



PORT ORANGE CITY COUNCIL

SPECIAL MEETING

Council Chambers

Wednesday, September 6, 2023 @ 5:30 PM

SPECIAL MEETING AGENDA

Pursuant to Section 3.06 of the Charter of the City of Port Orange, the Mayor has called a **Special Meeting** of the City Council to be held for the following purposes:

OPENING

1. Silent Invocation
2. Pledge of Allegiance
3. Roll Call

DISCUSSION / ACTION

4. Discussion on Tentative City Millage and Tentative City Budget for FY 2024
5. Resolution No. 23-33 - Adopting the Tentative Millage Rate for FY 2023-2024
6. Resolution No. 23-34 - Adopting the Tentative Budget for FY 2023-2024

ADJOURNMENT

NOTICES – PURSUANT TO SECTION 286.0105 OF THE FLORIDA STATUTES, IF ANY PERSON DECIDES TO APPEAL ANY DECISION MADE BY THE CITY COUNCIL WITH RESPECT TO ANY MATTER CONSIDERED AT THIS PUBLIC MEETING OR HEARING, SUCH PERSON WILL NEED A RECORD OF THE PROCEEDINGS, AND THAT, FOR SUCH PURPOSE, SUCH PERSON 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. THE CITY DOES NOT PREPARE OR PROVIDE SUCH A RECORD.



FOR SPECIAL ACCOMMODATIONS, PLEASE NOTIFY THE CITY CLERK'S OFFICE (PHONE: 386-506-5563) AS FAR IN ADVANCE AS POSSIBLE, BUT PREFERABLY WITHIN 2 WORKING DAYS OF YOUR RECEIPT OF THIS NOTICE OR 5 DAYS PRIOR TO THE MEETING OR HEARING DATE.



HELP FOR THE HEARING IMPAIRED IS AVAILABLE THROUGH THE ASSISTIVE LISTENING SYSTEM RECEIVERS CAN BE OBTAINED FROM THE CITY CLERKS' OFFICE.

IN ACCORDANCE WITH THE AMERICANS WITH DISABILITIES ACT (ADA), IF YOU ARE A PERSON WITH A DISABILITY WHO NEEDS AN ACCOMMODATION IN ORDER TO PARTICIPATE IN THIS PROCEEDING, YOU ARE ENTITLED, AT NO COST TO YOU, THE PROVISION OF CERTAIN ASSISTANCE. PLEASE CONTACT THE CITY CLERK FOR THE CITY OF PORT ORANGE, 1000 CITY CENTER CIRCLE, PORT ORANGE, FLORIDA 32129, TELEPHONE NUMBER 386-506-5563, CITYCLERK@PORT-ORANGE.ORG, AS FAR IN ADVANCE AS POSSIBLE, BUT PREFERABLY WITHIN 2 WORKING DAYS OF YOUR RECEIPT OF THIS NOTICE OR 5 DAYS PRIOR TO THE MEETING OR HEARING DATE. IF YOU ARE HEARING OR VOICE IMPAIRED, CONTACT THE RELAY OPERATOR AT 7-1-1 or 1-800-955-8771.

UPON REQUEST BY A QUALIFIED INDIVIDUAL WITH A DISABILITY, THIS DOCUMENT WILL BE MADE AVAILABLE IN AN ALTERNATE FORMAT. IF YOU NEED TO REQUEST THIS DOCUMENT IN AN ALTERNATE FORMAT, PLEASE CONTACT THE CITY CLERK WHOSE CONTACT INFORMATION IS PROVIDED ABOVE.

City Council Special Meeting
September 6, 2023
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ANY INVOCATION THAT IS OFFERED BEFORE THE OFFICIAL START OF THE CITY COUNCIL MEETING SHALL BE THE VOLUNTARY OFFERING OF A PRIVATE PERSON, TO AND FOR THE BENEFIT OF THE CITY COUNCIL. THE VIEWS OR BELIEFS EXPRESSED BY THE INVOCATION SPEAKER HAVE NOT BEEN PREVIOUSLY REVIEWED OR APPROVED BY THE CITY COUNCIL OR THE CITY STAFF, AND THE CITY IS NOT ALLOWED BY LAW TO ENDORSE THE RELIGIOUS BELIEFS OR VIEWS OF THIS, OR ANY OTHER SPEAKER. PERSONS IN ATTENDANCE AT THE CITY COUNCIL MEETING ARE INVITED TO STAND DURING THE OPENING INVOCATION AND PLEDGE OF ALLEGIANCE. HOWEVER, SUCH INVITATION SHALL NOT BE CONSTRUED AS A DEMAND, ORDER, OR ANY OTHER TYPE OF COMMAND. NO PERSON IN ATTENDANCE AT THE MEETING SHALL BE REQUIRED TO PARTICIPATE IN ANY OPENING INVOCATION THAT IS OFFERED. A PERSON MAY EXIT THE CITY COUNCIL CHAMBERS AND RETURN UPON COMPLETION OF THE OPENING INVOCATION IF A PERSON DOES NOT WISH TO PARTICIPATE IN OR WITNESS THE OPENING INVOCATION.



