



TOWN OF PALM BEACH

Town Manager's Office

TENTATIVE -
SUBJECT TO
REVISION

SPECIAL TOWN COUNCIL MEETING

AGENDA

TOWN COUNCIL CHAMBERS

THURSDAY, SEPTEMBER 23, 2021

5:01 PM

WELCOME!

To Participate via Zoom, please click on the link below:

<https://us06web.zoom.us/j/85104281314>

I. CALL TO ORDER AND ROLL CALL

Mayor Danielle H. Moore
Margaret A. Zeidman, President
Bobbie Lindsay, President Pro Tem
Julie Araskog
Ted Cooney
Lew Crampton

II. PLEDGE OF ALLEGIANCE

III. APPROVAL OF AGENDA

IV. COMMUNICATIONS FROM CITIZENS – 3 MINUTE LIMIT

V. PUBLIC HEARING ON FINAL MILLAGE RATE AND FY22 BUDGET

- A. Proof of Publication
- B. Announcement of Proposed Operating Millage Rate
- C. Reasons for Proposed Operating Millage Rate Increase from the Rolled-Back Millage Rate
- D. Comments and Questions from Public

- E. RESOLUTION NO. 120-2021 A Resolution of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, Adopting the Final Millage Rate and Levying Ad Valorem Taxes for the Fiscal Year Beginning October 1, 2021, and Ending September 30, 2022; Setting Forth Certain Information Regarding the Rolled-Back Millage Rate; Directing the Town Manager or the Finance Director to Adjust the Adopted Millage Rate in the Event of Changes in the Assessment Roll and Taxable Value; Providing an Effective Date.
- F. RESOLUTION NO. 121-2021 A Resolution of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, Adopting a Final Budget and Appropriating Funds for the Fiscal Year Beginning October 1, 2021, and Ending September 30, 2022; Providing for an Effective Date.

VI. ORDINANCES

A. First Reading

1. ORDINANCE NO. 25-2021 An Ordinance of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, Amending Ordinance 18-2021 at Section 2 Relating To Section 34-56, Notice To The Qualified Voters of the Town of Palm Beach, to Delete the Reference to the Time of the Caucus; Adding A New Section 3 Providing For An Amendment To Section 34-81 Titled Petition Confirming Nomination Required; Form; Amending the Form of the Petition to Substitute the Month of December for the Month of January to Conform to the New Caucus Date; Providing For Severability; Providing For Repeal Of Ordinances In Conflict; Providing For Codification; Providing For An Effective Date.

Jay Boodheshwar, Deputy Town Manager

VII. ANY OTHER MATTERS

VIII. ADJOURNMENT

PLEASE TAKE NOTE:

Note 1: Please submit written comments/materials to council@townofpalmbeach.com or in person to the Town Clerk's Office, located at Town Hall, 360 South County Road. No written materials received after 3:30 p.m. on the Wednesday immediately prior to a monthly Town Council meeting will be included in the back-up binders distributed to the Mayor and Town Council in preparation for that meeting. Written materials received after 3:30 p.m. on Wednesday will be separately distributed to the Mayor and Town Council; however, depending upon the length of the materials, the time of submittal, and other circumstances, the Mayor and Town Council may not be able to read and consider such late submittals prior to acting upon the policy matter(s) which they address.

Note 2: The progress of this meeting may be monitored by visiting the Town's website (townofpalmbeach.com) and clicking on "Meeting Audio" in the left column. If you have questions regarding that feature, please contact the Office of Information Technology (561) 227-6315. The audio recording of the meeting will appear within 24 hours after the conclusion of the meeting.

- Note 3:** If a person decides to appeal any decision made by this Council with respect to any matter considered at this meeting or hearing, he/she will need a record of the proceedings. For such purpose, he/she may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based.
- Note 4:** Disabled persons who need an accommodation in order to participate in the Town Council Meeting are requested to contact the Town Manager's Office at 838-5410 or through the Florida Relay Service by dialing 1-800-955-8770 for voice callers or 1-800-955-8771 for TDD callers, at least two (2) working days before this meeting.
- Note 5:** Items listed on the Consent Agenda will be approved by one motion of the Town Council, unless the Mayor or an individual Council Member requests that any item(s) be moved to the Regular Agenda and individually considered.
- Note 6:** All back-up material for the items listed on the agenda are posted to the Town's website and emailed to all Stay Informed subscribers on the Friday before the Town Council meeting. To access the back-up materials and/or subscribe to the Stay Informed list, please visit the Town's website (townofpalmbeach.com).

