

The Crossroads of South Florida,
We envision a sustainable economy, Let Us Grow Together

CITY OF SOUTH BAY

CITY COMMISSION AGENDA

CITY HALL CHAMBER

MONDAY, SEPTEMBER 19, 2022

335 SW 2ND Avenue

South Bay, FL 33493

www.southbaycity.com

Phone: 561-996-6751 Fax: 561-996-7950

Mayor:

Joe Kyles Sr.

Vice Mayor:

Betty Barnard

Commissioner:

Esther Berry

Commissioner:

Taranza McKelvin

Commissioner:

John Wilson

City Manager:

Leondrae D. Camel

City Attorney:

Burnadette Norris-Weeks

City Clerk:

Natalie Malone

RULES OF PROCEDURE

WHO MAY SPEAK

Meetings of the City Commission are open to the public. They are not; however, public forums. Any resident who wishes to address the commission on any subject within the scope of the Commission's authority may do so, providing it is accomplished in an orderly manner and in accordance with the procedures outlined below.

SPEAKING ON AGENDA ITEM

- I. **Consent Agenda Item** – These are items, which the Commission does not need to discuss individually, and which are voted on as a group. Any Commissioner who wishes to discuss any individual item on the consent agenda may request the Mayor to pull such item from the consent agenda. Those items pulled will be discussed and voted upon individually.
- II. **Regular Agenda Items** – These are items, which the Commission will discuss individually in the order listed on the agenda. By majority vote, the City Commission may permit any person to be heard on an item at a non-public hearing.
- III. **Public Hearing Items** – This portion of the agenda is to obtain input from the public on some ordinances, resolutions and zoning applications. The chair will permit any person to be heard on the item during formal public hearings.

SPEAKING ON SUBJECTS NOT ON THE AGENDA

Any resident may address the Commission on any items pertaining to City business during the Opportunity for the Public to Address the Commission portion of the agenda. Persons wishing to speak must sign in with the City Clerk before the start of the meeting.

ADDRESSING THE COMMISSION: MANNER AND TIME

By majority vote the City Commission may invite citizen discussion on any agenda item. In every case where a citizen is recognized by the Mayor to discuss an agenda item, the citizen shall step to the podium/microphone, state his or her name and address for the benefit of the city clerk, identify any group or organization he or she represents and shall then succinctly state his or her position regarding the item before the city commission. Any question, shall be related to the business of the City and deemed appropriate by the Mayor, shall be directed to the Mayor and the Mayor shall then re-direct the question to the appropriate Commissioner or City Staff to answer the citizen question which shall be related to the business of the City.

All comments or questions of the public are to be directed to the Mayor as presiding officer only. There shall be no cross conversations or questions of any other persons. The length of time each individual may speak should be limited in the interest or order and conduct of the business at hand. Comments to the Commission by individual citizens shall be limited to three (3) minutes during the citizens request period. The City clerk shall be charged with the responsibility of notifying each citizen thirty (30) seconds before said time shall elapse and when said time limit has expired.

APPEALS

If a person decides to appeal any decision made by the board, agency, or commission with respect to any matter considered at such hearing, he or she will need a record of the proceedings, and that, for such purpose, he or 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.

DECORUM

If a member of the audience becomes unruly, the Mayor has the right to require the person to leave the room. If a crowd becomes unruly, the Mayor may recess or adjourn the meeting.

PLEASE SILENCE ALL CELL PHONES AND PAGERS

CONTACT INFORMATION

If anyone has questions or comments about anything on the meeting agenda, please contact the City Manager at 561-996-6751.

AMERICANS WITH DISABILITY ACT

In accordance with the Americans with Disability Act and Florida Statute 286.26, persons with disabilities needing special accommodations to participate in this proceeding should contact the city clerk no later than three (3) days prior to the meeting at 561-996-6751 for assistance.

CITY OF SOUTH BAY
FINAL BUDGET MEETING AGENDA

CITY HALL CHAMBER

MONDAY, SEPTEMBER 19, 2022

5:30 PM

NOTICE: If any person decides to appeal any decision of the City Commission at this meeting, he/she will need a record of the proceedings and for that 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, pursuant to F.S. 286.01055. The City of South Bay does not prepare or provide such records.

In accordance with the Americans with Disabilities Act and Section 286.26, Florida Statutes, persons with disabilities needing special accommodations in order to participate in this proceeding are entitled to the provision of certain assistance at no cost. Please call the City Clerk's Office at 561-996-6751 no later than 2 days prior to the hearing if this assistance is required. For hearing impaired assistance, please call the Florida Relay Service Numbers: 800-955-8771 (TDD) or 800-955-8770 (VOICE).

