

#### TOWN COUNCIL AGENDA REGULAR MEETING

#### THURSDAYTOWN COUNCIL CHAMBERSJULY 18, 2024 – 2:00 P.M.4300 S. ATLANTIC AVENUE, PONCE INLET, FL

#### SUNSHINE LAW NOTICE FOR BOARD MEMBERS – Notice is hereby provided that one or more members of the Town's various boards may attend and speak at this meeting.

A complete copy of the materials for this agenda is available at Town Hall.

- 1. CALL TO ORDER.
- 2. PLEDGE OF ALLEGIANCE.
- 3. ROLL CALL.

NOTE: Citizens who wish to speak during Public Participation about any subject that is not on the meeting agenda should fill out the Citizen Participation Request form and submit it to the Town Clerk prior to the start of the meeting.

#### 4. ADDITIONS, CORRECTIONS OR DELETIONS TO THE AGENDA.

5. CITIZENS' PARTICIPATION - The Town of Ponce Inlet encourages engagement by citizens via a variety of means. This is an opportunity for our citizens to talk to us collectively on any subject that is not identified on the meeting agenda. The Town's Rules for Conducting Town Council meetings are set forth in Resolution 2021-11 and include the following guidelines:

- Citizens are provided with 5 minutes at each meeting to speak on one or more issues that are not otherwise placed on the meeting agenda.
- Please introduce yourself with your name and address clearly for the record.
- Share with us your thoughts, ideas, and opinions; we want to hear them.
- Under our rules, all questions and comments are directed to the Mayor.

While some questions may be able to be addressed at this meeting, others may require research or more information than we have readily available from our staff, so we may have to defer the response to you until we have that information. Also, depending on the type of issue, we may place the matter on a properly noticed subsequent meeting agenda. As a Council, we welcome the opportunity to hear from you and hope you will speak with us not only during Citizen Participation but outside of these meetings. We understand the formal nature of this meeting, but rest assured, we want to hear from you, we want to address your concerns, and we are appreciative of your involvement.

#### 6. PROCLAMATIONS, PRESENTATIONS, AND AWARDS:

#### A. Coastal armoring, by Volusia County Chair Jeff Brower

7. CONSENT AGENDA - Items on the consent agenda are defined as routine in nature that do not warrant detailed discussion or individual action by the Council; therefore, all items remaining on the consent agenda shall be approved and adopted by a single motion, second and vote by the Town Council. Items on the consent agenda are not subject to discussion. Any member of the Town Council may remove any item from the consent agenda simply by verbal request at the Town Council meeting. Removing an

item from the consent agenda does not require a motion, second or a vote; it would simply be a unilateral request of an individual Council member and this item would then be added as the last item under New Business. As with all agenda items, the public will have the opportunity to comment prior to a motion being placed on the floor and their comment(s) may persuade the Council to remove the item from the Consent Agenda and place under New Business for discussion.

- A. Approval of the Town Council Regular meeting minutes. June 20, 2024.
- B. Approval of the Town Council Preliminary Budget Workshop minutes. June 26, 2024.
- C. Declaration of police vehicle as surplus property.
- 8. OLD/NEW BUSINESS ITEMS PREFERRED AT THE BEGINNING OF THE MEETING: *None.*
- 9. PUBLIC HEARINGS / QUASI-JUDICIAL MATTERS: None.
- 10. PUBLIC HEARINGS / NON-QUASI-JUDICIAL MATTERS: None.
- 11. ORDINANCES (FIRST READING) AND RESOLUTIONS:
  - A. Resolution 2024-13 Authorizing the creation of a Disaster Recovery fund and a transfer of appropriations within the Town's budget for Fiscal Year 2023-2024.
  - B. Resolution 2024-14 Adopting a proposed millage rate for Fiscal Year 2024-2025.
- 12. OLD BUSINESS: None.
- 13. NEW BUSINESS:
  - A. Discussion Ponce Inlet Business Hours and Vision Statement.
  - B. Discussion Code enforcement hearing process through a Special Magistrate.
  - C. Discussion Purchasing thresholds.
  - D. Request to change the December 2024 Regular Town Council meeting date. *requested by Councilmember Milano*
- 14. FROM THE TOWN COUNCIL:
  - A. Vice-Mayor Smith, Seat #5
  - B. Councilmember Villanella, Seat #4
  - C. Councilmember White, Seat #3

- D. Councilmember Milano, Seat #2
- E. Mayor Paritsky, Seat #1
- 15. FROM THE TOWN MANAGER.
- 16. FROM THE TOWN ATTORNEY.

17. CITIZENS' PARTICIPATION - The Town of Ponce Inlet encourages engagement by citizens via a variety of means. This is another opportunity for our citizens to talk to us collectively for 2 minutes before closure of this meeting regarding reports provided by the Town Council, Town Manager, or Town Attorney in items 14-16 (only) of the meeting agenda.

18. ADJOURNMENT.

Upcoming Town Council meeting(s) and Important date(s):

- Tuesday, July 16, 2024, 10:00 AM 2<sup>nd</sup> Special Budget Workshop
- Thursday, August 8, 2024, 6:00 PM Town Hall Meeting
- Thursday, August 22, 2024, 2:00 PM Regular Council Meeting

If a person decides to appeal any decision made by the Town Council with respect to any matter considered at a meeting or hearing, he/she will need a record of the proceedings and that 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. Persons who require accommodation to attend this meeting should contact the Ponce Inlet Town Hall at 236-2150 at least 48 hours prior to the meeting to request such assistance.

**Meeting Date:** 7/18/2024



Agenda Item: 7

#### **Report to Town Council**

- Topic: Consent Agenda
  - A. Approval of the Town Council Regular meeting minutes June 20, 2024.
  - B. Approval of the Town Council Preliminary Budget Workshop minutes June 26, 2024.
  - C. Declaration of police vehicle as surplus property.

Summary: See attached staff reports.

Suggested motion: To approve the Consent agenda as presented.

Requested by: Ms. Cherbano, Town Clerk Chief Glazier, Police Chief

Approved by: Mr. Disher, Town Manager



#### Town of Ponce Inlet **Town Council Regular Meeting Minutes** June 20, 2024

6 1. **CALL TO ORDER:** Pursuant to proper notice, Mayor Paritsky called the meeting to order at 2:00 p.m. in the Council Chambers at 4300 South Atlantic Avenue, Ponce Inlet, Florida.

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- 2. **PLEDGE OF ALLEGIANCE:** Mayor Paritsky led the Pledge of Allegiance.
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3. **ROLL CALL:** 

- 12 **Town Council:**
- 13 Mayor Paritsky, Seat #1
- Councilmember Milano, Seat #2 14
- 15 Councilmember White, Seat #3
- Councilmember Villanella, Seat #4 16
- 17 Vice-Mayor Smith, Seat #5
- **Staff Members Present:** 19
- Ms. Alex, Cultural Services Manager 20
- 21 Mr. Baker, Building Official
- Ms. Cherbano, Town Clerk 22
- Mr. Disher, Town Manager 23
- Mr. Dunlap, Acting Public Works Director 24
- Ms. Gjessing, Assistant Deputy Clerk 25
- 26 Chief Glazier, Police Chief
- Ms. Hall, Assistant Finance Director 27
- Ms. Hugler, Fire Department Office Manager 28
- 29 Deputy Chief Landreville, Deputy Fire Chief
- Ms. McColl, Finance Director 30
- Mr. Okum, IT Director 31
- Chief Scales, Public Safety Director 32
- 33 Attorney Shepard, Town Attorney 34

#### 35 Other representatives present:

- Ms. Monica Paris, Daytona Beach Commissioner, Zone 1 36
- Mr. Bobby Ball, President of Zev Cohen and Associates 37
- Mr. Brad Blais, Water & Utilities Market Leader for Mead & Hunt 38
- 39 Mr. Andrew Kalel, Sunrise Consulting Group
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- Mayor Paritsky acknowledged and thanked Ms. Monica Paris, Daytona Beach Commissioner, 41 42 Zone 1, for her attendance. 43

#### ADDITIONS, CORRECTIONS, OR DELETIONS TO THE AGENDA: Item 13-A 44 4.

45 was moved to Item 8-A; approved as amended. 46

47 <u>Mayor Paritsky moved to approve the agenda as amended; seconded by Councilmember</u>
 48 <u>Villanella; The motion PASSED 5-0, consensus.</u>

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50 CITIZENS PARTICIPATION: Mayor Paritsky opened citizens participation - Craig 5. Sandman, 37 Ocean Way Drive, thanked all involved for handling the previously mentioned trash 51 52 can situation at Lighthouse Point Park. He stated there has been a recent increase in aggressive 53 solicitors and asked whether Chief Glazier would address the situation. He also questioned what could be done to ensure vehicles yield to pedestrians on South Atlantic Avenue given that the road 54 55 is maintained by Volusia County. Chief Glazier explained that every solicitor is required to be permitted by the Town, but most do not acquire the necessary approval; he instructed residents to 56 reach out to the Police Department upon encountering an unpermitted solicitor, since they are 57 considered suspicious persons. Chief Glazier also mentioned he will research installing flashing 58 crosswalk lights on some crosswalks but advised it would require County approval; 59 Councilmember White stated the crosswalk strips should also be repainted. Charles Burge, 4670 60 Links Village Drive Unit B702, provided a presentation on disabilities; he explained the difference 61 between some disabilities and how they are viewed by others; he provided the disability statistics 62 for the State of Florida and how this relates to Ponce Inlet veterans and residents. Mr. Burge 63 provided some options for beach accessibility to be more inclusive to those with disabilities. Larry 64 Fornari, 121 Ponce De Leon Circle, provided Council with the history of the property next door to 65 his, the permit for which he is in the process of appealing. He further voiced his concern with the 66 appeal process itself, stating his belief that the delay in the appeal process is counterintuitive to the 67 68 issue being resolved, and that there should be an expeditated process. Mr. Disher confirmed a stop work order has been posted to the property involved in the appeal. Mark McCarty, 4628 Harbour 69 Village Blvd Unit 2506, discussed aging and how it impacts the construction industry. Mayor 70 71 Paritsky closed citizens participation.