PROCEDURES FOR PUBLIC PARTICIPATION

Citizens desiring to address the Town Council should proceed toward the public microphones when the applicable agenda item is being considered to enable the Town Council President to acknowledge you.

PUBLIC HEARINGS: Any citizen is entitled to be heard on an official agenda item under the section entitled "Public Hearings," subject to the three minute limitation.

COMMUNICATIONS FROM CITIZENS: Any citizen is entitled to be heard concerning any matter under the section entitled "Communications from Citizens," subject to the three minute limitation. The public also has the opportunity to speak to any item listed on the agenda, including the consent agenda, at the time the agenda item comes up for discussion.

OTHER AGENDA ITEMS: Any citizen is entitled to be heard on any official agenda item when the Town Council calls for public comments, subject to the three minute limitation.

Town Council Meetings are public business meetings and, as such, the Town Council retains the right to limit discussion on any issue.

TOWN OF PALM BEACH

Special Town Council on: September 23, 2021

Section of Agenda

PUBLIC HEARING ON FINAL MILLAGE RATE AND FY22 BUDGET

Agenda Title

Announcement of Proposed Operating Millage Rate

Presenter

ATTACHMENTS:

- ▣ **Memorandum Dated September 17, 2021, from Jane Le Clainche,
Director of Finance**

TOWN OF PALM BEACH

Information for Second Public Hearing on: September 23, 2021

To: Mayor and Town Council

Via: Kirk Blouin, Town Manager

From: Jane Le Clainche, Finance Director

Date: September 17, 2021

Subject: Fiscal Year 2022 Budgets and Millage Rate
Second Public Hearing on September 23, 2021, at 5:01PM
Resolution No. 120-2021
Resolution No. 121-2021

STAFF RECOMMENDATION

Staff is recommending that the Town Council adopt attached Resolution No. 120-2021 and Resolution No. 121-2021 to adopt the final millage rate and budgets for FY22.

GENERAL INFORMATION

Attached for your review and consideration are Resolution No. 120-2021 and Resolution No. 121-2021 which will adopt the final millage rate and budgets for FY22.

At the September 13th public hearing Town Council adopted the tentative FY22 millage rate and budget. The FY22 millage rate approved at the September 13th public hearing of 2.8966 is 3.32% less than the FY21 millage rate of 2.9962 and 2.95% more than the “rolled back rate” of 2.8135. We are recommending adoption of Resolution No. 120-2021 and Resolution No. 121-2021 which will constitute the Town’s final action on these matters for FY22.

ATTACHMENTS

- Agenda
- Resolution No. 120-2021
- Resolution No. 121-2021

cc: Jay Boodheshwar, Deputy Town Manager
Carolyn Stone, Assistant Town Manager
Department Directors

TOWN OF PALM BEACH

Special Town Council on: September 23, 2021

Section of Agenda

PUBLIC HEARING ON FINAL MILLAGE RATE AND FY22 BUDGET

Agenda Title

RESOLUTION NO. 120-2021 A Resolution of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, Adopting the Final Millage Rate and Levying Ad Valorem Taxes for the Fiscal Year Beginning October 1, 2021, and Ending September 30, 2022; Setting Forth Certain Information Regarding the Rolled-Back Millage Rate; Directing the Town Manager or the Finance Director to Adjust the Adopted Millage Rate in the Event of Changes in the Assessment Roll and Taxable Value; Providing an Effective Date.

