

TOWN OF LOXAHATCHEE GROVES
TOWN HALL COUNCIL CHAMBERS
TOWN COUNCIL SPECIAL MEETING - FINAL BUDGET HEARING
MEETING
AGENDA
SEPTEMBER 27, 2022, 5:05 P.M.



Robert Shorr, Mayor (Seat 4)
Phillis Maniglia, Councilmember (Seat 1) **Laura Danowski, Vice Mayor (Seat 2)**
Marianne Miles, Councilmember (Seat 3) **Marge Herzog, Councilmember (Seat 4)**

Administration

Assistant Town Manager, Interim Francine L. Ramaglia
Town Attorney, Elizabeth Lenihan, Esq.
Town Clerk, Lakisha Q. Burch
Public Works Director, Larry A. Peters, P.E.

Civility: Being "civil" is not a restraint on the First Amendment right to speak out, but it is more than just being polite. Civility is stating your opinions and beliefs, without degrading someone else in the process. Civility requires a person to respect other people's opinions and beliefs even if he or she strongly disagrees. It is finding a common ground for dialogue with others. It is being patient, graceful, and having a strong character. That is why we say "Character Counts" in Town of Loxahatchee. Civility is practiced at all Town meetings.

Special Needs: In accordance with the provisions of the American with Disabilities Act (ADA), persons in need of a special accommodation to participate in this proceeding shall within three business days prior to any proceeding, contact the Town Clerk's Office, 155 F Road, Loxahatchee Groves, Florida, (561) 793-2418.

Quasi-Judicial Hearings: Some of the matters on the agenda may be "quasi-judicial" in nature. Town Council Members are required to disclose all ex-parte communications regarding these items and are subject to voir dire (a preliminary examination of a witness or a juror by a judge or council) by any affected party regarding those communications. All witnesses testifying will be "sworn" prior to their testimony. However, the public is permitted to comment, without being sworn. Unsworn comment will be given its appropriate weight by the Town Council.

Appeal of Decision: If a person decides to appeal any decision made by the Town Council with respect to any matter considered at this meeting, he or she will need a record of the proceeding, and for that purpose, may need to ensure that a verbatim record of the proceeding is made, which record includes any testimony and evidence upon which the appeal will be based.

Consent Calendar: Those matters included under the Consent Calendar are typically self-explanatory, non-controversial, and are not expected to require review or discussion. All items will be enacted by a single motion. If discussion on an item is desired, any Town Council Member, without a motion, may "pull" or remove the item to be considered separately. If any item is quasi-judicial, it may be removed from the Consent Calendar to be heard separately, by a Town Council Member, or by any member of the public desiring it to be heard, without a motion.

TOWN COUNCIL AGENDA ITEMS

CALL TO ORDER

PLEDGE OF ALLEGIANCE

MOMENT OF SILENCE

ROLL CALL

ADDITIONS, DELETIONS AND MODIFICATIONS

COMMENTS FROM THE PUBLIC ON NON-AGENDA ITEMS

Public Comments for all meetings may be received by email, or in writing to the Town Clerk's Office until 6:00 PM day of the meeting. Comments received will be "received and filed" to be acknowledged as part of the official public record for the meeting. The Town Council meeting will be live-streamed and close-captioned for the general public via our website, instructions are posted there.

FINAL BUDGET AND PUBLIC HEARING

1. Pursuant to F.S. 200.065(2)(d) & (e), the following announcement must be made:

“The Town of Loxahatchee Groves, Florida’s rolled back rate is 2.6694 The percentage increase in property taxes for Fiscal Year 2022/2023 is 12.38% and the Town’s millage rate to be adopted is 3.0000 mills”.

- a. Approval of **Resolution No. 2022-67** adopting the final 2022-2023 millage rate.
- b. Approval of **Resolution No. 2022-68** adopting the final 2022-2023 operating budget.

TOWN STAFF COMMENTS

Town Manager

Town Attorney

Public Works Director

Town Clerk

TOWN COUNCILMEMBER COMMENTS

Margaret Herzog (Seat 5)

Phillis Maniglia (Seat 1)

Marianne Miles (Seat 3)

Vice Mayor Laura Danowski (Seat 2)

Mayor Robert Shorr (Seat 4)

ADJOURNMENT

Comment Cards

Anyone from the public wishing to address the Town Council, it is requested that you complete a Comment Card before speaking. Please fill out completely with your full name and address so that your comments can be entered correctly in the minutes and give to the Town Clerk. During the agenda item portion of the meeting, you may only address the item on the agenda being discussed at the time of your comment. During public comments, you may address any item you desire. Please remember that there is a three (3) minute time limit on all public comment. Any person who decides to appeal any decision of the Council with respect to any matter considered at this meeting will need a record of the proceedings and for such purpose, may need to ensure that a verbatim record of the proceedings is made which included testimony and evidence upon which the appeal is to be based. Persons with disabilities requiring accommodations in order to participate should contact the Town Clerk's Office (561-793-2418), at least 48 hours in advance to request such accommodation.