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#### PROCLAMATIONS, PRESENTATIONS, AND AWARDS:

A. Mayor's Proclamation Report: Mayor Paritsky declared the month of July 2024
 as *Recreation and Parks Month*.

77 Stormwater Drainage Update: Chief Scales introduced Bobby Ball, President of 78 В. 79 Zev Cohen and Associates, which the Town had hired to study the existing stormwater drainage systems of several areas in Ponce Inlet and design improvements for others. Mr. Ball provided an 80 update on the progress of the Town's stormwater drainage improvements and the history 81 surrounding the project. He stated that Phase 2 of the pipe cleaning process has been completed as 82 83 well as an analysis of Michael Lane in the Oceanside Village area. The Las Olas retention pond 84 and the Kelly Bea drainage easements were also addressed; he explained that due to the grade of both, the only options are either to pump the water out once the Kelly Bea drainage easements are 85 full, or to install a pipe with a one-way valve. He mentioned some on-going projects include the 86 once-way flap valves to be installed on Old Carriage Road and Anchor Drive, and the muck 87 removal in the three Town-owned ponds. These plans are under review and will be put out to be 88 89 bid for construction later in the year. Councilmember Villanella questioned if the sediment in the 90 swales and basins prevents the water from draining quickly and whether this is a maintenance item. Mr. Ball stated the sediments can impact the drainage and that occasional maintenance would be 91

worthwhile. Councilmember White reviewed the Town's swales and stormwater policy, and 92 93 questioned Attorney Shepard on whether there is anything the Town could do to encourage 94 homeowners to keep up the required retention areas on their properties; Attorney Shepard provided 95 examples of ways the Town could legally enforce the retention upkeep but emphasized the work being done would have to be consistent with the policies of all agencies involved. Councilmember 96 97 White asked if height could be added to the top rim of the existing retention areas to increase their 98 volume; Mr. Ball explained the difficulties surrounding this. Councilmember Milano commented 99 on the history of the Town's stormwater retention areas. Mayor Paritsky opened public 100 participation – hearing none, public participation was closed. 101

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102 Mr. Disher explained the retention requirements and encouraged residents to ask the Planning & Development Department for a copy of their original home building permit, on which the drainage 103 104 areas will be clearly indicated. 105

- CONSENT AGENDA: Mayor Paritsky asked if there was any item Council would like to 106 7. 107 remove from the consent agenda; there were no requests. Mayor Paritsky asked if there were any 108 requests from the public – there were none. 109
  - Declaration of vehicles as surplus property. A.
  - Approval of the Town Council Regular meeting minutes May 7, 2024. **B**.
  - Approval of the Joint Town Council Planning Board Special meeting C. minutes – June 4, 2024.
- 117 Mayor Paritsky moved to approve the Consent Agenda as presented; seconded by Councilmember Villanella; The motion PASSED 5-0, consensus. 118 119

#### 120 OLD/NEW BUSINESS ITEMS PREFERRED AT THE BEGINNING OF THE 8. 121 **MEETING:** (moved from item 13-A)

Discussion – Renewal of Contract for Government Affairs Consultant. – Mr. 123 **A**. Disher provided the history of the Town's working relationship with Sunrise Consulting Group 124 (SCG). Staff is proposing to renew the contract but is requesting direction on the length of the 125 renewal term. Mayor Paritsky expressed her desire to not have an interruption in SCG's services, 126 thereby supporting a 12-month renewal period. There was then a brief discussion regarding the 127 potential use of a piggy-back contract. Councilmember Villanella and Councilmember White 128 129 stated their support for the 12-month renewal, emphasizing the importance of uninterrupted 130 services. Councilmember Milano stated he would ideally have a piggy-back contract prior to putting the project out for bid; a brief discussion followed regarding the timeline to renew the 131 contract. Andrew Kalel, representative for Sunrise Consulting Group, thanked Council and stated 132 133 he enjoys representing Ponce Inlet. Mayor Paritsky opened public participation - hearing none, public participation was closed. 134

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Councilmember White questioned if something may be missed between now and the renewal of 136 137 the contract. Mr. Disher stated the budget could be reviewed for a transfer of funds to guarantee there is no gap, under Council's direction. 138

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There was Council consensus for a 12-month contract renewal, beginning as soon as possible.

- 142 9. **PUBLIC HEARINGS / QUASI-JUDICIAL MATTERS:** None. 143
- 144 **PUBLIC HEARINGS / NON-QUASI-JUDICIAL MATTERS:** 10.

145 146 A. **Resolution 2024-10.** Attorney Shepard read Resolution 2024-10 by title only. A **RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF PONCE INLET,** 147 FLORIDA, RELATING TO THE FLORIDA DEPARTMENT OF ENVIRONMENTAL 148 PROTECTION CLEAN WATER STATE REVOLVING FUND LOAN PROGRAM; 149 MAKING FINDINGS; ADOPTING THE FACILITY PLAN AND CAPITAL FINANCING 150 PLAN FOR THE IMPLEMENTATION OF SEPTIC-TO-SEWER PHASE 1 AND 2 151 152 **PROJECTS: DESIGNATING AN AUTHORIZED REPRESENTATIVE: PROVIDING** ASSURANCES; AND PROVIDING FOR CONFLICTS, SEVERABILITY, AND AN 153 EFFECTIVE DATE. - Mr. Disher explained this is part of the Town's application to the 154 155 Department of Environmental Protection (DEP) for the sewer construction loan. Part of the application is the sewer Facility Plan and Capital Financing Plan. Mr. Brad Blais, representative 156 for Mead Hunt, provided a presentation to summarize the difference between the two resolutions 157 being presented for adoption. He stated that resolution 2024-10 is for the adoption of the Facility 158 Plan which evaluates the demographic and environmental conditions. He also provided an 159 explanation regarding the Capital Financing Plan and 100% Principal Forgiveness Loan. He 160 informed Council that resolution 2024-11 is for the application itself and the standard fees and 161 contingencies that come with it. He provided a brief synopsis on the projects which are referred to 162 as Phase 1 and Phase 2 Sewer Retrofit Projects, and pointed out the different locations this project 163 serves. Mr. Blais stated the total estimated cost is \$10.46 million, which is the current sum of the 164 loan. Mr. Blais informed Council the construction period is approximately one year starting from 165 the receipt of bids. Councilmember Villanella and Mr. Blais discussed the purpose of this and 166 clarified it is a resiliency grant. Vice-Mayor Smith requested information on how the Town will 167 provide maintenance of the sewer project when it is under the jurisdiction of Volusia County; Mr. 168 Blais explained this is completed through the Town's interlocal agreement with the City of Port 169 170 Orange which stipulates everyone's roles and responsibilities in the project. 171

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Mayor Paritsky opened public participation – hearing none, public participation was closed.

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Councilmember Villanella moved to approve Resolution 2024-10 authorizing the Septic-to-Sewer 174

Phase 1 and 2 Facility Plan and Capital Financing Plan as presented; seconded by 175

Councilmember White. The motion PASSED, 5-0 with the following vote: Councilmember 176

Villanella – yes; Councilmember White – yes; Mayor Paritsky – yes; Councilmember Milano – 177 *yes; Vice-Mayor Smith – yes.* 178

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180 В. Resolution 2024-11. Attorney Shepard read Resolution 2024-11 by title only. A **RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF PONCE INLET,** 181

FLORIDA, RELATING TO THE FLORIDA DEPARTMENT OF ENVIRONMENTAL 182 183 PROTECTION CLEAN WATER STATE REVOLVING FUND LOAN PROGRAM; MAKING FINDINGS; AUTHORIZING THE TOWN MANAGER TO SUBMIT A LOAN 184 185 APPLICATION; AUTHORIZING THE LOAN AGREEMENT; DESIGNATING AN AUTHORIZED REPRESENTATIVE; PROVIDING ASSURANCES; AND PROVIDING 186 FOR CONFLICTS, SEVERABILITY, AND AN EFFECTIVE DATE.- Mayor Paritsky 187 explained this has already been addressed in Mr. Blais's presentation and provided the opportunity 188 189 for questions or comments. 190 191 Mayor Paritsky opened public participation - hearing none, public participation was closed. 192 193 Councilmember Villanella moved to approve Resolution 2024-11 as presented; seconded by Councilmember White. The motion PASSED, 5-0 with the following vote: Councilmember 194 195 Villanella – yes; Councilmember White – yes; Mayor Paritsky – yes; Councilmember Milano – *yes; Vice-Mayor Smith – yes.* 196 197 198 11. **ORDINANCES (FIRST READING) AND RESOLUTIONS:** 199 Resolution 2024-12. Attorney Shepard read Resolution 2024-12 by title only. A 200 A. **RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF PONCE INLET,** 201 **VOLUSIA COUNTY, FLORIDA, AUTHORIZING SUPPLEMENTAL AND TRANSFER** 202 APPROPRIATIONS TO THE TOWN'S BUDGET FOR FISCAL YEAR 2023-2024; 203 204 PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; AND **PROVIDING FOR AN EFFECTIVE DATE.** – Mr. Disher explained this resolution comes from 205 taking a mid-year look at the budget and evaluating where things need to shift around. He 206 explained the majority is allocated for replenishing the South Peninsula Sidewalk project funds, as 207 a portion of those funds were previously borrowed to pay for hurricane-related damage rather than 208 using General Fund reserves. He further elaborated that now that almost all reimbursements from 209 210 FEMA have been received, staff is proposing to transfer this funding back from where it was 211 borrowed. 212 Mayor Paritsky opened public participation - hearing none, public participation was closed. 213 214 Councilmember White moved to approve Resolution 2024-12 mid-year budget adjustment for FY 215 23/24; seconded by Councilmember Milano. The motion PASSED, 5-0 with the following vote: 216 *Councilmember White – ves; Councilmember Milano – ves; Mayor Paritsky – ves; Councilmember* 217

- 218 <u>Villanella yes; Vice-Mayor Smith yes.</u>
- 219220 12. OLD BUSINESS:

A. Update on Harbour Village CSA cost-participation request – Mr. Disher provided a summary on the previous discussions regarding this item. He clarified that because the dune walkover is not owned by the Town, the Town's contribution would not be eligible for FEMA reimbursement in case of damage, and the walkover would not be subject to ADA accessibility standards even with the use of public funds. Mayor Paritsky invited the Harbour Village CSA representatives to provide additional information. Milagros Gerena, 4625 Riversedge Village Lane Unit 5406, and Jeffrey Wilner, 4670 Links Village Drive Unit B102, representatives for the

Harbour Village CSA were present. Mr. Wilner introduced Ms. Gerena as CSA Treasurer, and 228 229 himself as Vice-President. He thanked all Harbour Village residents for their attendance and asked Council if they had questions. Councilmember White asked if an independent firm had been hired 230 231 to conduct a safety inspection on the current walkover and whether they provided an estimated timeframe left for use; Mr. Wilner stated only their contractor, Cove Point Construction, has 232 completed an inspection and the longevity is contingent on the weather. Mayor Paritsky 233 234 commented this Harbour Village PUD agreement, which requires the walkover to be open to the 235 public, predates the current Town Council and Manager, and has been a benefit for Ponce Inlet residents. Mr. Wilner added that while it was never stipulated in the agreement, Harbour Village 236 237 has always taken care of the water bills surrounding this public use space. Discussion ensued between Mayor Paritsky and Mr. Wilner clarifying the history of the PUD agreement and the 238 purpose for the subject request. Councilmember White provided an account from Fort Myers 239 Beach wherein a gentleman was attempting to construct a walkover and applied for a variance 240 twice; he was denied both times and filed a lawsuit as a result, however the judge voted in favor 241 of the Town. Councilmember White asked if the Town agrees to this one-time cost-participation 242 243 request, would this potentially open other opportunities for non-Town owned properties to make the same request? Attorney Shepard provided comments regarding an occurrence such as the one 244 in Fort Myers Beach. Concerning Councilmember White's inquiry on the potential precedence this 245 request could set, Attorney Shepard stated that when providing funds to a private entity, it is always 246 discretionary and therefore the Town is held less liable. Attorney Shepard further clarified that 247 when dealing with discretionary funds there is no standard criteria mandating the project benefit 248 everyone. Councilmember White also clarified that if Council moved to include this project in its 249 250 upcoming budget considerations, this would not guarantee the project will actually be funded and not removed from the final budget. He then voiced his concerns with approving this request, 251 emphasizing the list of budget priorities which take precedence over this funding. Councilmember 252 253 Villanella asked if the Town were to endorse this, would they be able to require it be maintained; Attorney Shepard stated it would always be under the purview of code enforcement, however the 254 255 Town would not be allowed to impose an individualized maintenance schedule for this structure 256 that is different from any other property. Councilmember Milano also elaborated his concern with how this would compare with the rest of the budget priorities list. Vice-Mayor Smith commented 257 on the difference between the funds to be spent versus public usage. 258

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Mayor Paritsky opened public comment – Charles Burge, 4670 Links Village Drive Unit B702 & B502, provided a <u>presentation</u> commenting on the Harbour Village CSA's finances. He stated the walkover should be rebuilt with accessibility for all. Christine Pierce, 66 Inlet Harbor Road, provided the Council with a <u>letter</u> and explained her concerns with the parking, usage of the walkover, and how the funds could be better allocated. Cathy Harvey, 41 Loggerhead Court, stated residents of Loggerhead Court and other members of the public use the walkover, especially since Hurricane Ian, and they would appreciate the consideration of approval.

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Ms. Gerena explained her frustration with comments that had been made regarding the CSA's finances. She stated Harbour Village takes their finances very seriously and Mr. Wilner concurred, stating they are transparent with their finances and are audited annually. Ms. Gerena also stated their audit reports are routinely sent to the residents upon completion at which point anyone is welcome to ask them questions, but no one has. Mayor Paritsky clarified the financials are not

being questioned by Council and only the item at hand is being considered. Discussion continued

regarding how this item would relate to the budget priorities list and whether the item should be approved and added to budget consideration, or if the item should be tabled until the budget and millage rate are set. Mayor Paritsky stated if this were approved, she would approve it with conditions of ample signage indicating public use. Discussion ensued regarding the timeline of budget considerations and when this item would be heard again.

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280 <u>Mayor Paritsky moved to table this item until the regularly scheduled Town Council meeting in</u>
 281 <u>August; seconded by Councilmember White. Approved 5-0, consensus.</u>
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- **283 13. NEW BUSINESS:**
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   285 A. Discussion Renewal of Contract for Government Affairs Consultant. moved
   286 to item 8-A

B. A. Discussion - Beach parking and traffic issues. Chief Glazier provided a

- presentation to update everyone on the increase in traffic and potential beach parking changes. He 289 stated that year after year Florida is one of the top growth states in the country, so it impacts Ponce 290 Inlet regardless of there being a limited number of lots left to build on. He compared traffic 291 statistics from Memorial Day weekend 2023 and 2024, stating there was a 12.4% increase. He 292 noted that the large increase in traffic is dependent on holidays and weather; when there is good 293 weather on a holiday, traffic increases significantly but when the weather is poor, traffic decreases. 294 The tides also play a role in traffic as vehicles may have to evacuate the beach, and this backs up 295 traffic for everyone. Chief Glazier updated Council on the County's efforts to place license plate 296 readers at all beach entry points from Ormond-by-the-Sea to Ponce Inlet, and their desire for free 297 beach parking for all Volusia County residents. He stated that while it's not constant, typically 298 Saturdays, Sundays, and holiday weekends from 8:00 AM – 3:00 PM are the most congested times. 299 He pointed out the "choke" points on the map, noting the most congested areas are on S. Atlantic 300 Avenue at Beach Street, Ocean Way Drive, and Lighthouse Drive and at the boat ramp. Chief 301 Glazier noted the most successful solution they have had is having police officers stationed in 302 certain locations. He explained how traffic begins to back up and how it worsens during a holiday. 303 He also stated the stop signs have been installed at the intersection of Ocean Way Drive and S. 304 305 Peninsula Drive, and this has helped slow down the southbound traffic. Chief Glazier stated the police department will also set out temporary "no parking" signs to help reduce illegal parking 306 during holidays or especially busy times. He provided a few long-term solutions such as replacing 307 308 old traffic signs with new, highly visible signage. He also explained there is a reflective strip that 309 can be added to existing stop sign poles, which helps make the signs more visible. Increased technology would also help to mitigate unnecessary traffic coming into Town. Finally, he stated 310 the Planning & Development Department would help play a role by preparing amendments to the 311 code to establish parking permits. He elaborated on this point and how it would be beneficial. 312 Councilmember Villanella asked if it would be possible to collaborate with Volusia County on 313 license plate readers to assist in additional staffing costs and signage improvements. Chief Glazier 314 315 provided a history of his discussions with the County regarding the license plate readers and utilizing the County's electronic signage device. Councilmember Milano commented that years 316 ago a calming device was suggested on one of the streets, but it was met with opposition from the 317 318 residents. Mr. Disher added the Town Hall parking lot is used for beach parking during the
- 319 weekend, and it may be beneficial to look at installing a parking meter system.

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321 Mayor Paritsky opened public comment - Tony Hynes, 4621 South Atlantic Avenue, stated Chief Glazier provided some excellent options to provide for the greater good and expressed they would 322 323 be worth funding. Jair Kessler, 81 Buschman Drive, inquired whether commercial lots in Ponce Inlet can charge for parking; Councilmember White explained they are able to. Charles Burge, 324 4670 Links Village Drive Unit B702, suggested exploring ways to generate revenue from visitors 325 to fund these improvements, as Ponce Inlet is intended to be a quiet town. Mayor Paritsky closed 326 327 public participation.

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329 Mayor Paritsky commented there have been conversations with Volusia County on potential solutions, and contemplated the implications to Ponce Inlet when they decide to make changes to 330 331 their own traffic systems.

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Vice-Mayor Smith, Seat #5 – No further comments. A.

FROM THE TOWN COUNCIL:

336 337 Councilmember Villanella, Seat #4 - Councilmember Villanella stated this was a B. terrific meeting and thanked staff for providing valuable research on the septic-to-sewer system 338 339 and stormwater drainage improvements.

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C. Councilmember White, Seat #3 - Councilmember White stated he has been 341 342 working with Volusia County to get the conservation zone line reset west of the Atlantic Ocean, just south of Beach Street, and provided an explanation. He stated for the record that "after working 343 with Volusia County Council management team Jessica Fentress, Ginger Adair, Jennifer Winters, 344 345 and Clay Ervin, I was successful in selling my understanding of the [County's Beach] Habitat Conservation Plan. Thanks to each one of them for working with us." He provided an explanation 346 on the conservation plan and how the reset of the conservation zone is determined. Councilmember 347 White explained that Mr. Disher, Councilmember Villanella, and himself attended the Volusia 348 County Council meeting on May 17 to address the County Chair's proposal to allow parking on 349 part of the no-drive beach during the annual Legends Parade. He explained Mayor Paritsky 350 provided the County Council with a letter of opposition to this proposal, and he made a brief 351 presentation at the meeting offering to provide areas in town that could be utilized for additional 352 event parking. He stated that when County Chair Brower made the motion to expand the beach 353 driving, it died for a lack of second. Councilmember White also described a couple webinars he 354 took including topics such as mosquito control and local cyber-security grants. He also spoke about 355 a quarterly ethics training he attended, and some of the information that was discussed. 356 357

Councilmember Milano, Seat #2 – Councilmember Milano thanked the residents 358 D. 359 for his re-election to the Council. He stated that next month he will be discussing a proposed date change to the regularly scheduled Town Council meeting in December. He explained an email he 360 361 received from a resident which discussed some Town policies such as the noise ordinance and allowable operating hours for farmers markets and other businesses. He provided a personal 362 account of a noise nuisance he experienced one early morning and encouraged the Town to re-363 364 evaluate these policies. Councilmember Milano stated he could not comment on the recent news

article regarding the First Step Shelter, but he did provide a brief update to the shelter's statistics.The shelter has now served 271,051 meals.