Presenter

ATTACHMENTS:

- ▣ **Res. No. 120-2021**

RESOLUTION NO. 120-2021

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF PALM BEACH, PALM BEACH COUNTY, FLORIDA ADOPTING THE FINAL MILLAGE RATE AND LEVYING AD VALOREM TAXES FOR THE FISCAL YEAR BEGINNING OCTOBER 1, 2021, AND ENDING SEPTEMBER 30, 2022; SETTING FORTH CERTAIN INFORMATION REGARDING THE ROLLED-BACK MILLAGE RATE; DIRECTING THE TOWN MANAGER OR THE FINANCE DIRECTOR TO ADJUST THE ADOPTED MILLAGE RATE IN THE EVENT OF CHANGES IN THE ASSESSMENT ROLL AND TAXABLE VALUE; PROVIDING AN EFFECTIVE DATE.

WHEREAS, the Town Council of the Town of Palm Beach held a public hearing on September 13, 2021, on the proposed millage rate and tentative budgets for the 2021-2022 fiscal year, and has approved the proposed millage rate and tentative budgets; and

WHEREAS, the Town Council of the Town of Palm Beach proposes by Resolution No. 121-2021 to adopt a final budget and make appropriations for various funds for the Town of Palm Beach for the fiscal year beginning October 1, 2021, and ending September 30, 2022; and

WHEREAS, the budgets as proposed will require that the sum of \$59,663,700 be raised and collected by an ad valorem tax levy.

NOW, THEREFORE, BE IT RESOLVED BY THE TOWN COUNCIL OF THE TOWN OF PALM BEACH, PALM BEACH COUNTY FLORIDA, AS FOLLOWS:

Section 1. The sum of \$59,663,700 shall be raised and collected for the Town of Palm Beach by ad valorem taxes for the fiscal year beginning October 1, 2021, and ending September 30, 2022 as follows:

- 1) There is hereby levied on all non-exempt taxable property within the Town of Palm Beach an ad valorem tax of 2.8966 mills for operational purposes.
- 2) Such millage shall be levied upon the dollar amount of the assessed valuation of all non-exempt taxable property in the Town of Palm Beach as determined by the Palm Beach County Property Appraiser and as shown by the 2021 assessment roll for the Town, allowing homestead and other lawful exemptions. All such taxes so specified and levied are ordered extended upon the assessment roll to show the tax attributable to all taxable property, and shall be collected by the Palm Beach County Tax Collector as provided by law.

Section 2. The ad valorem taxes hereby levied are for the purpose of raising funds, revenues, and monies to be used, set aside, and expended for the functions and purposes of the municipal government of the Town of Palm Beach pursuant to the provisions of the Town Charter and the laws of the State of Florida.

Section 3. The following information is set forth as required by Section 200.065(2)(d),

Florida Statutes:

- 1) The operating millage rate of 2.8966 levied herein is 2.95% more than the rolled back rate of 2.8135 mills.

Section 4. Pursuant to Section 200.065(5), Florida Statutes, the Town Manager, or in his absence the Finance Director, is hereby authorized and required to adjust the adopted millage rate set forth herein if the taxable value within the jurisdiction of the Town of Palm Beach as certified by the Palm Beach County Property Appraiser is at variance from the taxable value shown on the assessment roll to be extended. The adjustment shall be such that the taxes computed by applying the adopted rate against the certified taxable value are equal to the taxes computed by applying the adjusted adopted rate to the taxable value on the roll to be extended. However, no adjustment shall be made to the levies required by law to be a specific millage amount. The Town Manager or the Finance Director shall certify to the Property Appraiser the aggregate change in the assessment roll and taxable value, if any, from that certified.

Section 5. This resolution shall take effect immediately upon adoption.

PASSED AND ADOPTED in a regular, adjourned session of the Town Council of the Town of Palm Beach assembled this 23rd day of September 2021.

Danielle H. Moore, Mayor

ATTEST:

Queenester Nieves, CMC, Town Clerk

TOWN OF PALM BEACH

Special Town Council on: September 23, 2021

Section of Agenda

PUBLIC HEARING ON FINAL MILLAGE RATE AND FY22 BUDGET

Agenda Title

RESOLUTION NO. 121-2021 A Resolution of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, Adopting a Final Budget and Appropriating Funds for the Fiscal Year Beginning October 1, 2021, and Ending September 30, 2022; Providing for an Effective Date.