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155 F Road Loxahatchee Groves, FL 33470

Agenda Item # 1

TO: Town Council of Town of Loxahatchee Groves
FROM: Francine Ramaglia, Town Manager
DATE: September 27, 2022
SUBJECT: Final Public Hearing for Proposed Fiscal Year 2022/2023 Millage Rate and Adoption of the Fiscal Year 2022/2023 Budget including related Fiscal Policies

Background:

Florida Statutes Chapter 200.065 sets forth the procedures to follow for each local government in adoption of the annual property tax millage, levy, and budget. In accordance with these regulations, the millage rate is applied to the certified total taxable value of **\$443,854,986.00** to calculate the ad valorem revenue for the Fiscal Year 2022/2023 budget. The proposed millage rate of **3.0** mills is the same as it was in Fiscal Year 2021/2022 as well as the same as the preliminary TRIM rate adopted on July 19, 2022. Although the same rate as in the prior year, this same proposed millage rate is **12.38** % above the rollback rate of **2.6694** mills. The proposed millage rate generates property tax revenues of **\$1,331,565** which is an increase of \$171,062 from Fiscal Year 2021/2022 property tax revenues (these amounts are at 100% without consideration to discounts and collection fees. As budgeted by law at 95%, revenues are **\$1,264,987** representing an increase of **\$156,833**).

The proposed budget for all funds totaling \$5.9 million (excluding transfers between funds) maintains funding for existing levels of service. Council held budget workshops jointly on August 23rd, 29th and 30th to discuss the proposed operating and capital budgets.

The first public hearing on the proposed budget and the corresponding ad valorem millage rate in accordance with Florida Statutes Chapter 200.065 was held September 8, 2022. The second public hearing and adoption is to be held on September 20, 2022.

Manager's Announcement as required by statute: The FY 2022/2023 operating millage rate of 3.0000 mills is greater than the rolled-back rate of 2.6694 mills by 12.38 %.

Public comment is invited on the proposed tentative millage rate and budget.

Recommendations:

- Move to approve **Resolution No. 2022-67** adopting the final millage rate for Fiscal Year 2022/2023.
- Move to approve **Resolution No. 2022-68** adopting the final Fiscal Year 2022/2023 budget, including balances brought forward and related fiscal policies.

RESOLUTION NO. 2022-67

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF LOXAHATCHEE GROVES, FLORIDA, ESTABLISHING AND ADOPTING THE FINAL MILLAGE FOR THE TOWN OF LOXAHATCHEE GROVES, FLORIDA, PURSUANT TO THE BUDGET SUMMARY FOR THE FISCAL YEAR 2022-2023, IN ACCORDANCE WITH CHAPTER 200, FLORIDA STATUTES, AS AMENDED, PROVIDING FOR SEVERABILITY, CONFLICT, AND AN EFFECTIVE DATE.

WHEREAS, on September 8, 2022, the Town Council conducted a public hearing and adopted a tentative budget, which included the estimated expenses and revenues for the Town of Loxahatchee Groves, Florida (the "Town"), for the ensuing year, with detailed information, including revenues to be derived from sources other than ad valorem levy, and also containing certain recommendations as to the amounts necessary to be appropriate for funding the activities of the Town for the ensuing year; and

WHEREAS, pursuant to Chapter 200, Florida Statutes, as amended (the "Statute"), a method is prescribed for fixing the millage for the purpose of establishing the basis for the collection of said funds; and

WHEREAS, the Town, pursuant to Florida law, conducted a public hearing on September 8th, 2022, and adopted Resolution No. 2022-49, which established the Town's tentative millage rate for the Fiscal Year 2022-2023 for the General Fund Budget at 3.00 mills, an increase of 12.4 % from the rolled-back rate of 2.6694 mills, and to set the second public hearing for adoption of the Town's millage rate for the Fiscal Year 2022-2023 for September 20, 2022: and

WHEREAS, the second public hearing held by the Town on September 20, 2022, did not comply with Section 200.065(2)(e)2, Florida Statutes, and was re-advertised for September 27, 2022.

NOW, THEREFORE, BE IT RESOLVED BY THE TOWN COUNCIL OF THE TOWN OF LOXAHATCHEE GROVES, FLORIDA, THAT:

Section 1. Each "WHEREAS" clause set forth above is true and correct and herein incorporated by this reference.

Section 2. The Town Council, pursuant to Florida law, conducted its first duly noticed public hearing to establish its proposed annual millage for the Fiscal Year 2022/2023 on September 8, 2022, at 6:30 p.m. at the Town Hall, in the Town of Loxahatchee Groves, Florida.