CITY COUNCIL AGENDA ITEM

COUNCIL MEETING DATE 9/6/2023

SUBJECT: (4) Discussion on Tentative City Millage and Tentative City Budget for FY 2024

DEPARTMENT: Finance

GOAL: Goal 5 - Fiscal Sustainability

RECOMMENDED MOTION: Discussion item only. No motion needed.

SUMMARY: The public hearing is convened to discuss the millage rate and budget. The City of Port Orange City Council shall discuss the Fiscal Year (FY) 2024 Budget which commences on October 1, 2023 and continues through September 30, 2024.

The first item for consideration is the tentative millage necessary to fund the FY2024 tentative budget for the City of Port Orange.

- The City of Port Orange is the taxing authority.
- Current year taxable value for operating purposes is \$5,048,363,095.
- \$4.4447 is the rolled-back rate per \$1,000 of valuation
- \$4.9999 is the staff recommended millage rate.
- Staff recommended millage represents a 12.49% increase over the rolled-back rate.

This increase covers the increased cost of operations and maintenance of the General Fund and the requested Capital Outlay and Capital Improvement Projects.

The second item for consideration is the FY2024 tentative budget for the City of Port Orange.

- This budget includes all operation and capital costs for FY 2024.
- The City of Port Orange is the taxing authority.
- The FY2024 budget includes the General, Special Revenue, Debt Service, Capital, Enterprise and Internal Service Funds.
- Per the City Charter, the City Manager must submit an annual budget. Staff has provided an annual budget at the Fund Level.
- The City-Wide Fiscal Year 2024 budget for all funds is \$187,843,104.

In addition to the foregoing tentative millage/budget levy, there will be a voter approved

millage levy of 0.1885 mills to fund the debt service for the 2016 general obligation refunding bonds issued for public safety capital facilities as approved by referendum in 2006.

A Public Hearing will be held on September 20, 2023, at 5:30 p.m. in City Council Chambers at City Hall, 1000 City Center Circle, Port Orange, Florida, to discuss and adopt a final millage rate and the final budget for FY2024 for the City of Port Orange.

PRESENTER: John McKinney

ATTACHMENTS:

1.	Guideline - Public Hearing on Tentative Millage and Budget FY24 revised	Guideline - Public Hearing on Tentative Millage and Budget FY24 revised ver 2.docx
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John McKinney	Created/Initiated - 8/10/2023
John McKinney	Approved - 8/10/2023
Matthew Jones	Approved - 8/22/2023
Wayne Clark	Approved - 8/29/2023
Tracee Cody	Final Approval - 8/29/2023

**Public Hearing for Adoption of Tentative Millage / Budget
September 6, 2023**

Agenda Item 4.

Announce the following:

"The public hearing is now convened to discuss the millage rate and budget. The Fiscal Year (FY) 2024 Budget commences on October 1, 2023 and continues through September 30, 2024. We will begin with the City of Port Orange City Council discussion of the Tentative millage necessary to fund the FY2024 Final budget for the City of Port Orange. The City of Port Orange is the taxing authority and the current year taxable value for operating purposes is \$5,048,363,095.

The tentative millage rate is \$4.9999 mills per \$1,000 of valuation which represents a 12.49% increase in ad valorem tax revenues above the rolled-back rate of \$4.4447."

Ask the City Manager to comment on the increase in millage over the rolled-back rate and the specific purposes for the increase.

[CM Delivers Comments]

Ask for Council discussion, regarding the reasons for the increase in the tentative millage above the rolled back rate.

Announce the following:

"The Council will now hear comments regarding the proposed Tentative millage. The general public shall be allowed to address the council, to make comments and to ask questions."

Ask for public comments

Ask for Council discussion regarding any revisions to the proposed tentative budget as presented.

