

II. FISCAL IMPACT ANALYSIS

A. Five Year Summary of Fiscal Impact:

| Fiscal Years | 2014 | 2015 | 2016 | 2017 | 2018 |
|--|---------------|-------------|-------------|-------------|-------------|
| Capital Expenditures | _____ | _____ | _____ | _____ | _____ |
| Operating Costs | _____ | _____ | _____ | _____ | _____ |
| External Revenues | _____ | _____ | _____ | _____ | _____ |
| Program Income (County) | _____ | _____ | _____ | _____ | _____ |
| In-Kind Match (County) | _____ | _____ | _____ | _____ | _____ |
| NET FISCAL IMPACT | _____* | _____ | _____ | _____ | _____ |
| # ADDITIONAL FTE POSITIONS (Cumulative) | _____ | _____ | _____ | _____ | _____ |

Is Item Included in Current Budget? Yes _____ No _____

Budget Account No.: Fund 1300 Dept _____ Unit _____ Object _____

B. Recommended Sources of Funds/Summary of Fiscal Impact:

*There is no fiscal impact associated with the receipt and filing of the Village's Ordinance. Funding for service to the Village of Royal Beach is currently provided from the main Fire-Rescue MSTU (Fund 1300). Extending the Village's participation in the Fire/Rescue MSTU will not change the amount of revenue received from the Village for fire-rescue services.

C. Departmental Fiscal Review: *[Signature]*

III. REVIEW COMMENTS

A. OFMB Fiscal and/or Contract Dev. and Control Comments:

[Signature] 7/3/2014
BO *SM* *7/3/14*
OFMB

[Signature] 7/8/14
Contract Dev. and Control
7-7-14 B W Tucker

B. Legal Sufficiency:

[Signature] 7-8-14
Assistant County Attorney

C. Other Department Review:

Department Director

THIS SUMMARY IS NOT TO BE USED AS A BASIS FOR PAYMENT.

ORDINANCE NO. 983

AN ORDINANCE OF THE VILLAGE COUNCIL OF THE VILLAGE OF ROYAL PALM BEACH, FLORIDA; AMENDING CHAPTER 10. FINANCE AND TAXATION. AT ARTICLE VIII. INCLUSION OF VILLAGE'S BOUNDARIES INTO PALM BEACH COUNTY'S FIRE-RESCUE MUNICIPAL SERVICE TAXING UNIT ("MSTU"). AT SECTION 10-111. ORDINANCE NO. 708. TO PROVIDE FOR THE VILLAGE'S CONSENT TO THE INCLUSION OF THE ENTIRE TERRITORY WITHIN THE VILLAGE OF ROYAL PALM BEACH'S MUNICIPAL BOUNDARIES INTO PALM BEACH COUNTY'S FIRE/RESCUE MUNICIPAL SERVICE TAXING UNIT FOR FIRE-RESCUE, FIRE PROTECTION, ADVANCED LIFE SUPPORT (OR SIMILAR EMERGENCY SERVICES), FIRE CODE ENFORCEMENT AND OTHER NECESSARY AND INCIDENTAL SERVICES; PROVIDING FOR INTENT, PURPOSE, CONSENT AND DURATION; PROVIDING FOR EARLIER REPEAL OF ORDINANCE; PROVIDING FOR REPEAL OF ALL ORDINANCES IN CONFLICT; PROVIDING FOR SEVERABILITY AND CODIFICATION; PROVIDING FOR AN EFFECTIVE DATE; AND ACKNOWLEDGING LIMITATION ON AD VALOREM MILLAGE RATE FOR MUNICIPAL PURPOSES.

WHEREAS, pursuant to Section 125.01(1)(q) and (r), Florida Statutes, the Florida Legislature has empowered counties to establish Municipal Service Taxing Units ("MSTUs"), whereby a County may levy a tax, within the MSTU for certain essential municipal services, including the provision of fire-rescue services; and

WHEREAS, pursuant to Section 125.01(1)(q), Florida Statutes, a municipality may be included within an MSTU, subject to approval by ordinance of the governing body of the municipality giving consent either annually or for a term of years; and

WHEREAS, Palm Beach County (the "County") established an "MSTU" known as the Fire/Rescue MSTU to provide fire protection, fire rescue, advanced life support (or similar emergency services), code enforcement and other services necessary and incidental to the purpose for which the MSTU was created; and

WHEREAS, the Village by Ordinance 708 consented to its inclusion in the County's Fire/Rescue MSTU for a ten (10) year term through December 31, 2014; and

WHEREAS, the County by Ordinance 2004-072 amended the boundaries of the Fire/Rescue MSTU to include the Village of Royal Palm Beach; and

WHEREAS, the Village Council of the Village of Royal Palm Beach desires to extend, for an additional ten (10) year period through December 31, 2024, its consent to the inclusion of all the territory lying within the municipal boundaries of the Village into the County's Fire/Rescue MSTU for fire-rescue and related services within the Village, and believes that such inclusion is in the best interest of the health, safety and welfare of the citizens of the Village.