Presenter

ATTACHMENTS:

- ▣ **Res. No. 121-2021**

RESOLUTION NO. 121-2021

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF PALM BEACH, PALM BEACH COUNTY, FLORIDA, ADOPTING A FINAL BUDGET AND APPROPRIATING FUNDS FOR THE FISCAL YEAR BEGINNING OCTOBER 1, 2021, AND ENDING SEPTEMBER 30, 2022; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, a public hearing was held on September 13, 2021, on the Town of Palm Beach's proposed millage rate and its tentative budget for the 2021-2022 Fiscal Year; and

WHEREAS, the Town Council of the Town of Palm Beach adopted a tentative budget and the proposed millage rate necessary to fund the tentative budget; and

WHEREAS, a further public hearing was held to adopt a final millage rate and finalize the budget.

NOW, THEREFORE, BE IT RESOLVED BY THE TOWN COUNCIL OF THE TOWN OF PALM BEACH, PALM BEACH COUNTY, FLORIDA, as follows:

Section 1. The budget for the Town of Palm Beach as attached, marked Exhibit A, incorporated herein and by this reference made an integral part hereof, is hereby adopted as the final budget for the fiscal year beginning October 1, 2021, and ending September 30, 2022, pursuant to Town Charter and Town Code of Ordinances.

Section 2. Funds are hereby appropriated in accordance with the provisions of the Town Charter, Article VII, Financial Matters, Section 7.01.

Section 3. The Town Manager is hereby authorized to approve requested intrafund transfers throughout the fiscal year as may be needed to ensure the continuity of municipal operations.

Section 4. All funds appropriated for the 2020-2021 Fiscal Year which are encumbered, but unexpended as of the last day of the fiscal year shall be deemed reappropriated for the same purposes for the 2021-2022 Fiscal Year.

PASSED AND ADOPTED in a regular, adjourned session of the Town Council of the Town of Palm Beach assembled this 23rd day of September 2021.

Danielle H. Moore, Mayor

ATTEST:

Queenester Nieves, CMC, Town Clerk

TOWN OF PALM BEACH

Special Town Council on: September 23, 2021

Section of Agenda

Ordinances - First Reading

Agenda Title

ORDINANCE NO. 25-2021 An Ordinance of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, Amending Ordinance 18-2021 at Section 2 Relating To Section 34-56, Notice To The Qualified Voters of the Town of Palm Beach, to Delete the Reference to the Time of the Caucus; Adding A New Section 3 Providing For An Amendment To Section 34-81 Titled Petition Confirming Nomination Required; Form; Amending the Form of the Petition to Substitute the Month of December for the Month of January to Conform to the New Caucus Date; Providing For Severability; Providing For Repeal Of Ordinances In Conflict; Providing For Codification; Providing For An Effective Date.

Presenter

Jay Boodheshwar, Deputy Town Manager

ATTACHMENTS:

▣ **Ordinance No. 25-2021**

ORDINANCE NO. 25-2021

AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF PALM BEACH, PALM BEACH COUNTY, FLORIDA AMENDING ORDINANCE 18-2021 AT SECTION 2 RELATING TO SECTION 34-56, NOTICE TO THE QUALIFIED VOTERS OF THE TOWN OF PALM BEACH, TO DELETE THE REFERENCE TO THE TIME OF THE CAUCUS; ADDING A NEW SECTION 3 PROVIDING FOR AN AMENDMENT TO SECTION 34-81 TITLED PETITION CONFIRMING NOMINATION REQUIRED; FORM; AMENDING THE FORM OF THE PETITION TO SUBSTITUTE THE MONTH OF DECEMBER FOR THE MONTH OF JANUARY TO CONFORM TO THE NEW CAUCUS DATE; PROVIDING FOR SEVERABILITY; PROVIDING FOR REPEAL OF ORDINANCES IN CONFLICT; PROVIDING FOR CODIFICATION; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, Ordinance 18-2021 provided at Section 34-56 a time of 7:00 p.m. for the time of the caucus in December; and

