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Mayor Keith A. James
Commission President Joseph A. Peduzzi (District 4)
Commissioner Kelly Shoaf (District 1)
Commissioner Shalonda Warren (District 2)
Commissioner Christy Fox (District 3)
Commissioner Christina Lambert (District 5)

City Administrator Faye W. Johnson
City Attorney Kimberly Rothenburg
City Clerk Hazeline Carson

**City of West Palm Beach
Special City Commission
PASS/FAIL Agenda
Monday, December 6, 2021
5:01 PM**

In accordance with the provisions of the Americans with Disabilities Act (ADA), persons in need of a special accommodation to participate in this proceeding shall, within three days prior to any proceeding, contact the City Clerk's Office, 401 Clematis Street, West Palm Beach, FL 33401, (561) 822-1210 (TTY) 800-955-8771.

1. CALL TO ORDER

2. CIVILITY AND DECORUM

The City of West Palm Beach is committed to civility and decorum by its officials, employees and members of the public who attend this meeting. The City Code, Secs. 2-31(8), 2-31(18) and 2-31(22), provides in pertinent part:

- Officials shall be recognized by the Chair and shall not interrupt a speaker.
- Public comment shall be addressed to the City Commission as a whole and not to any individual on the dais or in the audience.
- Displays of anger, rudeness, ridicule, impatience, lack of respect and personal attacks are strictly prohibited.
- Unauthorized remarks from the audience, stamping of feet, whistles, yells and similar demonstrations shall not be permitted.
- Offenders may be removed from the meeting.

3. PUBLIC HEARING-APPROVED

- 3.1. Public Hearing of Resolution No. 322-21(F) re-adopting the final FY 2021/2022 millage rates for operating purposes and for debt service; and Resolution No. 323-21(F) re-adopting the final FY 2021/2022 operating budget.

Originating Department:
Finance

Ordinance/Resolution:

RESOLUTION NO. 322-21(F): A RESOLUTION OF THE CITY OF WEST PALM BEACH, FLORIDA RE-ADOPTING FINAL AD VALOREM MILLAGE RATES OF 8.3465 MILLS FOR GENERAL OPERATING PURPOSES WHICH IS 2.77% ABOVE THE CALCULATED "ROLLED-BACK RATE" OF 8.1212, AND 0.0718 MILLS FOR GENERAL OBLIGATION DEBT SERVICE FOR A TOTAL OF 8.4183 MILLS AND LEVYING AD VALOREM TAXES FOR THE FISCAL YEAR BEGINNING OCTOBER 1, 2021, AND ENDING SEPTEMBER 30, 2022; SETTING FORTH CERTAIN INFORMATION REGARDING "ROLLED-BACK RATES"; AND PROVIDING AN EFFECTIVE DATE.

RESOLUTION NO. 323-21(F): A RESOLUTION OF THE CITY OF WEST PALM BEACH, FLORIDA RE-ADOPTING THE FINAL ESTIMATES OF REVENUE AND EXPENSE FOR THE FISCAL YEAR COMMENCING OCTOBER 1, 2021, AND ENDING ON SEPTEMBER 30, 2022, AS ITS ANNUAL BUDGET, APPROPRIATING THE USE OF FUNDS SHOWN THEREIN AS MAY BE NEEDED OR DEEMED NECESSARY TO DEFRAY ALL EXPENSES AND LIABILITIES OF THE CITY FOR SUCH FISCAL YEAR; PROVIDING A SAVINGS CLAUSE; PROVIDING AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

Staff Recommended Motion:

Approve Resolution No. 322-21(F).

Approve Resolution No. 323-21(F).

Each resolution must be voted on separately.

CITY CLERK MUST READ THE TITLE OF THE MILLAGE RESOLUTION BEFORE THE VOTE.

Background Information:

This public hearing is required to correct two errors that were contained in the dollar amounts in the published ad on the FY22 Budget Summary on September 19, 2021. By letter dated November 16, 2021, the Department of Revenue informed the City that the ad valorem proceeds in the Budget Summary advertisement were calculated using less than 95 percent of the gross taxable value, as s.200.065(2)(a)1., F.S., requires. The ad valorem proceeds for the general fund millage were understated by approximately \$2,716,418. Also, the voted debt millage proceeds were understated by \$4,987.