Any citizen of the audience wishing to appear before the City Commission to speak with reference to any agenda item must complete their "Request for Appearance and Comment" card and present completed form to the City Clerk.

1. **CALL TO ORDER, ROLL CALL; PRAYER, PLEDGE OF ALLEGIANCE**
2. **DISCLOSURE OF VOTING CONFLICTS**
3. **OPPORTUNITY FOR THE PUBLIC TO ADDRESS THE COMMISSION**
4. **RESOLUTIONS – (Non- Consent) and Quasi-Judicial Hearing, if applicable)**
 - 4.a. Resolution 36-2022
A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF SOUTH BAY, FLORIDA, ADOPTING A FINAL MILLAGE RATE FOR THE FISCAL YEAR COMMENCING OCTOBER 1, 2022, THROUGH SEPTEMBER 30, 2023, PURSUANT TO SECTION 200.065, FLORIDA STATUTES; COMPUTING THE ROLLED-BACK RATE; PROVIDING INSTRUCTIONS TO CITY CLERK; PROVIDING FOR AN EFFECTIVE DATE
 - 4.b. Resolution 37-2022
A RESOLUTION OF THE CITY OF SOUTH BAY, FLORIDA, ADOPTING THE FINAL BUDGET FOR THE FISCAL YEAR COMMENCING OCTOBER 1, 2022, THROUGH SEPTEMBER 30, 2023, PURSUANT TO FLORIDA STATUTES SECTION 200.065; PROVIDING FOR AN EFFECTIVE DATE
5. **ADJOURNMENT**

RESOLUTION NO. 36-2022

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF SOUTH BAY, FLORIDA, ADOPTING A FINAL MILLAGE RATE FOR THE FISCAL YEAR COMMENCING OCTOBER 1, 2022, THROUGH SEPTEMBER 30, 2023, PURSUANT TO SECTION 200.065, FLORIDA STATUTES; COMPUTING THE ROLLED-BACK RATE; PROVIDING INSTRUCTIONS TO CITY CLERK; PROVIDING FOR AN EFFECTIVE DATE

WHEREAS, Section 200.065, Florida Statutes, provides for the adoption of a final millage rate, together with the establishment of a rolled-back rate computed pursuant to Section 200.065(1), Florida Statutes; and

WHEREAS, the City Manager of the City of South Bay ("City") has recommended an annual budget for Fiscal Year 2022-2023, commencing October 1, 2022, through September 30, 2023; and

WHEREAS, the gross taxable value for operating purposes not exempt from taxation within the City of South Bay, Palm Beach County has been certified by the County Property Appraiser to the City of South Bay, Palm Beach County, Florida as Eighty-Six Million Six Hundred Eighty-Two Thousand One Hundred Seven Dollars (\$86,682,107.00); and

WHEREAS, the City Commission of the City of South Bay ("City Commission") held a public hearing on September 6, 2022, allowing for public comments on the budget and the proposed millage rate for Fiscal Year 2022-2023, commencing October 1, 2022, through September 30, 2023; and

WHEREAS, after the public hearing on September 6, 2022, the City Commission adopted Resolution 34-2022, thereby tentatively adopting a millage rate for Fiscal Year 2022-2023; and

WHEREAS, a second public hearing was held on September 19, 2022 allowing for public comments on the budget and the final millage rate for Fiscal Year 2022-2023; and

WHEREAS, the public and all interested parties have had the opportunity to address their comments to the City Commission and the City Commission has considered the comments of the public regarding the millage rate and the rolled-back rate for Fiscal Year 2022-2023.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF SOUTH BAY, FLORIDA, AS FOLLOWS:

Section 1. Adoption of Representations. The foregoing "Whereas" paragraphs are hereby ratified and confirmed as being true and the same are hereby made a specific part of this Resolution.

Section 2. Final Millage Rate. The City Commission of the City of South Bay hereby adopts a final millage rate of 6.3089 mils for Fiscal Year 2022-2023, commencing October 1, 2022, through September 30, 2023, which is \$6.3089 per \$1,000.00 of taxable property value within the City of South Bay.

Section 3. Computation of Rolled-Back Rate. The rolled-back rate for the City of South Bay for the Fiscal Year commencing October 1, 2022, through September 30, 2023,

shall be and is hereby fixed at the rate of 5.7304 mills. The percentage increase in the millage rate over the rolled-back rate is 10.10%.