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Mayor Paritsky, Seat #1 - Mayor Paritsky described the American Flood 368 E. Coalition's 2024 Local Elected Leaders Summit she attended on the Town's behalf in Washington 369 D.C. She stated that in addition to participating in interactive sessions on ways to build resilience 370 using federal funding, she met with federal officials such as Senator Rick Scott, Representatives 371 372 Waltz and Cory Mills, and aids of Senator Rubio. Mayor Paritsky then explained her speaking engagement at the Florida Association of Code Enforcement's annual conference, which was 373 374 organized in part by David Hooker, who serves as the Town's Code Compliance Manager and is also the First Vice-President of the Florida Association of Code Enforcement. Next, Mayor 375 Paritsky requested a consensus from Council to take pro-active measures regarding the creation of 376 a possible ordinance detailing restrictions on the recreational use of marijuana, in case the ballot 377 measure was to pass. Council provided a consensus. Mayor Paritsky then reviewed the Town's 378 379 current purchasing policies and asked if the overall rise in costs of goods and services should 380 warrant an update to the policies. There was a brief discussion from Council, and a consensus was 381 given for staff to put information together regarding purchasing thresholds.

382 FROM THE TOWN MANAGER - Mr. Disher updated the Council on the state of the 383 15. Ponce Preserve boardwalk pilings after a study was recently completed and explained that they are 384 not in good shape, thus necessitating the recent closure of the boardwalk. He stated that Chief 385 Scales has reached out to the Department of Environmental Protection (DEP) to discuss how 386 387 permitting could be expedited to ensure quick repairs prior to potential bad weather during this year's hurricane season. He provided a history on a resident's request to install "Slow Speed" signs 388 in the Halifax River, and how staff was able to assist. He stated the resident is now requesting to 389 remove the sign, and that Florida Fish and Wildlife (FWC) would complete this only with the 390 Town's approval. There was a Council consensus for staff to ask the property owners who want 391 392 the Slow Speed sign removed to first put a petition together signed by the waterfront residents on 393 the north side of Old Carriage Road. Mr. Disher announced his recent presentation at a workshop for Volusia County's resiliency project, known as "Volusia Forward," and he discussed the letter 394 of support he provided for the County's grant application regarding their beach restoration project. 395 396 He then provided information regarding a Hurricane Preparedness session he attended and gave an update on the Town's application to the state's F-ROC program. He said there is an upcoming 397 meeting with Volusia County coastal communities at the Volusia Emergency Operations Center. 398 399 He announced the preliminary budget workshop would be held on Wednesday, June 26, and the draft budget workshop would be Tuesday, July 16. 400 401

402 16. FROM THE TOWN ATTORNEY – Attorney Shepard provided a brief update on the 403 Form 6 injunction. Vice-Mayor Smith asked whether the Form 6's that were already filed would 404 be expunged, and if candidates would be required to file a Form 1 in its place; Attorney Shepard 405 stated the court has yet to answer that question as this is still a temporary injunction.

- 407 17. PUBLIC PARTICIPATION (on items 14 16 only) Mayor Paritsky opened public
   408 participation hearing none, public participation was closed.
- 409

406

410 **18. ADJOURNMENT** – Mayor Paritsky adjourned the meeting at 4:51 P.M.

- 411
- 412 Respectfully submitted by:
- 413
- 414
- 415 Kim Cherbano, CMC, Town Clerk
- 416 Prepared by: Stephanie Gjessing, Assistant Deputy Clerk
- 417
- 418 Attachment(s): C. Burge Disability Presentation
- 419 C. Burge Harbour Village Presentation
- 420 C. Pierce Letter on Cost-Participation Request



# 4670 LINKS VILLAGE DR



## **QUALIFICATIONS TO SPEAK TONIGHT**

## LICENSED IN NYS AS A PHYSICAL THERAPY ASSISTANT WITH 35 YEARS EXPERIENCE WORKING IN THE GERIATRIC, PEDIATRIC, ORTHO AND NEURO



## VOLUNTEER WEEKLY AT WHISPERING MEADOWS RANCH IN FLAGLER BEACH. WHISPERING MEADOWS RANCH PROVIDES THERAPEUTIC EQUINE LESSONS TO DISABLED CHILDREN AND VETERANS.

## NOLUNTEER AS A PLUON.

THE LIONS INTERNATIONAL ARE INVOLVED WITH

## HELPING THE VISION IMPAIRED AND PROVIDE DIABETES SCREENING.

## I AM A DISABLED PERSON FROM THE WORLD TRADE CENTER ATTACKS ON 9-11-2001.





### roducts and unique gifts



#### **OUME DIOUDITILIEO FOOV TIVE LUID**

CH S S MA F A

## **OTHERS LOOK LIKE THIS**



## NOT ALL DISABILITIES ARE VISIBLE



## Which disabilities are non-visible?

Daily life can look different for people with non-visible disabilities. Non-visible disabilities include a wide range of disabilities. These are not limited to, but may include:

- mental health conditions, including anxiety, depression, schizophrenia, personality disorders, obsessive compulsive disorder
- autism and Asperger's syndrome
- visual impairments or restricted vision
- hearing loss
- sensory and processing difficulties
- cognitive impairment, including dementia, traumatic brain injury, or learning disabilities
- non-visible health conditions, including diabetes, chronic pain or fatigue, respiratory conditions, incontinence

There are many different types of non-visible disability. The kind of support that people with non-visible disabilities need differs.

It is best not to assume what kind of support someone might need. Listening to the needs of disabled people and acting on them is the best course of action.

## How should I act towards people with non-visible disabilities?

People with non-visible disabilities want to be treated with respect and as individuals – just like people with

visible disabilities and the general population. Even though you cannot see evidence of a disability, the disability still exists.

Nobody has to tell you they have a disability, or explain at it is. People can choose to keep this private. Some may choose to wear a lanyard or carry a badge to they have a non-visible disability. It shows

N 5G ... 69% 12:54 T 🗭 🗖 M M M 🔹 (Figure 13). In contrast, Asian people fared better than White people for most examined health measures. Mar 15, 2023

https://www.kff.org > report > key-...

Key Data on Health and Health Care by Race and Ethnicity - KFF

### MORE RESULTS

Who is most likely to be disabled?



The occurrence of disability increases with age around 1 in 20 children are disabled, compared to around 1 in 7 working age adults and almost 1 in 2 people over state pension age. One in four disabled people have two impairments and one in ten have three or more impairments.

https://www.st-andrews.ac.uk > edi

Facts on Disability | University of St Andrews

### MORE RESULTS

What percent of US citizens have a disability?



### What's the most disability will pay?

### What disabilities are hard to prove?

## 

In 2024, workers earn one Social Security and Medicare credit for \$1,730 in covered earnings. Under



the five-year rule, people 31 and older must have worked at least five out of the last 10 years to be eligible for SSDI. Jan 10, 2024

https://specialneedsanswers.com > w...

What Is the Social Security Disability 5-Year Rule? -Special Needs Answers

#### **MORE RESULTS**

What is the easiest condition to get disability?

What Is the Most Approved Disability? Arthritis and other musculoskeletal system disabilities make up the most commonly approved conditions for social security disability benefits.

https://www.johnfoy.com > faqs

What Are the Top 10 Disabilities? | SSD | John Foy & Associates

#### **MORE RESULTS**

## What is the largest single cause of disability?

Whet does 000/ disclation and the second

### 

... Iviore \*

N 567 ... 69%

https://m.youtube.com > shorts

### 5 Hardest States to Win Social Security Disability Benefits - YouTube

#### **MORE RESULTS**

### What is the most common disability?

### **Disability Findings**

- Mobility disability was the most common disability, reported by approximately 1 in 7 adults, followed by cognition (1 in 10), independent living (1 in 15), hearing (1 in 17), vision (1 in 21), and self-care (1 in 27).
- Among young adults, cognitive disability (1 in 10) was the most common.

More items...

https://www.cdc.gov > features > kf...

Prevalence of Disabilities and Health Care Access by Disability ... - CDC

### **MORE RESULTS**

## What is the 5 year rule for Social Security disability?

## What is the easiest condition to get disability?

### What is the largest single cause of

12:51 「【 ● 图 M M M • there are misconceptions about people with disabilities and how to counter...

#### N 5G+ 11 70%



#### PEOPLE ALSO SEARCH FOR

Qdisability statisticsQpercentage of populationWorldwideOn disability by state

Cdc disability statistics

what is the most common disability in the world



Learn more

According to the U.S. Census Bureau, 12.6% of the U.S. population reported a disability in 2021, which is about 42.5 million Americans. This number makes up 13% of the civilian noninstitutionalized population. However, other sources have different estimates, with some reporting that 20% of the population is disabled, or nearly 57 million people.

Pew Research Center
8 facts about Americans with disabilities - Pew Research...

Jul 24, 2023 — July is Disability Pride Month in the United States,... OB U.S. Census Bure Disability Rates Rural Areas Thar

Jun 26, 2023

#### Show more 🗸



12:55 🏲 🗭 🎮 🎮 M 🔹

 Special Needs Trust Ownership of a Home / Payment of Rent.

Jun 21, 2023

https://specialneedsanswers.com > h...

Housing Options for Adults With Special Needs

### **MORE RESULTS**

At what age do disability payments stop?

65 years old

Your period of disability ends on the last day of the month before the month in which you become **65 years old** or, if earlier, the last day of the second month following the month in which your disability ended. (1) The month before the month in which you attain full retirement age as defined in § 404.409.

https://www.ssa.gov > cfr20

Code of Federal Regulations § 404.321 - Social Security

#### **MORE RESULTS**

## What is considered to be a permanent



### What is the 12 month rule for SSDI?

### What gives 100% disability?

#### 1:00 • • • • • •

**N** 5G+ 11 67%





In 2022, 31.5% of Florida veterans had a disability, compared to 14.8% of nonveterans. This makes Florida home to the third largest number of disabled veterans in the country, with over 250,000 veterans.

