

RESOLUTION NO. 110-17

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, ESTABLISHING THE CITY OF RIVIERA BEACH INFRASTRUCTURE SURTAX INDEPENDENT CITIZEN OVERSIGHT COMMITTEE.

WHEREAS, pursuant to section 212.055(2), Florida Statutes, the City of Riviera Beach adopted Resolution No. 146-16 which authorized a countywide referendum for a Local Government Infrastructure Surtax of one percent (1%) on all authorized taxable transactions occurring within Palm Beach County; and

WHEREAS, monies received from the Local Government Infrastructure Surtax may be utilized by the County, municipalities of the County, and the School Board of Palm Beach County to finance, plan, construct, renovate and improve needed infrastructure; and

WHEREAS, the City of Riviera Beach City Council will adopt a Surtax Plan for use of the City's portion of the Surtax proceeds; and

WHEREAS, funds pursuant to the Surtax shall be used to equip, construct and repair roads, bridges, signals, streetlights, sidewalks, parks, drainage, shoreline and wastewater infrastructure, recreational and governmental facilities; and purchase public safety vehicles and equipment; and

WHEREAS, the City of Riviera Beach Resolution No. 146-16 also requires the creation of an independent citizen oversight committee; and

WHEREAS, there is hereby established an oversight committee to be known as the "City of Riviera Beach Infrastructure Surtax Independent Citizen Oversight Committee" ("Committee") which shall serve as an advisory and reporting body to the Board.

A. Establishment

1. There is hereby established, an oversight committee to be known as the "City of Riviera Beach Infrastructure Surtax Independent Citizen Oversight Committee" ("Committee").
2. The Committee will meet quarterly, or as needed, to oversee the Surtax Plan.
3. The Committee will issue an annual report.

B. Membership Composition

Membership Composition shall consist of six (6) members who shall be appointed by the Mayor and Council including:

1. One (1) representative appointed by each Councilperson;
2. One (1) representative appointed by Mayor;

C. Terms and Conditions of Membership

All members of the Committee shall be electors of the City of Riviera Beach at the time of appointment and while serving on the Committee. The members of the Committee shall serve for terms of three (3) years. Members of the Committee may be reappointed, provided they continue to meet the qualifications of membership, and may be removed with or without cause in the same manner as is presently set forth by resolution for the appointment of such members. A vacancy on the Committee not occurring by expiration of terms shall be filled by the Board for the unexpired term in the same manner as is presently set forth by resolution for appointments to the Committee. Committee members shall receive no compensation for the performance of their duties.

D. Removal for Lack of Attendance

Members of the Committee shall be automatically removed for lack of attendance. Lack of attendance means failure to attend three (3) consecutive meetings or failure to attend at least two-thirds of the regularly scheduled meetings during a calendar year. Participation for less than three-fourths of a meeting shall be the same as a failure to attend a meeting. Absences shall be entered into the minutes at the next regularly scheduled meeting of the Committee. Members removed under this paragraph shall not continue to serve until a new appointment is made and removal shall create a vacancy.

E. Notice of Meetings

Reasonable public notice of all Committee meetings shall be provided and all such meetings shall be open to the public at all times.

F. Compliance with Applicable Law

The Committee, their members, and all their proceedings shall be governed by and comply with the applicable provisions of the Florida Sunshine Law, Chapter 286, Florida Statutes; Florida Public Records Law, Chapter 119, Florida Statutes; the Florida Ethics Code, Chapter 112, Florida Statutes; the Palm Beach County Code of Ethics, Ordinance 2009-051, as it may be amended and as codified in Article XIII, Sections 2-441 through 2-448 of the Code of Laws and Ordinances and all other applicable local or state statutes, ordinances, or rules.

G. Quorum

A quorum must be present for the conduct of all Committee

meetings. Sixty-six and Two Thirds percent (66 2/3%) of the members appointed shall constitute a quorum. All meetings shall be governed by Robert's Rules of Order.

H. Responsibilities of the Committee

The Committee shall, from time to time provide oversight and review expenditure reports produced by the City to:

1. Determine whether one hundred percent (100%) of proceeds are expended only for the purposes set forth in the ballot measure; and
2. Determine whether expenditures are in compliance with the City's Surtax Plan; and
3. Make annual reports to the City Council, which shall include, but not be limited to a statement indicating whether the City is in compliance with the requirements of the ballot measure and a summary of the Committee's proceedings and activities.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF RIVIERA BEACH, FLORIDA THAT:

SECTION 1. The City hereby establishes the City of Riviera Beach Infrastructure Surtax Independent Citizen Oversight Committee.

SECTION 2. This Resolution shall take effect upon its passage and approval by the City Council.


PASSED AND APPROVED THIS 4th DAY OF October 2017.


APPROVED:

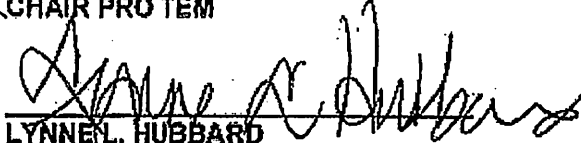

THOMAS A. MASTERS
MAYOR

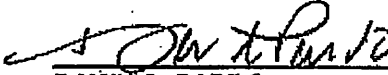
KASHAMBA L. MILLER-ANDERSON
CHAIRPERSON


ATTEST:


CLAUDENE L. ANTHONY
CERTIFIED MUNICIPAL CLERK
CITY CLERK


TONYA DAVIS JOHNSON
CHAIR PRO TEM


LYNNE L. HUBBARD
COUNCILPERSON

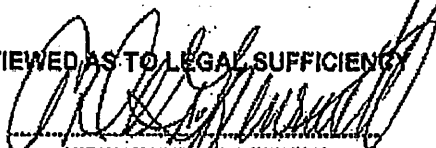

DAWN S. PARDO
COUNCILPERSON


TERENCE D. DAVIS
COUNCILPERSON

MOTIONED BY: D. PARDO

SECONDED BY: T. DAVIS

K. MILLER-ANDERSON	<u>AYE</u>
T. DAVIS JOHNSON	<u>AYE</u>
L. HUBBARD	<u>AYE</u>
D. PARDO	<u>AYE</u>
T. DAVIS	<u>AYE</u>

REVIEWED AS TO LEGAL SUFFICIENCY

ANDREW DEGRAFFENREIDT
CITY ATTORNEY

DATE: 10/2/17