Section 4. Instructions to City Clerk. The City Clerk is directed to forward a copy of this resolution to the Palm Beach County Property Appraiser and the Palm Beach County Constitutional Tax Collector's Office.

Section 5. Effective Date. This Resolution shall take effect immediately upon its passage and adoption.

PASSED and **ADOPTED** this 19th day of September 2022.

Joe Kyles, Mayor

ATTEST:

By: _____
Natalie Malone, City Clerk

**APPROVED AS TO FORM AND
LEGAL SUFFICIENCY:**

Burnadette Norris-Week, P.A.
City Attorney

Moved by: _____

Seconded by: _____

VOTE:

Commissioner Berry	_____ (Yes)	_____ (No)
Commissioner McKelvin	_____ (Yes)	_____ (No)
Commissioner Wilson	_____ (Yes)	_____ (No)
Vice-Mayor Barnard	_____ (Yes)	_____ (No)
Mayor Kyles	_____ (Yes)	_____ (No)



CERTIFICATION OF TAXABLE VALUE

Reset Form

Print Form

DR-420
R. 5/12
Rule 12D-16.002
Florida Administrative Code
Effective 11/12

Year: 2022	County: PALM BEACH
Principal Authority: South Bay	Taxing Authority: South Bay

SECTION I: COMPLETED BY PROPERTY APPRAISER

1.	Current year taxable value of real property for operating purposes	\$	71,336,050	(1)
2.	Current year taxable value of personal property for operating purposes	\$	13,150,266	(2)
3.	Current year taxable value of centrally assessed property for operating purposes	\$	2,195,791	(3)
4.	Current year gross taxable value for operating purposes <i>(Line 1 plus Line 2 plus Line 3)</i>	\$	86,682,107	(4)
5.	Current year net new taxable value (Add new construction, additions, rehabilitative improvements increasing assessed value by at least 100%, annexations, and tangible personal property value over 115% of the previous year's value. Subtract deletions.)	\$	3,433,467	(5)
6.	Current year adjusted taxable value <i>(Line 4 minus Line 5)</i>	\$	83,248,640	(6)
7.	Prior year FINAL gross taxable value from prior year applicable Form DR-403 series	\$	75,615,569	(7)
8.	Does the taxing authority include tax increment financing areas? If yes, enter number of worksheets (DR-420TIF) attached. If none, enter 0	<input type="checkbox"/> YES	<input checked="" type="checkbox"/> NO	Number 0 (8)
9.	Does the taxing authority levy a voted debt service millage or a millage voted for 2 years or less under s. 9(b), Article VII, State Constitution? If yes, enter the number of DR-420DEBT, Certification of Voted Debt Millage forms attached. If none, enter 0	<input type="checkbox"/> YES	<input checked="" type="checkbox"/> NO	Number 0 (9)


SIGN HERE	Property Appraiser Certification	I certify the taxable values above are correct to the best of my knowledge.		
	Signature of Property Appraiser:	Date:		
	Electronically Certified by Property Appraiser	6/28/2022 8:31 AM		

SECTION II : COMPLETED BY TAXING AUTHORITY

If this portion of the form is not completed in FULL your taxing authority will be denied TRIM certification and possibly lose its millage levy privilege for the tax year. If any line is not applicable, enter -0-.

10.	Prior year operating millage levy <i>(If prior year millage was adjusted then use adjusted millage from Form DR-422)</i>		6.3089	per \$1,000 (10)
11.	Prior year ad valorem proceeds <i>(Line 7 multiplied by Line 10, divided by 1,000)</i>	\$	477,051	(11)
12.	Amount, if any, paid or applied in prior year as a consequence of an obligation measured by a dedicated increment value <i>(Sum of either Lines 6c or Line 7a for all DR-420TIF forms)</i>	\$	0	(12)
13.	Adjusted prior year ad valorem proceeds <i>(Line 11 minus Line 12)</i>	\$	477,051	(13)
14.	Dedicated increment value, if any <i>(Sum of either Line 6b or Line 7e for all DR-420TIF forms)</i>	\$	0	(14)
15.	Adjusted current year taxable value <i>(Line 6 minus Line 14)</i>	\$	83,248,640	(15)
16.	Current year rolled-back rate <i>(Line 13 divided by Line 15, multiplied by 1,000)</i>		5.7304	per \$1000 (16)
17.	Current year proposed operating millage rate		6.3089	per \$1000 (17)
18.	Total taxes to be levied at proposed millage rate <i>(Line 17 multiplied by Line 4, divided by 1,000)</i>	\$	546,869	(18)