Section 3. Resolution No. 2022-63 adopted by the Town Council on September 20, 2022, is hereby rescinded.

Section 4. The Town Council hereby sets its final millage rate for the Fiscal Year 2022/2023 at 3.00 mills, an increase of 12.4% from the rolled-back millage rate of 2.6694 mills

Section 5. If any clause, section, or other part of this Resolution shall be held by any court of competent jurisdiction to be unconstitutional or invalid, such unconstitutional or invalid part shall be considered as eliminated and shall in no way affect the validity of the remaining portions of this Resolution.

Section 6. All resolutions or parts of resolutions may conflict herewith are hereby repealed to the extent of such conflict.

Section 7. This Resolution shall become effective immediately upon its adoption.

PASSED AND ADOPTED BY THE TOWN COUNCIL OF THE TOWN OF LOXAHATCHEE GROVES, FLORIDA, UPON SECOND PUBLIC HEARING THIS ___DAY OF September 2022.

Council Member _____ offered the foregoing resolution. Council Member _____ seconded the motion, and upon being put to a vote, the vote was as follows:

	<u>Aye</u>	<u>Nay</u>	<u>Absent</u>
Robert Shorr, Mayor	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Laura Danowski, Vice Mayor	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Margaret Herzog, Council Member	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Phillis Maniglia, Council Member	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Marianne Miles, Council Member	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

**TOWN OF LOXAHATCHEE GROVES,
FLORIDA**

ATTEST:

Lakisha Burch, Town Clerk

Mayor Robert Shorr

Vice Mayor Laura Danowski

APPROVED AS TO LEGAL FORM:

Office of the Town Attorney

Council Member Margaret Herzog

Council Member Phillis Maniglia

Council Member Marianne Miles

TOWN OF LOXAHATCHEE GROVES

RESOLUTION NO. 2022-68

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF LOXAHATCHEE GROVES, FLORIDA, ADOPTING A FINAL BUDGET FOR THE FISCAL YEAR BEGINNING OCTOBER 1, 2022, AND ENDING SEPTEMBER 30, 2023; PROVIDING FOR SEVERABILITY, CONFLICTS, AND AN EFFECTIVE DATE.

WHEREAS, a final budget has been prepared by the Town, estimating expenditures and revenues of the Town for the ensuing year, with detailed information, including revenues to be derived from sources other than ad valorem levy, and recommendations have been made as to the amount necessary to be appropriated for the ensuing year; and

WHEREAS, the preliminary millage and budget estimates, in conformity with the Town Charter, and applicable requirements of Florida law, have been filed with the Office of the Town Clerk and Palm Beach County Property Appraiser's Office, and have been open for inspection by the public, and

WHEREAS, a duly noticed first public hearing for the approval of a tentative budget for the Fiscal Year beginning October 1, 2022, was held on September 8, 2022, and the second public hearing for adoption of the Town's final budget for the Fiscal Year beginning October 1, 2022, was held on September 20, 2022; and

WHEREAS, the second public hearing held by the Town on September 20, 2022, did not comply with Section 200.065(2)(e)2, Florida Statutes, and was re-advertised for September 27, 2022.

NOW, THEREFORE, BE IT RESOLVED BY THE TOWN COUNCIL OF THE TOWN OF LOXAHATCHEE GROVES, FLORIDA:

Section 1. Each "WHEREAS" clause set forth above is true and correct and herein incorporated by this reference.

Section 2. Resolution No. 2022-64 adopted by the Town Council on September 20, 2022, is hereby rescinded.

Section 3. The budget estimates, a copy of which are attached hereto and expressly made a part hereof as Exhibit "A", are hereby adopted as the Town's final Budget for the Fiscal Year beginning October 1, 2022.

Section 4. The sums incorporated by reference listed as operating and other uses or expenses of the respective funds and departments of the Town be, and the same hereby are, appropriated and shall be paid out of the revenues herein appropriated for the fiscal year.

Section 5. The sums incorporated by reference based upon estimates prepared by the Town Manager shall be, and the same hereby are, fixed and adopted as the budget for the

operation of the Town government for the fiscal year.

Section 6. The Town Manager is hereby authorized and empowered to amend the budget on an as needed basis in order to correct typographical errors and omissions that are purely scrivener’s errors.

Section 7. The Town adopts the provisions of Chapter 200, Florida Statutes, which provide for the expenditures of monies for the fiscal year based upon the final budget approved by the Town Council.

Section 8. The fiscal year budget is automatically amended to re-appropriate encumbrances, outstanding contracts, capital outlay of project funds reserved or unexpended from Fiscal Year 2021-2022, said appropriation having been previously approved by the Town Council.

Section 9. Town Manager is hereby authorized and empowered to amend the budget to re-categorize general roll-over funds(s) into a more appropriate fund(s), so long as the general roll-over funds were actually dedicated in the Fiscal Year 2021-2022 budget.