[NOTE: If revisions are made, changing the Tentative millage from that presented in agenda package, then agree to revise the Final millage. (**do not** vote to adopt and no formal motion - just consensus of Council to direct the manager to recompute the Final millage and mark up the Resolution adopting the Final millage rate, accordingly.)]

If no revisions, then move to Agenda Item 5.

Agenda Item 5.

Read Resolution No. 23-33 for Tentative City Millage.

Move to approve Resolution No. 23-33 adopting the City of Port Orange FY2024 Tentative millage rate of 4.999 mills per \$1,000.00 of valuation. (Public Comment) (Roll call vote)

Announce the following:

"The adopted tentative millage rate of 4.999 mills per \$1,000.00 of valuation is a 12.49% increase in ad valorem tax revenues above the rolled-back rate."

"In addition to the foregoing final millage levy, there is a voter approved millage levy of 0.1885 mills necessary to fund the debt service payments on the 2006 general obligation bonds for public safety capital facilities which were refunded in 2016."

Agenda Item 6.

Read Resolution No. 23-34 for Tentative City Budget.

Motion to Approve Resolution No. 23-34 adopting the City of Port Orange FY2024 Tentative budget. (Public Comment) (Roll call vote)

Announce the following:

"This budget includes all operating and capital costs for FY 2024. This budget includes the General, Special Revenue, Debt Service, Capital, Enterprise and Internal Service Funds. The proposed City-wide FY 2024 budgets for all funds is \$187,843,104.

Ask Council for any comments or revisions.



CITY COUNCIL AGENDA ITEM

COUNCIL MEETING DATE 9/6/2023

SUBJECT: (5) Resolution No. 23-33 - Adopting the Tentative Millage Rate for FY 2023-2024

DEPARTMENT: Finance

GOAL: 5 - Fiscal Sustainability

RECOMMENDED MOTION: Move to approve Resolution No. 23-33.

SUMMARY: Per Florida Statute Section 200.065, the City Council shall adopt a tentative millage rate prior to the adoption of a tentative budget and shall otherwise comply with the controlling provisions of the law.

The Volusia County Property Appraiser has certified the gross taxable value of property for operating purposes within the City as \$5,048,363,095 and certified a rolled-back rate of \$4.4447 per \$1,000 of taxable value for the City of Port Orange. The City Council deems it necessary to levy and does hereby levy a tentative tax of \$4.9999 mills upon all real and personal property within the City for operational purposes. The operating levy of \$4.9999 per \$1,000 represents a 12.49% increase from the rolled-back rate of \$4.4447 per \$1,000 of taxable value. The tentative operating millage for Fiscal Year 2023-2024 would provide for a tentative budget of \$23,979,245.11 at 95% in ad valorem proceeds.

The required millage for the 2006 General Obligation voter approved debt service, which was refunded in 2016 is \$0.1885 mills. The required voter debt service would be budgeted at \$904,036 at 95%.

PRESENTER: John McKinney

ATTACHMENTS:

1.	Reso. No. 23-33 Tentative Millage Rate	Reso. No. 23-33 Tentative Millage Rate.docx
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John McKinney
John McKinney
Matthew Jones

Created/Initiated - 8/10/2023
Approved - 8/10/2023
Approved - 8/22/2023

Wayne Clark
Tracee Cody

Approved - 8/29/2023
Final Approval - 8/29/2023

RESOLUTION NO. 23-33

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PORT ORANGE, VOLUSIA COUNTY, FLORIDA; ADOPTING THE TENTATIVE AD VALOREM PROPERTY TAX MILLAGE RATES TO BE LEVIED FOR FISCAL YEAR 2024 (OCTOBER 1, 2023 TO SEPTEMBER 30, 2024); PROVIDING FOR SCRIVENER'S ERRORS: AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City Council of the City of Port Orange, Florida, has determined the amount of revenue required to meet the City's operating and capital objectives for fiscal year 2024; and

WHEREAS, a substantial portion of this operating revenue is derived from ad valorem tax receipts; and

WHEREAS, the voters of the City of Port Orange approved the levy of additional millage necessary to fund debt service payments on bonds issued for public safety capital facilities; and

WHEREAS, a public hearing on the tentative millage rate has been conducted by City Council at 5:30 p.m. on September 6, 2023, and a final hearing will be conducted at 5:30 p.m. on September 20, 2023, in the City Council Chambers at City Hall, 1000 City Center Circle, Port Orange, Florida.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF PORT ORANGE, VOLUSIA COUNTY, FLORIDA:

Section 1. The tentative millage rate for fiscal year 2024 for the City of Port Orange is hereby levied at 4.9999 mills per \$1,000.00 of valuation. This tentative millage rate is a 12.49% increase above the rolled-back rate, which is the percentage increase in property taxes adopted by the City Council for general government operating and capital purposes.