WSAFacts : Veterans in Florida: Statistics, rankings, and data trends o...

Oct 27, 2023 — Veteran unemployment rate in Florida. In 202... Florida Tax Watch
Florida the Most Ve
Friendly State

There are more than 1.6 living in the Sunshine Sta

:

Florida offers a variety of benefits to disabled

#### Show more 🗸



Florida Department of Veterans' Affairs https://www.floridavets.org > profil...

## Fast Facts – Florida Department of Veterans' Affairs

There are 1 430 000 veterans in the State of Florida · Note:



Ponce Inlet town, Florida is a city, town, place equivalent, and township located in Florida.

Total Population: 3,364 Median Household Income: \$98,125 Bachelor's Degree or Higher: 51.8% **Employment Rate:** 34.7% Total Housing Units: 3,071 Without Health Care Coverage: 4.7% Total Households: 1,680 Hispanic or Latino (of any race): 141 View Profile (>)

1 Profiles

## Protiles

View: 10 | 25 | 50

### Place **Ponce Inlet town, Florida**

#### **View Filters 1**



# PI RESIDENTS ARE

# DISABLED















Image ID: PF9GAB www.alamy.com









10' RAMP	11' RAMP	12' RAMP	13' RAMP	14' RAMP	
15' RAMP	16' RAMP	17' RAMP	18' RAMP	19' RAMP	
20' RAMP	1 - STEP STAIRS 2 - STEP STAIRS		3 - STEP STA	IRS	
5 - STEP STA	AIRS 45 DI	EGREE ANGL	E PLATFORM		
48" X 48" PL	ATFORM	60" X 60" PL	ATFORM		
96" X 60" PL	ATFORM				







#### **Stephanie Gjessing**

From:	Stephanie Gjessing		
Sent:	Thursday, May 2, 2024 11:09 AM		
То:	Stephanie Gjessing		
Cc:	Mike Disher; Kim Cherbano; Debbie Stewart		
Subject:	FW: Mr. Disher please forward to the entire PI TC; Please confirm receipt of this email		
Attachments:	Thanks. HV CSA 2020 pg 1.pdf; HV CSA 2020 pg 2.pdf; HV CSA 2021 pg 1.pdf; HV CSA 2021 pg		
Attachments:	2.pdf; HV CSA 2020 pg 1.pdf; HV CSA 2020 pg 2.pdf; HV CSA 2021 pg 1.pdf; HV CSA 2021 pg		
	2023 pg 2.pdf; Hot Wire pg 1.pdf; Hot Wire pg 2.pdf		

Council,

Please see the attachments and email provided below regarding item 13-A on the upcoming Town Council agenda.

Sincerely, Stephanie Gjessing Assistant Deputy Clerk Town of Ponce Inlet 4300 S Atlantic Ave, Ponce Inlet, FL. 32127 Phone: 386-236-2177 ext. 1038 Fax: 386-236-2190 sgjessing@ponce-inlet.org



The Town of Ponce Inlet staff shall be professional, caring, and fair in delivering community excellence while ensuring Ponce Inlet citizens obtain the greatest value for their tax dollar.

<u>Public Records Notice</u>: Do not send **personal** E-mails to this address. Florida has very broad public records laws and most written communication to or from Town of Ponce Inlet officials and employees regarding public business **are public records** and must be made available to the public and media upon request. Under Florida law, E-mail addresses are public records; therefore, your E-mail may be subject to public disclosure. If you do not want your E-mail address released in response to a public records request, do not send electronic mail to this entity instead, contact this office by phone or in writing via fax or letter. Thank you.

From: Charles Burge <<u>cibjr3@yahoo.com</u>> Sent: Thursday, May 2, 2024 10:34 AM To: Mike Disher <<u>mdisher@ponce-inlet.org</u>> Subject: Mr. Disher please forward to the entire PI TC; Please confirm receipt of this email Thanks.

[EXTERNAL: This email was sent from outside of ponce-inlet.org, confirm this is a trusted sender before opening any links or attachments]
Dear Ponce Inlet Town Council:

I have received the agenda package for the next Ponce Inlet (PI) Town Council (TC) meeting to be held on 5/7/24. Item # 13 New Business section A; "Request for cost participation from the Harbour Village Golf & Yacht Club CSA regarding the reconstruction of its dune walkover".

As a PI taxpayer and a disabled person I strongly urge the TC not to provide any funds to this project unless a beach ramp is installed. Presently there are five, two step, step downs that lead to the stairway platform. There are 18 steps from the platform to the sand.

Over the years many Harbour Village (HV) owners have made requests to HV CSA that a beach ramp be installed as many of us have gait deviations and other types of health conditions that prevent us from accessing our beautiful beach. The requests are always denied and the handicapped can not get to the beach.

Attached are HV financial documents from calendar years 2020, 2021, 2022 & 2023 (See highlighted line items). HV CSA collects over two million dollars a year in annual assessments and has historically provided very little transparency and accountability to the owners.

In 2021 HV CSA received over \$113,000 from the US Treasury from the Payroll Protection Program during the COVID epidemic. This was a windfall as all HV owners paid their annual dues in full. In other words they doubled dipped and squandered this money elsewhere without the owners knowledge.

In 2023 HV CSA authorized and received special assessments of about \$1.7 million from owners and an additional insurance claim approved for \$119,000 to cover the purported "Hurricane Assessment". The special assessment and the insurance claim totaled over \$1.8 million. Yet no money was spent to improve the beach walk over or install a beach ramp.

HV CSA continually spends over \$100,000 annually on fresh water irrigation. In 2023 HV CSA spent a whopping \$164,000 on water, most of it for west side irrigation purposes. Over the years many requests by owners have been made to CSA to drill wells on the west side of HV in order to save money. All requests were denied. The east side where the golf course is located is already using wells. A lot of money and water has been wasted with CSA's knowledge since HV was built.

HV CSA spends about \$50,000 annually on a HV Pub subsidy. A private proprietor uses this facility for profit. The proprietor does not pay rent, electricity, cable, internet or taxes. HV CSA refuses to share the Pub's financials with the owners. This Pub is not open to the general public; town tax payers are not allowed entry unless invited by a HV member.

In 2024 HV CSA entered into a fiber optic contract with Hot Wire. Hot Wire will pay HV CSA a one time fee of \$400.00 "DOOR FEE" for each unit. The total windfall is \$268,000. HV CSA has not told its members what they intend to do with this money.

HV CSA is seeking another windfall from the TC in order to sustain their spending. As you can see HV CSA Is not run in a financially sound manner. No corporation can be sustainable spending money in this manner. This financial incompetence has led them to TC to plead for money. However HV CSA is not making life better for all PI residents especially the disabled. This walk over will not benefit all Ponce Inlet residents unless a beach ramp is installed. A beach ramp will make us an all inclusive community and increase property values.

If you decide to grant money please make sure the funds will benefit all of Ponce Inlet residents, especially the disabled.

Please feel free to formulate any questions that you can ask the HV CSA Board.

Sincerely, C. Burge 4670 Links Village Dr Units B 502 & B 702

#### HARBOUR VILLAGE GOLF & YACHT COMMUNITY SERVICES ASSOCIATION, INC. STATEMENT OF REVENUES AND EXPENSES AND CHANGES IN FUND BALANCES Year Ended December 31, 2020

REVENUES		Operating <u>Fund</u>	F	Replacement <u>Fund</u>	ļ	Capital <u>Fund</u>	Total
Regular Assessments	\$	2,042,425	\$	149 050	¢	00 000	
Late Fees	Ψ	757	Φ	148,950	\$	37,755	\$ 2,229,130
Common Area Key Income		4,750					757
Interest Income		· 21		3,802		209	4,750
Clubhouse Rental Fees		1,300		5,002		209	4,032
Individual Building Security		4,587					1,300
Member Association Reimbursements		357,291					4,587
Transmittor Income		8,450					357,291
TOTAL REVENUES		2,419,581	-	152,752		37,964	8,450
				102,102		57,904	2,610,297
EXPENSES							
Salaries-Admin/Maintenance		524,519					524,519
Payroll Taxes/Processing Fees		46,652					46,652
Health Insurance		31,576					31,576
Uniforms-Maintenance		820					820
Security Wages/Expenses		63,167					63,167
Legal/Accounting/Professional Fees		20,766					20,766
Bad Debt		6,704					6,704
Licenses/Corporate Annual Report		705					705
Management Fees		118,335					118,335
IT/Website		6,643					6,643
Office /Postage/Printing/Computer		6,736					6,736
Telephone		7,383					7,383
Pest Control/Termite		4,247					4,247
Cleaning Building/Clubhouse		31,616					31,616
Lake/Fountains Maintenance		16,548					16,548
Grounds Maintenance/Tree Trimming		291,452					291,452
Landscape Project/Mangroves/Mulch		107,417					107,417
Irrigation Maintenance		41,356					41,356
Golf Course Expenses		189,237					189,237
Pool Maintenance/License		23,420					23,420
Tennis Court Expense Stormwater System		8,154					8,154
Building Poneirs (Sumpli		1,984					1,984
Building Repairs/Supplies Equipment Repairs/Rentals		59,328					59,328
Site Lighting Expenses		4,211					4,211
one Dighting Expenses		2,567					2,567

See Accompanying Notes and Independent Auditors' Report

#### HARBOUR VILLAGE GOLF & YACHT COMMUNITY SERVICES ASSOCIATION, INC. STATEMENT OF REVENUES AND EXPENSES AND CHANGES IN FUND BALANCES (continued) Year Ended December 31, 2020