19.	TYPE of principal authority (check one)	<input type="checkbox"/> County	<input type="checkbox"/> Independent Special District	(19)
		<input checked="" type="checkbox"/> Municipality	<input type="checkbox"/> Water Management District	
20.	Applicable taxing authority (check one)	<input checked="" type="checkbox"/> Principal Authority	<input type="checkbox"/> Dependent Special District	(20)
		<input type="checkbox"/> MSTU	<input type="checkbox"/> Water Management District Basin	
21.	Is millage levied in more than one county? (check one)	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No	(21)

DEPENDENT SPECIAL DISTRICTS AND MSTUS		STOP HERE - SIGN AND SUBMIT
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22.	Enter the total adjusted prior year ad valorem proceeds of the principal authority, all dependent special districts, and MSTUs levying a millage. <i>(The sum of Line 13 from all DR-420 forms)</i>	\$ 477,051	(22)
23.	Current year aggregate rolled-back rate <i>(Line 22 divided by Line 15, multiplied by 1,000)</i>	5.7304 per \$1,000	(23)
24.	Current year aggregate rolled-back taxes <i>(Line 4 multiplied by Line 23, divided by 1,000)</i>	\$ 496,723	(24)
25.	Enter total of all operating ad valorem taxes proposed to be levied by the principal taxing authority, all dependent districts, and MSTUs, if any. <i>(The sum of Line 18 from all DR-420 forms)</i>	\$ 546,869	(25)
26.	Current year proposed aggregate millage rate <i>(Line 25 divided by Line 4, multiplied by 1,000)</i>	6.3089 per \$1,000	(26)
27.	Current year proposed rate as a percent change of rolled-back rate <i>(Line 26 divided by Line 23, minus 1, multiplied by 100)</i>	10.10 %	(27)

First public budget hearing	Date : 9/6/2022	Time : 7:00 PM EST	Place : 335 SW 2nd Ave. South Bay, FL 33493
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SIGN HERE	Taxing Authority Certification		I certify the millages and rates are correct to the best of my knowledge. The millages comply with the provisions of s. 200.065 and the provisions of either s. 200.071 or s. 200.081, F.S.		
	Signature of Chief Administrative Officer : Electronically Certified by Taxing Authority			Date : 7/20/2022 9:28 AM	
	Title : Leondrae Camel, CITY MANAGER		Contact Name and Contact Title : Massih Saadatmand, FINANCE DIRECTOR		
	Mailing Address : 335 SW SECOND AVE		Physical Address : 335 SOUTHWEST SECOND AVENUE		
	City, State, Zip : SOUTH BAY, FLORIDA 33493		Phone Number : 5619966751		Fax Number : 5619967950

RESOLUTION 37-2022

**A RESOLUTION OF THE CITY OF SOUTH BAY, FLORIDA,
ADOPTING THE FINAL BUDGET FOR THE FISCAL YEAR
COMMENCING OCTOBER 1, 2022, THROUGH SEPTEMBER
30, 2023, PURSUANT TO FLORIDA STATUTES SECTION
200.065; PROVIDING FOR AN EFFECTIVE DATE**

WHEREAS, the adoption and implementation of a final fiscal budget to provide municipal expenses for the fiscal year beginning October 1, 2022, and ending September 30, 2023, for the City of South Bay, Florida is essential; and

WHEREAS, the City of South Bay (“City”), on September 19, 2022, held a public hearing as required by Florida Statute 200.065; and

WHEREAS, the City set forth the appropriations and revenue estimate for the Budget for fiscal year 2022-2023 in the amount of Eight Million Three Hundred One Thousand Three Hundred Fourteen Dollars (\$8,301,314.00)

WHEREAS, the public and all interested parties have had the opportunity to address comments to the City Commission and the City Commission has considered the comments of the public regarding the budget for fiscal year 2022-2023.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF SOUTH BAY, FLORIDA, AS FOLLOWS:

Section 1. Adoption of Representations. The foregoing “Whereas” clauses are hereby ratified and confirmed as being true and the same are hereby made a specific part of this Resolution.

