

STAFF REPORT REGULAR MEETING

AGENDA DATE: January 3, 2023

DEPARTMENT: City Attorney

TITLE:

Ordinance No. 2022-24 – Second Reading – Providing for the City’s Consent to the Inclusion of the City of Lake Worth Beach Into Palm Beach County’s Fire/Rescue Municipal Service Taxing Unit for Fire-Rescue, Fire Protection, Advanced Life Support, Fire Code Enforcement and Other Necessary and Incidental Services and Providing for Effectiveness and Duration of Consent and Acknowledging Ad Valorem Millage Rate Limitation

SUMMARY:

This ordinance extends the City’s consent to remain within the Palm Beach County’s Fire/Rescue Municipal Service Taxing Unit through September 30, 2026.

BACKGROUND AND JUSTIFICATION:

Pursuant to subsections 125.01(q) and (r), Florida Statutes, Palm Beach County established a Municipal Service Taxing Unit (MSTU) for fire/rescue services. The City, in accordance with subsection 125.01(q), Florida Statutes, provided its consent to be included within the MSTU through the adoption of an ordinance. The City’s consent expires on December 31, 2022 and the MSTU services will end 7:30 a.m. on October 1, 2023. According to the County, the City’s consent adheres to the end of the tax year (December 31st) and the services provided coincides with the end of the fiscal year (October 1, 2023). The City Commission wishes to continue its consent to be included within the MSTU through December 31, 2025, which will result in the City receiving fire-rescue services until 7:30 a.m. on October 1, 2026. The City also wishes to provide for the authority to repeal this Ordinance and the consent provided therein if the County transfers or assigns the fire/rescue MSTU or its duties thereunder to any other entity. The City is required to give 30 days’ prior written notice; however, due to the statutory requirements, the consent will terminate on December 31st of the applicable year and the MSTU services will continue through the following October 1st or the date of the assignment or transfer of the MSTU, whichever occurs sooner. Finally, the ordinance provides that the City, by opting into the MSTU, cannot levy an annual ad valorem millage rate that would exceed the 10 mill cap for municipal purposes when combined with the Fire/Rescue MSTU annual ad valorem millage rate. The ordinance was approved unanimously at the December 6, 2022 meeting.

MOTION:

Move to approve/disapprove Ordinance No. 2022-24 extending the City’s consent to remain within the Palm Beach County’s Fire/Rescue Municipal Service Taxing Unit through September 30, 2026.

ATTACHMENT(S):

Fiscal Impact Analysis – N/A
Ordinance 2022-24