	Operatin <u>Fund</u>	ng ]	Replacemen <u>Fund</u>	t Capital <u>Fund</u>		<u>Total</u>
EXPENSES (continued)						
Clubhouse Expense	1,5	08				1,508
Community Center Expenses	5,6					5,629
Propane	18,9					18,925
Cable	457,0					457,085
Utilities-Electric	36,5					36,546
Utilities-Water	121,3					121,347
Garbage Service	1,2				L	1,254
Transmittors	8,0					8,094
Security Camera System	4,0					4,001
Insurance	82,5					82,545
Beach Club Expenses	75,7					75,764
Depreciation	26,9					26,966
Tangible Taxes-Restaurant		17				317
Restaurant Expenses	41,3				1	41,322
Capital Expenditures	,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,			37,964		37,964
Reserve Expenditures			152,752	51,501		152,752
TOTAL EXPENSES	2,496,8	46	152,752	37,964	-	2,687,562
EXCESS(DEFICIENCY) OF REVENUES REVENUES OVER EXPENSES	(77,2	65)	0	0		(77,265)
FUND BALANCES -						
JANUARY 1, 2020	767,2	62	0	0		767,262
Asset Transfer-Paid from Capital	8,9	30			_	8,930
FUND BALANCES - DECEMBER 31, 2020	\$ 698,9	27 \$	0	<u>\$</u> 0	\$	698,927

See Accompanying Notes and Independent Auditors' Report

#### HARBOUR VILLAGE GOLF & YACHT COMMUNITY SERVICES ASSOCIATION, INC. STATEMENT OF REVENUES AND EXPENSES AND CHANGES IN FUND BALANCES Year Ended December 31, 2021

	Operating <u>Fund</u>	Re	eplacement <u>Fund</u>	Capital <u>Fund</u>	Total
REVENUES					
Regular Assessments	\$ 2,088,186	\$	71,175	\$ 41,549	\$ 2,200,910
Late Fees/Interest	1,933				1,933
Common Area Key Income	5,280				5,280
Interest Income	10		5,504	133	5,647
PPP Loan Forgiveness	113,790				113,790
Clubhouse Rental Fees	700				700
Individual Building Security	3,394				3,394
Member Association Reimbursements	343,369				343,369
Transmittor Income	8,779				8,779
TOTAL REVENUES	2,565,441		76,679	41,682	2,683,802
EXPENSES					
Salaries-Admin/Maintenance	480,748				480,748
Payroll Taxes/Processing Fees	44,557				44,557
Health Insurance	27,566				27,566
Uniforms-Maintenance	995				995
Security Wages/Expenses	76,456				/ 76,456
Legal/Accounting/Professional Fees	19,944				19,944
Licenses/Corporate Annual Report	926				926
Management Fees	121,567				121,567
IT/Website	6,839				6,839
Office /Postage/Printing/Computer	8,216				8,216
Quickbooks Payment Fees	5,604				5,604
Telephone	7,179				7,179
Pest Control/Termite	4,693				4,693
Cleaning Building/Clubhouse	31,004				31,004
Lake/Fountains Maintenance	3,823				3,823
Grounds Maintenance/Tree Trimming	303,820				303,820
Landscape Project/Mangroves/Mulch	114,764				114,764
Irrigation Maintenance	32,180				32,180
Golf Course Expenses	210,744				210,744
Pool Maintenance/License	31,002				31,002
Tennis Court Expense	4,220				4,220
Stormwater System	6,200				6,200
Building Repairs/Supplies	68,394				68,394
Equipment Repairs/Rentals	8,988				8,988
Site Lighting Expenses	2,004				2,004

See Accompanying Notes and Independent Auditors' Report

#### HARBOUR VILLAGE GOLF & YACHT COMMUNITY SERVICES ASSOCIATION, INC. STATEMENT OF REVENUES AND EXPENSES AND CHANGES IN FUND BALANCES (continued) Year Ended December 31, 2021

		Operating <u>Fund</u>	R	eplacemer <u>Fund</u>	nt	Capital <u>Fund</u>		Total
EXPENSES (continued)								
Clubhouse Expense		4,277						4 277
Community Center Expenses		5,143						4,277
Propane		17,889					ų.	5,143 17,889
Cable		503,082						
Utilities-Electric		38,155						503,082
Utilities-Water		122,707						38,155
Garbage Service		1,305						122,707
Transmittors		13,046						1,305
Security Camera System		2,393						13,046
Insurance		78,418						2,393
Beach Club Expenses		72,960						78,418
Depreciation		28,028						72,960
Tangible Taxes-Restaurant		327						28,028
Restaurant Expenses		44,192						327
Capital Expenditures		44,192				41 600	1	44,192
Reserve Expenditures				76 (70		41,682		41,682
TOTAL EXPENSES	-	2 554 255		76,679	-	11 (00		76,679
		2,554,355		76,679		41,682		2,672,716
EXCESS OF REVENUES OVER EXPENSES		11,086		0		0		11,086
FUND BALANCES-JANUARY 1, 2021		698,927		0	-	0		698,927
FUND BALANCES-DECEMBER 31, 2021	\$	710,013	\$	0	\$	0	\$	710,013

See Accompanying Notes and Independent Auditors' Report

#### HARBOUR VILLAGE GOLF & YACHT COMMUNITY SERVICES ASSOCIATION, INC. STATEMENT OF REVENUES AND EXPENSES AND CHANGES IN FUND BALANCES Year Ended December 31, 2022

REVENUES		Operating <u>Fund</u>	H	Replacement <u>Fund</u>	t	Capital <u>Fund</u>	Total
Regular Assessments	<b>^</b>		4				
Prior Year Deferred Capital Fund Revenue	\$	2,249,326	\$	176,530	\$	18,500	\$ 2,444,356
Late Fees/Interest		6 410				54,582	54,582
Common Area Key/Transmittor Income		6,412					6,412
Interest Income		10,618					10,618
Clubhouse Rental Fees		6		4,383		450	4,839
Individual Building Security		2,100					2,100
Member Association Reimbursements		3,800					3,800
Miscellaneous Income		348,124					348,124
TOTAL REVENUES	-	2,700					2,700
IOTAL REVENUES		2,623,086		180,913		73,532	2,877,531
EXPENSES							
Salaries-Admin/Maintenance		456,848					156 919
Payroll Taxes/Processing Fees		43,841					456,848
Health Insurance		21,483					43,841
Uniforms-Maintenance		1,255					21,483
Security Wages/Expenses		90,982					1,255
Legal/Accounting/Professional Fees		16,957					90,982
Licenses/Corporate Annual Report		629					16,957
Management Fees		130,061					629
IT/Website		7,236					130,061
Office /Postage/Printing/Computer		4,632					7,236
Quickbooks Payment Fees		12,288					4,632
Telephone		6,869					12,288
Pest Control/Termite		5,219					6,869
Cleaning Building/Clubhouse							5,219
Lake/Fountains Maintenance		33,469					33,469
Grounds Maintenance/Tree Trimming		3,605					3,605
Landscape Project/Mangroves/Mulch		300,441					300,441
Irrigation Maintenance		162,626					162,626
Golf Course Expenses		18,303					18,303
Pool Maintenance/License		205,131					205,131
Tennis Court Expense		27,984					27,984
Stormwater System		6,400					6,400
Building Repairs/Supplies		1,505					1,505
Equipment Repairs/Rentals		45,897					45,897
Site Lighting Expenses		6,626					6,626
Site Eighting Expenses		1,079					1,079

See Accompanying Notes and Independent Auditors' Report

#### HARBOUR VILLAGE GOLF & YACHT COMMUNITY SERVICES ASSOCIATION, INC. STATEMENT OF REVENUES AND EXPENSES AND CHANGES IN FUND BALANCES (continued) Year Ended December 31, 2022

	Operating <u>Fund</u>	Replacement <u>Fund</u>	Capital <u>Fund</u>	Total
EXPENSES (continued)				
Clubhouse Expense	3,569			3,569
Community Center Expenses	6,134			6,134
Propane	23,989			23,989
Cable	525,182			525,182
Utilities-Electric	52,093			52,093
Utilities-Water	112,027			112,027
Garbage Service	1,361			1,361
Transmittors	9,691			9,691
Security Camera System	3,590			3,590
Insurance	91,500			91,500
Beach Club Expenses	73,515			73,515
Depreciation	29,832			29,832
Tangible Taxes-Restaurant	281			281
Restaurant Expenses	50,968			50,968
Hurricane Expenses	54,886			54,886
Capital Expenditures			73,532	73,532
Reserve Expenditures/Transfers	and the second second	180,913		180,913
TOTAL EXPENSES	2,649,984	180,913	73,532	2,904,429
DEFICIENCY OF REVENUES OVER EXPENSES	(26,898)	0	0	(26,898)
FUND BALANCES-JANUARY 1, 2022	710,013	0	0	710,013
Replacement Fund Transfer-Assets Purchased	19,330			19,330
FUND BALANCES-DECEMBER 31, 2022	\$ 702,445	\$0	\$ 0	\$ 702,445

See Accompanying Notes and Independent Auditors' Report

#### HARBOUR VILLAGE GOLF & YACHT COMMUNITY SERVICES ASSOCIATION, INC. STATEMENT OF REVENUES AND EXPENSES AND CHANGES IN FUND BALANCES Year Ended December 31, 2023

	Operating <u>Fund</u>	Replacement <u>Fund</u>	Capital <u>Fund</u>	Total
REVENUES				
Regular Assessments	\$ 2,323,666	\$	\$	\$ 2,323,666
Hurricane Assessment	1,526,189			1,526,189
Insurance Claim-Hurricane	119,292			119,292
Late Fees/Interest	928			928
Common Area Key/Transmittor Income	10,094			10,094
Interest Income	14	25,216	3,635	28,865
Clubhouse Rental Fees	1,800			1,800
Individual Building Security	3,744			3,744
Member Association Reimbursements	358,361	-		358,361
TOTAL REVENUES	4,344,088	25,216	3,635	4,372,939
EXPENSES				
Salaries-Admin/Maintenance	487,752			487,752
Payroll Taxes/Processing Fees	47,404			47,404
Health Insurance	22,258			22,258
Uniforms-Maintenance	1,362			1,362
Security Wages/Expenses	93,976			93,976
Casual Labor	3,688			3,688
Legal/Accounting/Professional Fees	15,588			15,588
Licenses/Corporate Annual Report	765			765
Management Fees	137,525			137,525
IT/Website	9,018			9,018
Office /Postage/Printing/Computer	9,361			9,361
Quickbooks Payment Fees	17,006			17,006
Telephone	5,963		•	5,963
Pest Control/Termite	4,871			4,871
Cleaning Building/Clubhouse	33,659			33,659
Lake/Fountains Maintenance	8,404			8,404
Grounds Maintenance/Tree Trimming	310,615			310,615
Landscape Project/Mangroves/Mulch	166,090			166,090
Irrigation Maintenance	53,297			53,297
Golf Course Expenses	201,038			201,038
Pool Maintenance/License	32,053			32,053
Tennis Court Expense	6,238		in the set	6,238
Stormwater System	2,265			2,265
Building Repairs/Supplies	59,925			59,925
Equipment Repairs/Rentals	5,159			5,159
Site Lighting Expenses	2,437			2,437