NOW, THEREFORE, BE IT ORDAINED BY THE VILLAGE COUNCIL OF THE VILLAGE OF ROYAL PALM BEACH, FLORIDA, THAT:

Section 1: It is the intent, purpose and effect of this ordinance to comply with the provisions of Section 125.01(1)(q), Florida Statutes. The Village Council of the Village of Royal Palm Beach hereby consents to the inclusion of all territory within the incorporated municipal boundaries of the Village, as may be amended from time to time, within the County's Fire/Rescue Municipal Service Taxing Unit (the "Fire/Rescue MSTU"), which was established pursuant to enabling legislation adopted by the Board of County Commissioners of Palm Beach County. The purpose of the enactment of this ordinance is to enable the County to provide fire-rescue and related services within the territorial limits of the Village including, but not limited to, the enforcement of the Florida Fire Prevention Code and Palm Beach County Local Amendments thereto (the "Fire Code") and any other applicable laws and regulations.

Section 2: The provisions of this ordinance shall become effective December 31, 2014 to be implemented for tax year 2015, for County fire-rescue and related services to begin at 7:30 a.m. on October 1, 2015. The Village's consent to be included in the County's Fire/Rescue MSTU shall continue for a term of ten (10) years through December 31, 2024; provided, however, that the Village's consent and inclusion in the County's Fire/Rescue MSTU shall be deemed to continue through 7:30 a.m. on October 1, 2025, to the extent necessary to enable the County to provide within the Village fire-rescue and related services including, but not limited to, the enforcement of the Fire Code and any other applicable laws and regulations.

Section 3: Should the Village intend to repeal this ordinance prior to its expiration on December 31, 2024, the Village shall provide written notice to Palm Beach County, by March 1st of any given year, of the Village's intent to repeal this Ordinance, with such repeal to be effective December 31st of the same year; and the Village shall provide a certified copy of the repealing

ordinance to the County and the Property Appraiser by said December 31st. In such case, the Village's inclusion in the County's Fire/Rescue MSTU shall terminate on said December 31; provided, however, that the Village's inclusion in the County's Fire/Rescue MSTU shall be deemed to continue through the following October 1 at 7:30 a.m. to the extent necessary to enable the County to provide within the Village fire-rescue and related services, including, but not limited to, the enforcement of the Fire Code and any other applicable laws and regulations.

Section 4: Specific authority is hereby granted to codify and incorporate this ordinance into the Code of Ordinances of the Village of Royal Palm Beach at Chapter 10. Finance and Taxation., Article VIII. Inclusion of Village's Boundaries into Palm Beach County's Fire-Rescue Municipal Service Taxing Unit ("MSTU"), and to amend Section 10-111 as follows:

Sec. 10-111. Ordinance No. 708 Palm Beach County Fire-Rescue Municipal Service Taxing Unit ("MSTU")

Ordinance No. 708 adopted on December 16, 2004, provides for the inclusion of Village of Royal Palm Beach's boundaries within the boundaries of the fire/rescue MSTU established by Palm Beach County for fire-rescue services pursuant to section 125.01(1)(q), Florida Statutes, under the authority of section 9(b), article VII. of the state Constitution. Ordinance No. 708 is hereby included and incorporated herein by reference as if fully set forth herein and shall be kept on file for review in the office of the village clerk. Ordinance No. 708 expires on December 31, 2014. Ordinance No. 983 adopted on June 19, 2014, extends the Village's inclusion in the Palm Beach County Fire-Rescue MSTU through December 31, 2024, and is hereby included and incorporated herein by reference as if fully set forth herein and shall be kept on file for review in the office of the village clerk.

Section 5: Repeal of Conflicting Ordinances: All other ordinances and parts of the ordinances in conflict with any provisions of this ordinance are hereby repealed to the extent of the conflict. Notwithstanding the above, Ordinance No. 708 shall expire as provided for therein, and shall not be deemed repealed by this Ordinance.

Section 6: Severability: Should any section or provision of this Ordinance or any portion thereof, any paragraph, sentence or word be declared by a court of competent jurisdiction to be invalid, such decision shall not affect the validity of the remainder hereof as a whole or any part thereof other than the part to be declared invalid.

Section 7: Effective Date: This Ordinance shall become effective on December 31, 2014, provided that the Board of County Commissioners of Palm Beach County has adopted an ordinance providing for the inclusion of the territorial limits of the Village within the County's Fire/Rescue MSTU. The Village's continuing participation in the MSTU is contingent upon the County maintaining an ordinance including the Village within the MSTU.

Section 8: The Village acknowledges that by opting into the MSTU, it cannot levy an annual ad valorem millage rate that would exceed the ten (10) mill cap for municipal purposes when combined with the Fire/Rescue MSTU's annual ad valorem levy.

FIRST READING this 5th day of June, 2014.

SECOND AND FINAL READING this 19th day of June, 2014.

VILLAGE OF ROYAL PALM BEACH



MATTY MATTIOLI, MAYOR

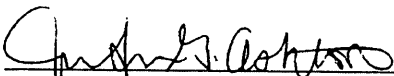
(SEAL)

ATTEST:



DIANE DISANTO, VILLAGE CLERK

APPROVED AS TO FORM AND LEGAL SUFFICIENCY:



JENNIFER G. ASHTON, ESQ., VILLAGE ATTORNEY

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