WHEREAS, the Town Council wishes the time for the caucus to remain flexible and based on a time declared appropriate by the Town Council; and

WHEREAS, Ordinance 18-2021 neglected to amend Section 34-81 to change the month of the Town Caucus from January to December in order to be consistent with the new caucus date prescribed in Section 34-56; and

WHEREAS, the Town Council wishes to amend Ordinance 18-2021 to incorporate these changes; and

NOW, THEREFORE, BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF PALM BEACH, PALM BEACH COUNTY, FLORIDA, AS FOLLOWS:

Section 1. Ordinance 18-2021 is hereby amended at Section 2, Calling and Notice of Caucus, to read as follows:

Sec. 34-56. - Calling and notice of caucus.

Each year the town clerk shall call a caucus of the qualified voters of the town for the purpose of nominating candidates for mayor and the town council. Such caucus shall be held as provided by section 5.03 of the Charter and shall be called by the clerk publishing the following notice in a newspaper having a general circulation in the town on the last two Mondays in November and the first Monday in December:

Notice to the Qualified Voters of
The Town of Palm Beach

You and each of you are hereby notified that a caucus of the qualified voters of the Town of Palm Beach, Florida, will be held in the town council chambers of the town hall ~~at 7:00 p.m.~~ at a time declared by the Town Council on the first Tuesday of December, or on a date at least ninety-five (95) days prior to the election date, whichever comes first, for the purpose of nominating a mayor and _____ councilmembers, to be voted on at the general election to be held in the town on the second Tuesday in March.

All qualified voters of the town are entitled to be present and to place in nomination such candidates as they desire. For a nomination to be effective, it must be seconded and all nominations and seconds thereto may be made only by qualified voters of the town.

Dated, _____ day of _____, 20__.

/s/ _____
Town Clerk

All other sections of Section 34-56 shall remain unchanged.

Section 2. Section 34-81 of the Town Code of Ordinances titled Petition Required for Nomination, Form is hereby amended to read as follows:

Sec. 34-81. Petition confirming nomination required; form.

In order that any candidate may appear on the official ballot at the general election he shall, in addition to being nominated at the required caucus, file or cause to be filed with the town clerk the petition required by section 5.03(b) of the Charter. Such petition shall be in the following form:

*To the Town Council
of the Town of Palm Beach:*

The undersigned qualified voters of the Town of Palm Beach do hereby confirm the nomination of _____ as (councilmembers or mayor, as the case may be) regularly made at the caucus held at the town hall on the first Tuesday of ~~January~~ December, or on a date at least ninety-five (95) days prior to the election date, whichever comes first, and do hereby petition your honorable body to place his name on the official ballot to be used in the general election in group _____ (in the event of the nomination for mayor, the group shall not be designated).

(Code 1982, § 2-28)

Section 3. Severability.

If any provision of this Ordinance or the application thereof is held invalid, such invalidity shall not affect the other provisions or applications of this Ordinance which can

be given effect without the invalid provisions or applications, and to this end the provisions of this Ordinance are hereby declared severable.

Section 4. Repeal of Ordinances in Conflict.

All other ordinances of the Town of Palm Beach, Florida, or parts thereof, which conflict with this or any part of this Ordinance are hereby repealed.

Section 5. Codification.

This Ordinance shall be codified and made a part of the official Code of Ordinances of the Town of Palm Beach.

Section 6. Effective Date.

This Ordinance shall take effect immediately upon its passage and approval, as provided by law.

PASSED AND ADOPTED in a regular, adjourned session of the Town Council of the Town of Palm Beach on first reading this 23rd day of September, 2021, and for second and final reading on this 12th day of October, 2021.

Danielle H. Moore, Mayor

Margaret A. Zeidman, Council President

Bobbie Lindsay, Council President Pro Tem

Julie Araskog, Town Council Member

ATTEST:

Lewis S.W. Crampton, Town Council Member

Queenester Nieves, CMC, Town Clerk

Edward A. Cooney, Town Council Member