As a technical violation of Truth in Millage, the regulations of the Florida Department of Revenue require the City to re-advertise and hold another final public hearing to re-adopt the final ad valorem millage rates and final debt service millage. As required, the City must re-adopt the final FY2021-

22 millage rates for operating purposes and for debt service and readopt the final FY2021-22 operating budget.

The two errors contained in the published Budget Summary advertisement on September 19, 2021 consisted of the following:

Error #1

The CRA Tax Increment incorrectly listed the prior year values of (\$25,609,763) which resulted in the Ad Valorem proceeds amount to be understated and incorrectly listed as \$120,918,512. The re-advertisement of the Budget Summary corrects the Ad Valorem proceeds from \$120,918,512 to \$123,634,930 and the CRA Tax Increment from (\$25,609,763) to (\$28,326,181).

It should be noted that the General Fund budget revenue amount was properly budgeted at the required 95% of Ad Valorem proceeds.

Error #2

The Debt Service Millage revenue amount was calculated and budgeted at \$1,059,600 due to a calculation error. However, the correct amount is \$1,064,587. As the error resulted in understating the Debt Service Funds by \$4,987, the net result adds revenue and expenditures to the Debt Services Fund. This changes the total city-wide funds from \$569,875,767 to \$569,880,754. The error is a small percentage of the overall budget and does not change the adopted millage rates and does not impact the property tax billing.

Resolution No. 322-21(F) and Resolution No. 323-21(F)

Resolution No. 322-21(F) re-adopts the FY 2021/2022 final ad valorem millage rates of 8.3465 for operating purposes and 0.0718 mills for debt service on voter approved general obligation debt for an aggregate millage rate of 8.4183. The operating millage is 2.77% above, the "rolled-back rate" of 8.1212.

Resolution No. 323-21(F) re-adopts the final estimates of revenue and expenses for the fiscal year commencing on October 1, 2021, and ending on September 30, 2022, as its annual budget, appropriating the use of funds therein as may be needed or deemed necessary to defray all expenses and liabilities of the City for such fiscal year.

As of the December 6, 2021, the re-adopted total citywide budget for all funds is \$569,880,754 (which excludes the CRA, Golf Course, and ECR) for the fiscal year 2021/2022. However, the operating millage mentioned previously relates only to the General Fund budget, which totals

\$205,580,642. The budget is balanced on the millage rates as re-adopted on December 6, 2021.

Exhibit A attached provides the revised final Budget Summary as noticed on December 1, 2021 by advertisement in the Palm Beach Post.

Exhibit B attached provides the final expenditure and revenue budget detail book for all funds

Section 200.065 Florida Statutes, requires that a taxing authority hold public hearings to adopt the annual operating budget. Accordingly, the City of West Palm Beach held the original public hearing on the tentative millage rates and tentative budget for the 2021/2022 fiscal year, and, by Resolution No. 176-21(F), adopted proposed millage rates. In accordance with the statute, the City published the proposed Budget Summary on September 19, 2021.

The City advertised and held a final public hearing and by Resolution No. 259-21(F), adopted final ad valorem millage rates and debt service millage rates, and by Resolution No. 260-21(F) adopted a final budget for the fiscal year beginning October 1, 2021, and ending September 30, 2022.

Resolution No. 322-21(F) re-adopts the final FY 2021/2022 millage rates for operating purposes and for debt service. Resolution No. 323-21(F) re-adopts the final FY 2021/2022 operating budget.

Fiscal Note:

Re-adoption of the FY2021/2022 Final Budget will appropriate an additional \$4,987 in Revenue and Expenditures within the Debt Services Fund 233.

4. ADJOURNMENT

*Pursuant to Resolution No. 179-95, adopted according to the provisions of Section 286.0115, Florida Statutes, members of the Commission shall disclose on the record: 1) ex-parte communications - verbal or written 2.) written communications shall be placed in the record; and 3) site visits, investigations, etc. shall be disclosed.

NOTICE: If any person decides to appeal any decision made by the City Commission at this meeting, that person will need a record of the proceedings, and that, for such purposes, may need to ensure that a verbatim records of the proceedings be made, which record includes the testimony and evidence upon which the appeal is based. The City of West Palm Beach does not prepare or provide such record.