternates, shall continue to serve as the Committee for the life of the Surtax, and until all Surtax proceeds are expended by the Town. Thereafter, the Committee shall automatically sunset. No further action of the Town Commission is required for the sunset to occur.

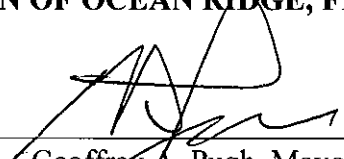
Section 7. This Resolution shall take effect immediately upon its adoption.

Commissioner Bonfiglio offered the foregoing Resolution and moved its adoption. The motion was seconded by Commissioner Coz, and duly passed by the Commission.


The Mayor thereupon declared the resolution duly passed and adopted this 6th day of February, 2017.

TOWN OF OCEAN RIDGE, FLORIDA

By: _____


Geoffrey A. Pugh, Mayor

Attest: _____


Tracey L. Stevens, Town Clerk