Section 10. If any clause, section, or other part of this Resolution shall be held by any court of competent jurisdiction to be unconstitutional or invalid, such unconstitutional or invalid part shall be considered as eliminated and shall in no way affect the validity of the remaining portions of this Resolution.

Section 11. All resolutions or parts of resolutions in conflict herewith are hereby repealed to the extent of such conflict.

Section 12. This Resolution shall become effective immediately upon its passage and adoption.

PASSED AND ADOPTED BY THE TOWN COUNCIL OF THE TOWN OF LOXAHATCHEE GROVES, FLORIDA, UPON SECOND PUBLIC HEARING THIS ___DAY OF September 2022.

Council Member _____ offered the foregoing resolution. Council Member _____ seconded the motion, and upon being put to a vote, the vote was as follows:

	<u>Aye</u>	<u>Nay</u>	<u>Absent</u>
Robert Shorr, Mayor	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Laura Danowski, Vice Mayor	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Margaret Herzog, Council Member	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Phillis Maniglia, Council Member	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Marianne Miles, Council Member	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Resolution No. 2022-68

ATTEST:

Lakisha Burch, Town Clerk

APPROVED AS TO LEGAL FORM:

Office of the Town Attorney

TOWN OF LOXAHATCHEE GROVES,
FLORIDA

Mayor Robert Shorr

Vice-Mayor Laura Danowski

Council Member Margaret Herzog

Council Member Phillis Maniglia

Council Member Marianne Miles

EXHIBIT "A"

BUDGET SUMMARY

TOWN OF LOXAHATCHEE GROVES - Fiscal Year 2022 - 2023

THE PROPOSED OPERATING BUDGET EXPENDITURES OF THE TOWN OF LOXAHATCHEE GROVES, FLORIDA ARE 12.4% MORE THAN LAST YEAR'S TOTAL OPERATING EXPENDITURES.

General Fund: at 3.0 MILLS

ESTIMATED REVENUES	GENERAL	TRANSPORTATION	SURTAX	ROADS & DRAINAGE	CAPITAL PROJECTS	SOLID WASTE	TOTAL ALL FUNDS
Taxes: Millage Per \$1,000							
Ad Valorem Taxes: 3.0 MILLS	\$1,264,990						\$1,264,990
Assessments per Unit							
Roads & Drainage: \$200 per unit				\$1,485,300			\$1,485,300
Solid Waste: \$400 per unit						\$574,560	\$574,560
Licenses & Permits	\$295,000						\$295,000
Utility Taxes	\$465,000						\$465,000
Franchise Fees	\$489,500						\$489,500
Charges For Services	\$193,000						\$193,000
Intergovernmental Rev	\$379,100	\$403,900	\$266,200		\$1,538,000	\$1,900	\$2,589,100
Fines & Forfeitures	\$22,000						\$22,000
Investment Income	\$2,000			\$500		\$500	\$3,000
Miscellaneous Revenues	\$16,575			\$24,000			\$40,575
TOTAL SOURCES	\$3,127,165	\$403,900	\$266,200	\$1,509,800	\$1,538,000	\$576,960	\$7,422,025
Transfers In	\$172,500			\$541,000	\$640,100	\$135,365	\$1,488,965
Fund Balances/Reserves/Net Assets							
TOTAL REVENUE, TRANSFERS & BALANCES	\$3,299,665	\$403,900	\$266,200	\$2,050,800	\$2,178,100	\$712,325	\$8,910,990
ESTIMATED EXPENDITURES							
General Government	\$1,210,200						\$1,210,200
Public Safety							
Law Enforcement	\$641,000						\$641,000
PZB & Code	\$636,100						\$636,100
Physical Environment							\$0
Public Works				\$1,592,400			\$1,592,400
Solid Waste Services						\$704,700	\$704,700
Non-departmental	\$166,000			\$279,150		\$7,625	\$452,775
Capital Outlay					\$2,178,100		\$2,178,100
Debt Service				\$6,750			\$6,750
Contingency							
TOTAL EXPENDITURES	\$2,653,300	\$0	\$0	\$1,878,300	\$2,178,100	\$712,325	\$7,422,025
Non-Expenditures/Other Uses							
Transfers Out	\$646,365	\$403,900	\$266,200	\$172,500			\$1,488,965
Fund Balances/Reserves/Net Assets							
TOTAL APPROPRIATED EXPENDITURES TRANSFERS, RESERVES & BALANCES	\$3,299,665	\$403,900	\$266,200	\$2,050,800	\$2,178,100	\$712,325	\$8,910,990

THE TENTATIVE, ADOPTED, AND/OR FINAL BUDGETS ARE ON FILE IN THE OFFICE OF THE ABOVE-MENTIONED TAXING AUTHORITY AS A PUBLIC RECORD