Section 2. The millage rate of 0.1885 mills per \$1,000.00 of valuation is hereby adopted as a voter-approved levy of additional millage necessary to fund debt service payments on the 2006 general obligation bonds for public safety capital facilities which were refunded in 2016.

Section 3. Scrivener's Errors. Typographical errors and other matters of a similar nature that do not affect the intent of this Resolution, as determined by the City Clerk and City Attorney, may be corrected.

Section 4. This resolution shall take effect immediately upon adoption.

MAYOR DONALD O. BURNETTE

ATTEST:

Robin L. Fenwick, MMC, City Clerk

Adopted on the _____ day of September 2023

Reviewed and Approved: _____
Matthew J. Jones, City Attorney



CITY COUNCIL AGENDA ITEM

COUNCIL MEETING DATE 9/6/2023

SUBJECT: (6) Resolution No. 23-34 - Adopting the Tentative Budget for FY 2023-2024

DEPARTMENT: Finance

GOAL: 5 - Fiscal Sustainability

RECOMMENDED MOTION: Move to approve Resolution No. 23-34.

SUMMARY: This is a request for the City Council to approve the tentative budget for Fiscal Year 2023 - 2024.

Both the Eastport CRA and Town Center CRA approved their respective budgets during separate meetings on August 1, 2023 and submitted them to the City of Port Orange for inclusion in the City's budget.

The City Council of the City of Port Orange has complied with all requirements and procedures of Florida law in processing this resolution. The City Council pursuant to the Charter of the City of Port Orange and Chapter 166, Florida Statutes, does hereby adopt the tentative General Fund, Special Revenue Funds, Debt Service, Capital Improvement Funds (CIP), Enterprise Funds and other Internal Service Funds, in the amount of \$187,843,104 and are attached to the Resolution as Exhibit "A".

Florida Statutes, including Section 200.065, provide that the City Council shall adopt a Tentative Millage Rate prior to the adoption of a Tentative Budget and shall otherwise comply with the controlling provisions of Florida law.

PRESENTER: John McKinney

ATTACHMENTS:

1.	Reso. No. 23-34 Tentative Budget	Reso. No. 23-34 Tentative Budget.docx
2.	Exhibit A Reso 23-34	Exhibit A Reso 23-34.pdf

John McKinney
John McKinney
Matthew Jones
Wayne Clark

Created/Initiated - 8/10/2023
Approved - 8/10/2023
Approved - 8/22/2023
Approved - 8/29/2023

Tracee Cody

Final Approval - 8/29/2023

RESOLUTION NO. 23-34

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PORT ORANGE, VOLUSIA COUNTY, FLORIDA; ADOPTING THE TENTATIVE OPERATING BUDGET FOR FISCAL YEAR 2024 (OCTOBER 1, 2023 TO SEPTEMBER 30, 2024) FOR THE CITY OF PORT ORANGE; PROVIDING FOR APPROPRIATION AND PROCEDURES; PROVIDING FOR SCRIVENER'S ERRORS; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City Manager of the City of Port Orange recommended a tentative annual budget for the Fiscal Year beginning October 1, 2023 and ending September 30, 2024; and has submitted same to the City Council; and

WHEREAS, the Charter, Section 3.08 of the City of Port Orange Code of Ordinances, states that the City Council shall by resolution adopt the annual budget, budget amendments and authorize appropriations; and

WHEREAS, Florida Statutes, Sections 166.241 and Section 200.065, commonly known as the Truth in Millage or TRIM Bill, requires that the City Council hold a public hearing to consider adoption of the tentative millage rate and budget for Fiscal Year 2023-2024; and

WHEREAS, both the Eastport CRA and Town Center CRA approved their respective budgets during separate meetings on August 1, 2023 and submitted to the City of Port Orange for inclusion in the City's budget; and

WHEREAS, a public hearing on the tentative budget has been conducted by the City Council at 5:30 P.M. on September 6, 2023 and a final hearing will be conducted at 5:30 P.M. on September 20, 2022, in City Council Chambers at City Hall, 1000 City Center Circle, Port Orange, Florida.