See Accompanying Notes and Independent Auditors' Report

#### HARBOUR VILLAGE GOLF & YACHT COMMUNITY SERVICES ASSOCIATION, INC. STATEMENT OF REVENUES AND EXPENSES AND CHANGES IN FUND BALANCES (continued) Year Ended December 31, 2023

	Operating <u>Fund</u>	Replacement <u>Fund</u>	Capital <u>Fund</u>	Total
EXPENSES (continued)				
Clubhouse Expense	6,447			6,447
Community Center Expenses	9,100			9,100
Propane	27,551			27,551
Cable	558,333			558,333
Utilities-Electric	54,057			54,057
Utilities-Water	164,542			164,542
Garbage Service	3,261			3,261
Transmittors	4,899			4,899
Security Camera System	2,065			2,065
Insurance	134,287			134,287
Beach Club Expenses	71,686			71,686
Depreciation	32,137			32,137
Tangible Taxes-Restaurant	571			571
Federal Income Tax	758			758
Restaurant Expenses	48,255			48,255
Hurricane Expenses	1,590,595			1,590,595
Replacement/Capital Fund Interest Allocated	d	465	3,635	4,100
Reserve Expenditures		24,751		24,751
TOTAL EXPENSES	4,446,261	25,216	3,635	4,475,112
DEFICIENCY OF REVENUES OVER EXPENSES	(102,173)	0	0	(102,173)
FUND BALANCES-JANUARY 1, 2023	702,445	0	0	702,445
FUND BALANCES-DECEMBER 31, 2023	\$ 600,272	\$ 0	\$ 0	\$ 600,272

See Accompanying Notes and Independent Auditors' Report

Cable/Fiber Company Comparisons March 2024 1 | P a g e

Comparisons – March 2024	larch 2024	Spectrum	HotWire	
Fiber lines to HV community owned or leased	led or leased			BlueStream
Speeds – Download & Upload		No fiber	Leased	land
Channel Line Lin		1gbps x 35mbps	500mb	Leased
Music Changel		I V Select + Entertainment + Sports View	-	Limited + Expanded + Digital
Do you own the content or is it		YES	vrc	Plus + Sports + TiVo Stream
Set top boxes	ovided by a third party	Own	TE	YES
Roku and Firestick compatible		ω	CMU	Own
Free Access to Common Aroos IL-		YES	Dondina	ω
building, LN/LS lobbies, etc.)	ach club, marina, CSA	Only 5 common areas	Renaug	Firestick
Full Wi-Fi coverage for each entire home including casitas	home including casitas	With all in all as	All common areas + static IPS	All common areas + static IPS
Back-up system in case of power outages	utages	VVILII added Tee	YES	VEC
Closed loop networks for each home to eliminate processor	ne to eliminate crossover	ON	YES	VEC
Security for each homeowner's network	twork	ON	YES	TES
Recording storage		SOME, no VPN	YES, no VPN	VFC VFC
Video On Demand		YES - DVR Box	YES – 100hrs in Cloud	TES, HO VPN
Community Channel		YES	VEC	YES – 100hrs in Cloud
Ability to go Internet only after 5 years		NO	VEC	YES
Off property access with mobile	cars	Not applicable	VEC	YES
	5	YES	VEC	YES
Contract Length		5yrs	7yrs with auto renewal for	YES
			3yrs w/good performance	8yrs or 10yrs
	Unit/month	\$59.00	¢65 00	
	laxes, video content, regional/month	\$8.62	\$12.47	\$74.95
Initial Cost 671 Units	Unit/month	\$67.62	\$77 A7	5C.2¢
	HV/month	\$45,373.02	\$51 082 32	\$77.48
	nv/year	\$544,476.24 (yr 1-5)	\$673 788 AA (	\$51,989.08
	1 <sup>ss</sup> Year Service Incentive Bonus	NO	YES: 6mo free service at start	\$623,868.96 (yr 1-5)
Static IPs, keypads, gates, common	Unit/month	\$4.60	ul 1" yf for 1yr = \$311,894.22	ON
areas, including phone lines	HV/month	\$3,086.60		
	HV/year	\$37,039.20	included	Included
	Total Unit/month	\$72.22		
TOTAL COST	Total HV/month	\$48.459.67	\$11.41	\$77.48
	Total HV/year	\$581,515.44 (1-5 vrs)	¢677 700 4.3/	\$51,989.08
	Total HV/5 years*	\$2,907,577.20	\$2 607 007 007 007 007 007 007 007 007 007	\$623,868.96 (1-5 yrs)

Spectrum	HotWire	BlueStream
4.0%	4% 1 <sup>st</sup> 5 yrs; 3% last 2 yrs	4%/yr for 8 yrs
NO	YES – up to \$100 reimbursement/condo	ON
\$400/unit = \$268,400	\$400/unit = \$268,400	\$100/unit = \$67,100 (8yr)
the sector the sector		1 h h h h h h h h h h h h h h h h h h h
	Spectrum 4.0% NO	6

Attachment 3 17em 12-A

Christine Pierce 66 Inlet Harbor Rd

It is my understanding that the Town Council has the ultimate discretion to help Harbour Village Golf and Yacht Club to share in the cost of reconstructing their private walk over.

It is also, my understanding that this is accessible to all Ponce Inlet residents to use.

This walkover is in the between private residence and the club house, there is no parking available for Ponce Inlet residence to park to access this walkover so how is this beneficial to the residence? Also, the closet legal parking is a Winter Haven Park which is 1/2 mile away.

This is not a benefit to the residence. This is part of their common area which is to be maintained by the Association.

The suggestion of 25% based on the percentage of population of the amount suggested is \$22,987.50, this money if coming from the tax base should be used for other projects needed in the community.

Such as, storm sewers so no one's house is ever flooded do to poor drainage. We have been told for over twenty years we were getting off of septic and going to sewer which is an expensive project. This \$22,987.50 could be going towards a much higher priority than a walkover only truly benefits Harbor Village. I can not believe even if the cost exceeds the \$91,950 dollars that the residence which is 800 plus could not afford a special assessment of \$115.00 per unit.

I am a retired condominium manager and I have lived in an association and all our expenses to common areas were handled through special assessments.

I feel This money should be used for betterment of entire community, this to me is opening a precedence to help all other associations and private owners with their walkovers or any other hurricane damages.

Thank You

Christine Pronie

1		Town of Ponce Inlet
2		Town Council
3		Budget Workshop Minutes
4		June 26, 2024
5 6	1.	CALL TO OPDED. Dursuant to proper notice. Mover Deritely, called the meeting to
0 7		<b>CALL TO ORDER:</b> Pursuant to proper notice, Mayor Paritsky called the meeting to at 10:00 a.m. in the Council Chambers at 4300 South Atlantic Avenue, Ponce Inlet, Florida.
8		at 10.00 a.m. in the Coulen Chambers at 4500 South Atlantic Avenue, 1 once milet, 110nda.
9	2.	PLEDGE OF ALLEGIANCE: Led by Mayor Paritsky.
10		
11	3.	ROLL CALL:
12		Town Council:
13		Mayor Paritsky, Seat #1
14		Councilmember Milano, Seat #2
15		Councilmember White, Seat #3
16		Councilmember Villanella, Seat #4
17		Vice-Mayor Smith, Seat #5
18		
19		Staff Members Present:
20		Ms. Alex, Cultural Services Manager
21		Ms. Cherbano, Town Clerk
22		Mr. Disher, Town Manager
22		Ms. Dowling, HR Coordinator
		Mr. Dunlap, Acting Public Works Director
24 25		1. 0
25 26		Ms. Gatrost, Public Works Office Manager Chief Clazier, Police Chief
26		Chief Glazier, Police Chief
27		Ms. Hall, Assistant Finance Director
28		Ms. Hugler, Fire Department Office Manager
29		Deputy Chief Landreville, Deputy Fire Chief
30		Ms. McColl, Finance Director
31		Mr. Okum, IT Director
32		Chief Scales, Public Safety Director
33		Ms. Stewart, Assistant Deputy Clerk
34 35	4.	Discussion Capital Improvements and Level of Service Enhancements. Mr. Disher
		<b>Discussion – Capital Improvements and Level-of-Service Enhancements</b> – Mr. Disher
36	-	ned the purpose of this preliminary budget workshop is to provide a general overview of
37		the budget and the Town's finances currently stand, and to review proposed significant,
38		ne purchases, projects, and levels of service enhancements of \$25,000+ for the next fiscal
39	•	Anything less than that amount and routine operational expenses are outside the scope of this
40	worksl	hop and will be discussed at the second budget workshop next month, as well as the millage
41	rate. M	Ir. Disher provided a <u>preliminary budget presentation</u> and gave an overview of the assumed
42	revenu	e and the current reserves. He reviewed the 2022 hurricane expenses, noting how much has
43		eimbursed so far and that we are still awaiting \$58,250 from FEMA and insurance. He
44		red some of the rising costs including staff positions, benefits, and insurance. He reviewed

the utility fees and explained why the rates were raised. He reviewed the Town's debt obligations, 45 including Town Hall, which will be in the final year of a 20-year loan. There are also grant matches 46 47 for the Fire Department generator, the South Peninsula Sidewalk project, and the public safety vessel. There is also the donation for the Harbour Village dune walkover discussed by the Town 48 Council; the amount is still to be determined. Mr. Disher continued the presentation and reviewed 49 the projected revenues for the Town. He provided the history of the budget process so far this year. 50 He reviewed the ranked list of priorities recommended by the Essential Services Advisory Board 51 (ESAB) in March, noting it does not include the Public Works Building "B". He reviewed the 52 equipment priorities, including a new Quint 75' ladder fire truck; and project priorities, including 53 the replacement of the museum boardwalk. He explained the replacement of Public Works 54 Building "B" will include the demolition of the current building, site and building design, and 55 construction; the parking lot construction will be deferred to a future fiscal year. Mr. Disher 56 explained the two maintenance priorities are the Ponce Preserve boardwalk pilings replacement 57 and gazebo roof replacement. He explained that a salary survey is recommended; it is intended to 58 help assist the Town with determining market rates for certain positions. He opened the discussion 59 to the Council. 60