Section 2. Adoption of Final Budget. The City Commission of the City South Bay, Florida, hereby adopts the following tentative fund budgets for the fiscal year, commencing October 1, 2022 through September 30, 2023, as part of the adoption of the Final Budget for the City and states:

1. The City Commission finds and determines that sums set forth in the following tentative fund budgets are necessary to preserve the public health, public peace and public welfare of the City of South Bay, and are necessary for it to properly function as a City.
 - (a) There is hereby appropriated from General Fund of the City of South Bay for the above-described fiscal year, total sum of Two Million Six Hundred Eighty-Two Thousand Three Hundred Twenty-Four Dollars (\$2,682,324.00) to provide for the budget of General Fund.
 - (b) There is hereby appropriated from various Capital Projects Grants and Sales Tax Revenues for the above-described fiscal year the total sum of Four Million Seven Hundred Seventy-Three Thousand Ninety Dollars (\$4,773,090.00) to provide for the Budget of the Capital Project Fund.
 - (c) There is hereby appropriated from Water and Sewer Fund of the City of South Bay for the above-described fiscal year, total sum of One Hundred Sixty-Two Thousand One Hundred Fifty Dollars

(\$162,150.00) to provide for the Budget of the Water and Sewer Fund.

(d) There is hereby appropriated from Sanitation Fund of the City of South Bay for the above-described fiscal year, total sum of Six Hundred Eighty-Three Thousand Seven Hundred Fifty Dollars (\$683,750.00) to provide for the Budget of the Sanitation Fund.

Section 1. Time Period. This resolution providing for Fiscal Year 2022-2023 as set forth above is adopted to cover said of time only.

Section 1. Effective Date. This resolution shall take effect immediately upon its adoption

PASSED and ADOPTED this 19th Day of September 2022.

Joe Kyles, Mayor

ATTEST:

By: _____
Natalie Malone, City Clerk

APPROVED AS TO FORM AND LEGAL SUFFICIENCY:

Burnadette Norris-Week, P.A.
City Attorney

Moved by: _____

Seconded by: _____

VOTE:

Commissioner Berry	_____ (Yes)	_____ (No)
Commissioner McKelvin	_____ (Yes)	_____ (No)
Commissioner Wilson	_____ (Yes)	_____ (No)
Vice-Mayor Barnard	_____ (Yes)	_____ (No)
Mayor Kyles	_____ (Yes)	_____ (No)

BUDGET SUMMARY
City of South Bay
Fiscal Year 2022-2023

THE PROPOSED OPERATING BUDGET EXPENDITURES OF THE CITY OF SOUTH BAY
ARE 3.5% MORE THAN LAST YEAR'S TOTAL OPERATING EXPENDITURES

	GENERAL FUND	CAPITAL PROJECTS	ENTERPRISE FUNDS	TOTAL BUDGET
ESTIMATED REVENUES:				
Taxes:				
Ad Valorem Taxes	519,526	-	-	\$ 519,526
Sales & Use Taxes	745,030	245,500	-	990,530
Franchise Fees	243,250	-	-	243,250
Licenses & Permits	96,250	-	-	96,250
Intergovernmental Revenues	866,511	4,526,090	-	5,392,601
Charges for Services	56,100	-	678,000	734,100
Fines & Forfeitures	5,000	-	-	5,000
Miscellaneous Revenues	62,207	1,500	167,900	231,607
TOTAL REVENUES	2,593,874	4,773,090	845,900	8,212,864
Transfers in	88,450	-	-	88,450
TOTAL REVENUES & TRANSFERS IN	\$ 2,682,324	\$ 4,773,090	\$ 845,900	\$ 8,301,314
EXPENDITURES				
General Government	1,388,258	-	-	\$ 1,388,258
Public Safety	236,106	-	-	236,106
Physical Environment	-	-	522,350	522,350
Highway and Street	552,176	2,277,410	-	2,829,586
Community Development	502,879	2,448,680	-	2,951,559
Other Financing Uses	-	-	1,000	1,000
Debt Services	2,905	-	-	2,905
TOTAL EXPENDITURES	2,682,324	4,726,090	523,350	7,931,764
Transfers Out	-	-	88,450	88,450
Fund Balances/Reserves/Net Assets	-	47,000	234,100	281,100
TOTAL APPROPRIATED EXPENDITURES, TRANSFER OUT, RESERVES AND FUND BALANCES	\$ 2,682,324	\$ 4,773,090	\$ 845,900	\$ 8,301,314

The tentative, adopted and / or final budgets are on file in the office of the above referenced taxing authority as a public record.