

## RESOLUTION 2017-16

A RESOLUTION OF THE VILLAGE COUNCIL OF THE VILLAGE OF NORTH PALM BEACH, FLORIDA ESTABLISHING THE VILLAGE OF NORTH PALM BEACH INFRASTRUCTURE SURTAX OVERSIGHT COMMITTEE; PROVIDING FOR THE COMPOSITION AND DUTIES OF THE COMMITTEE; ESTABLISHING PROCEDURES; PROVIDING FOR A SUNSET DATE; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, on May 17, 2016, the Board of County Commissioners for Palm Beach County adopted Ordinance No. 2016-032 to impose a voter-approved one percent local government infrastructure surtax to be utilized by the County, the Palm Beach County School Board, and the municipalities within Palm Beach County for the financing, planning, construction, reconstruction, renovation and improvement of necessary infrastructure; and

WHEREAS, at the referendum election held on November 8, 2016, Palm Beach County voters approved the imposition of the surtax; and

WHEREAS, County Ordinance No. 2016-032 and the ballot language approved by the voters called for “independent oversight by citizen committees” to review the expenditure of surtax proceeds; and

WHEREAS, County Ordinance No. 2016-032 provides that a municipality may either create its own citizen oversight committee or participate in an oversight committee created by the Palm Beach County League of Cities; and

WHEREAS, the Village Council determines that it is in the best interests of the residents and citizens of the Village of North Palm Beach to establish its own Infrastructure Surtax Oversight Committee.

NOW, THEREFORE, BE IT RESOLVED BY THE VILLAGE COUNCIL OF THE VILLAGE OF NORTH PALM BEACH, FLORIDA as follows:

### Section 1. Recitals.

The foregoing recitals are ratified as true and incorporated herein.

### Section 2. Establishment.

The Village Council hereby establishes the Village of North Palm Beach Infrastructure Surtax Oversight Committee (“Committee”) pursuant to County Ordinance No. 2016-032, as codified in **Section 17-494 of the County Code.**

### Section 3. Composition and terms.

The Committee shall be appointed by the Village Council and shall consist of five (5) members who are residents of the Village. The initial terms of the Committee members shall be as follows:

- (1) The terms of three members shall expire on April 30, 2019; and
- (2) The terms of two members shall expire on April 30, 2020.

After the expiration of the initial terms, the Committee members shall serve terms of two (2) years. Any vacancies on the Committee shall be filled by the Village Council and vacancies occurring during a term of appointment shall be for the remainder of the term.

Section 4. Responsibilities and duties.

The Committee shall act solely in an oversight and advisory capacity to the Village Council. The Committee shall prepare an annual report to the Village Council regarding:

- (1) Whether the Village's expenditure of the 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 Village's expenditure of the surtax proceeds for the fiscal year was consistent with the Village's approved surtax proceeds project list, if any, or any revisions or modifications to the surtax project list as approved and adopted by the Village Council.

Section 5. Organization and procedures.

A. At the first organizational meeting of the Committee, the members shall elect a chairperson and a vice chairperson from among the Committee membership. Subsequent to the initial organizational meeting, the Committee shall appoint a chairperson and vice chairperson from among the Committee membership at the first regular meeting in May each year.

B. The Committee shall meet monthly during the life of the Committee or at a greater or lesser frequency as determined by the Committee in order to fulfill its duties and responsibilities.

C. The Village Manager or his or her designee, in coordination with the chairperson, shall be responsible for establishing the meeting agenda. The Village Manager shall serve as the staff liaison to the Committee.

D. To the extent not inconsistent with the express terms of this Resolution, the conduct of the Committee shall comply with the provisions of **Section 2-1 of the Village Code of Ordinances**.

Section 6. Reports.

A. The Committee shall compile information received from the Village on surtax expenditures so that it is able to provide annual reports on such expenditure to the Village Council during the fiscal year by December 31<sup>st</sup> of each year. The Committee shall also provide a final report prior to completing its duties and "sunsetting" in accordance with Section 7 below.

B. Village Staff shall provide support services to the Committee as necessary in order for the Committee to carry out its duties and responsibilities.

Section 7. Sunset provision.

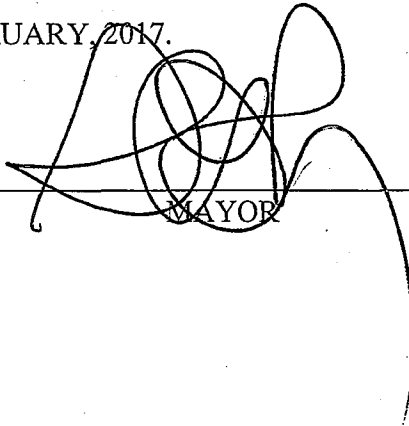
A. Pursuant to County Ordinance 2016-032, as codified in **Section 17-494(a) of the County Code**, the surtax shall be in effect only through December 31, 2026. It shall "sunset" and expire thereafter, without further action by any local government. Alternatively, the surtax shall "sunset" in the event the total aggregate distribution of the 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 Palm Beach County Board of County Commissioners 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.

B. The Committee shall remain in effect solely for the life of the surtax imposed pursuant to County Ordinance 2016-032, and until all surtax proceeds are expended by the Village. Thereafter, upon completion of its final report, the Committee shall automatically sunset and no further action of the Village Council is required.

Section 8. This Resolution shall be effective immediately upon adoption.

PASSED AND ADOPTED THIS 23<sup>RD</sup> DAY OF FEBRUARY, 2017.

(Village Seal)

  
MAYOR

ATTEST:

  
VILLAGE CLERK