WHEREAS, during the course of said public hearing, all persons desiring to voice objection or make comments upon the tentative budget for Fiscal Year 2023-24 were given an opportunity to do so.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF PORT ORANGE, VOLUSIA COUNTY, FLORIDA:

Section 1. Approval of the Tentative Budget for Fiscal Year 2023-2024. Pursuant to the City of Port Orange Charter and Florida Statutes, Chapters 166 and 200, the City of Port Orange hereby adopts the various tentative budgets as set forth in **Exhibit "A"** attached and made a part herein by this reference.

Section 2. Final Budget Public Hearing. The final hearing will be conducted at 5:30 p.m. on September 20, 2023, in City Council Chambers at City Hall, 1000 City Center Circle, Port Orange, Florida, where interested parties may appear and address the City Council on budget related matters.

Section 5. Supplemental amendments to appropriations may be affected as deemed necessary in strict compliance with the procedures specified in Chapter 2, Article VI, Division 3, Code of Ordinances, City of Port Orange, Florida.

Section 6. Scrivener's Errors. Typographical errors and other matters of a similar nature that do not affect the intent of this Resolution, as determined by the City Clerk and City Attorney, may be corrected.

Section 7. This resolution shall become effective immediately upon adoption.

MAYOR DONALD O. BURNETTE

ATTEST:

Robin L Fenwick, MMC, City Clerk

Passed and adopted on the _____ day of September 2023

Reviewed and Approved: _____
Matthew J. Jones, City Attorney

DRAFT BUDGET FY 23-24

	Total Budgeted Revenues	Total Budgeted Expenses
<u>001 General Fund</u>	\$ 58,759,279	\$ 58,759,279
<u>Special Revenue Funds</u>		
019 Federal Disaster Fund	\$ 982,525	\$ 982,525
102 Eastport CRA Fund	539,320	539,320
103 Town Center CRA Fund	430,919	430,919
106 Recreation Facilities Fund	205,700	205,700
109 Community Development Building Fund	2,796,525	2,796,525
199 Grant Fund	505,138	505,138
606 Police Benefit Trust Fund	4,900	4,900
607 Police Forfeiture Trust Fund	62,000	62,000
611 Recreation Impact Fund	27,000	27,000
615 Police Education Trust Fund	10,000	10,000
621 Recreation Scholarship Fund	27,300	27,300
625 Federal Police Forfeiture Fund	5,000	5,000
Total Special Revenue Funds	\$ 5,596,327	\$ 5,596,327
<u>Debt Service Funds</u>		
214 2006 GO Bond Debt Service Fund	\$ 904,369	\$ 904,369
217 Eastport Tax Inc Note Fund	233,335	233,335
218 2007 Town Center Bond Fund	402,709	402,709
220 2014 Capital Improvement Bond Fund	1,147,125	1,147,125
Total Debt Service Funds	\$ 2,687,538	\$ 2,687,538
<u>Capital Funds</u>		
301 Transportation Capital Projects Fund	3,354,813	3,354,813
311 Fire Impact Fund	35,000	35,000
312 Transportation Impact Fund	1,286,730	1,286,730
317 General Capital Repl Fund	18,884,610	18,884,610
Total Capital Funds	\$ 23,561,153	\$ 23,561,153
<u>Enterprise Funds</u>		
401 Water & Sewer System Fund	\$ 39,321,045	\$ 39,321,045
403 Water & Sewer R&R Fund	20,710,000	20,710,000
405 Water & Sewer Impact Fee Fund	105,000	105,000
410 Solid Waste Fund	10,199,179	10,199,179
412 Stormwater Utility Fund	7,658,762	7,658,762
413 Stormwater Utility Capital Projects Fund	2,305,000	2,305,000
414 Series 2005 Stormwater Utility Revenue Bonds Fund	699,004	699,004
416 Wetland Mitigation Credit Fund	57,305	57,305
418 ST Rev Loan Debt Service Fund	784,846	784,846
420 Forestry Management Fund	496,932	496,932
450 Golf Course Fund	2,742,530	2,742,530
Total Enterprise Funds	\$ 85,079,603	\$ 85,079,603
<u>Internal Service Funds</u>		
501 Information Technology Fund	\$ 4,396,934	\$ 4,396,934
503 Vehicle Maintenance Fund	1,430,575	1,430,575
504 Risk Management Fund	2,493,995	2,493,995
505 Lease & Replacement Fund	3,787,700	3,787,700
508 Loan Pool Fund	50,000	50,000
Total Internal Service Funds	\$ 12,159,204	\$ 12,159,204
Total All Funds	\$ 187,843,104	\$ 187,843,104