Councilmember Villanella asked what the liability or downside would be if the public 61 safety vessel was deferred to the next fiscal year; he thinks the Town may have unanticipated 62 expenses this year. Chief Glazier explained there is not a liability for the Town not to be patrolling 63 the water as there are other jurisdictions out there that we coordinate with such as the Coast Guard, 64 Florida Fish and Wildlife, and Volusia County. Mayor Paritsky asked if these other jurisdictions 65 patrol. Chief Glazier noted they do patrol, but we cannot control their staff or calendar as to when 66 they patrol. Mayor Paritsky asked if Disappearing Island is in the Town's jurisdiction; and if so, 67 what do we do if there is an issue there. Chief Glazier noted it is our jurisdiction and explained 68 that the Town does not currently get emergency response calls for that location because we do not 69 70 have a vessel to respond with; County dispatch relays the calls to the other jurisdictions. Councilmember Milano asked about the grant received for the vessel. Chief Glazier replied that a 71 grant was received, and the Town has one more extension until August 2025 to use it. 72

73

Councilmember Villanella referred to the street revitalization on the ESAB priority list and 74 5-year CIP and asked what streets would be prioritized. Mr. Disher replied there is no priority list 75 76 currently; the streets first need to be examined and evaluated in order to develop a priority list. Councilmember White referred to the museum boardwalk and the \$65,000 cost for new decking; 77 his concern is that composite decking material may warp in the heat, and he would prefer pressure 78 79 treated wood. He referred to the request for water system personnel and asked for clarification on 80 the need to "restore one to previous size"; it seems that is already budgeted. Chief Scales explained that historically, that was the composition of the crews, but some crew positions were never 81 82 replaced. Councilmember White referred to the request for automatic water line flushers at \$45,000; currently, one employee does this job. He is unsure about this; it seems adding a position 83 is double-dipping. He understands that the Public Works Building "B" needs to come down; 84 however, he needs to understand what the \$150,000 is for. Mr. Disher explained it will be for the 85 demolition of the building, permitting, site plan, and the architectural design; it is in a residential 86 area, so it needs to fit in. There are also exterior improvements and landscaping code requirements. 87 88 Councilmember White stated he met with Mr. Griffith the day after the building had been condemned and was shown the potential area for the locker room; he asked why that would not be 89

included. Mr. Disher explained the building has not yet been designed but that it makes sense to
include it. They discussed the parking lot expansion and new retention area on the south parcel,
with the possibility of the retention serving other residential properties. Councilmember White
asked if the \$80,000 cost for the Ponce Preserve pilings project shown during the presentation is
accurate. Mr. Disher explained yes, a quote has been received. Councilmember White asked if not
for this project, if that \$80,000 would be put into reserves. Mr. Disher explained potentially; it will
take a while to build the reserves back up.

97

108

98 Councilmember Milano commented that the ESAB and Cultural Services Board have put together a good package of needs; they looked at the safety of our employees, the safety of our 99 residents, and how to get things done faster. He agrees with Councilmember White on the 100 composite decking; however, pressure treated wood is just as hot to walk on. He suggested doing 101 an evaluation of the composite to see how it compares to the wood. He complimented the ESAB 102 for considering the safety of our employees and residents. There is nothing he would suggest 103 trimming from the proposed budget, except for the boat. However, he does not want to lose the 104 grant. Vice-Mayor Smith agreed with Councilmember Milano that the Boards did a nice job of 105 putting together a list of wants and needs; once we reach the next step and see the millage rate and 106 what we have, then we can proceed with discussing what needs to be cut. 107

109 Mayor Paritsky agreed that it would not be prudent to make decisions when all the data is not yet available. She stated there is a growing trend involving transitioning Code Enforcement 110 Boards to Special Magistrates; she is not suggesting we set a defined date for that, only that we 111 research it. Currently, the Town has a full Code Enforcement Board; however, there may come a 112 time when we do not have enough volunteers to fill the positions. The transition to a Special 113 Magistrate has occurred in multiple jurisdictions, including Volusia County. She explained that a 114 Special Magistrate is an attorney and member of the Florida Bar in good standing, appointed by 115 the Town Council to conduct code enforcement hearings pursuant to Florida Statute Chapter 162. 116 The Special Magistrate is authorized to impose administrative fines and other non-criminal 117 penalties for the violations. A Special Magistrate eliminates the neighbor-to-neighbor judging; 118 provides consistency in the amount of fines being charged; and it eliminates the cost of a Board 119 attorney since they will no longer be needed. She noted that it could also save staff time on 120 preparation as well as having shorter meetings with less people to discuss the cases. It may make 121 financial sense as well as be best practice, not discounting the hard work and effort of all the 122 volunteers on the Boards. Daytona Beach, Deland, Daytona Beach Shores, and Volusia County 123 have all shifted to a Special Magistrate. She requested that Code Compliance Manager David 124 Hooker research this further. 125

126

Mayor Paritsky asked about a timeline for the study on street paving. Mr. Disher explained 127 128 the streets will be evaluated the next fiscal year after which a priority list will be developed; the paving could then be budgeted a little at a time over perhaps a ten-year cycle. Mayor Paritsky 129 asked if we could consider a cooler, white-tinted pavement. Before opening public comment, she 130 131 confirmed that Councilmembers agreed the public safety vessel has another year on the grant; the museum boardwalk replacement cost may be able to be reduced depending on materials; and the 132 Public Works locker room and parking lot design. Councilmember White stated that it makes sense 133 134 to create a reserve for disaster recovery that can only be used for disaster recovery. He discussed it with Finance Director Kim McColl last year and thinks it is a great idea. Mayor Paritsky agreed 135 that this is the time to bring it up and something to research and add to this budget. Mr. Disher 136

explained that Ponce Inlet is in the minority in Volusia County with a volunteer Code Enforcement
Board; most jurisdictions have transitioned to a Special Magistrate. Mr. Hooker is gathering
information and can present it at a future Council meeting. He noted that with the septic-to-sewer
project, it comes with a new road. He referred to the museum boardwalk and noted that the Town's
obligation with the Volusia ECHO grant ends in 2028.

142

Mayor Paritsky opened public comment: Barbara Davis, 4871 Sailfish Drive, asked if Ian 143 and Nicole were hurricanes or tropical storms when they hit Ponce Inlet and what category they 144 were. Chief Scales replied they were hurricanes, and Nicole was a coastal impact rather than a 145 direct impact. Hurricane Ian was a Category 1 when it hit shore here, but it started out as a higher 146 intensity storm. Ms. Davis asked if the Public Works building was condemned. Chief Scales 147 explained yes; it is the "B" building next to the main building. Ms. Davis stated that during Ian 148 and Nicole, it was the first time in 35 years Ponce Inlet flooded as badly as it did. The first storm 149 brought 20" of rain. She emphasized that the Fire, Police, and Public Works Departments are 150 important to the residents. This is one of the first years she can remember having a drought and a 151 burn ban; however, a major fire did go through the park in about 1989 all the way to Inlet Point. 152 153 She said our Fire Department is so important; they are the first to respond when something happens; we cannot depend on other jurisdictions because they may have their own problems. She 154 absolutely supports proposed budget items for the Fire Department and Police Department. She 155 156 recalled that the first thing that happened during Hurricane Nicole was a tree fell on a power line on Sailfish Drive; police, fire and public works were all there to respond. They shut off the power 157 and cut the tree up right away; because once it flooded, no one would have been able to go 158 anywhere. She referred to the needed generator for the Public Works Department and whether it 159 is a safety issue; she discussed increasing taxes if needed to make things safer. Public Works needs 160 to be built above flood level. We must start thinking about flooding; if we got 20" in a tropical 161 storm like we did with Hurricane Ian, we need to plan for the worst. She referred to the proposed 162 public safety vessel and stated we need kayaks and paddleboards for our staff; she knows they are 163 doing water training - we cannot depend on others if the worst happens. She stated the Fire, Police, 164 and Public Works Departments need to be up-to-speed and functioning. She does not like that the 165 Fire Department and Public Works Department are in flood zones; the new normal is lifting 166 buildings. She would like to know if in the case someone is stuck in their home after an event that 167 our first responders can get to them; there may be a day where a safety vessel is needed, and we 168 may not have another year. She referred to the generator for Public Works and noted they are the 169 first to respond; she related an issue with a broken pipe at her neighbor's home recently and that 170 Public Works staff was on-site within 15 minutes to resolve it. The money is not as important as 171 the level of service the Town receives. 172

173

Mayor Paritsky thanked Ms. Davis for her comments and noted that the Council agrees 174 with her regarding the needs; she asked Chief Scales to provide an update on a new fire station. 175 Chief Scales explained they are looking at every available opportunity: grants, legislative 176 appropriations, etc. A state appropriation request for station design was attempted, but that is not 177 something they do. An appropriation request was also submitted through Representative Mills' 178 office, and they are actively engaged in trying to allocate federal funds for a new facility. Mayor 179 Paritsky added that design for what is available on town property, not located in a flood zone for 180 181 new buildings is also being considered. Vice-Mayor Smith referred to Ms. Davis's comment regarding taxes and clarified that the tax bill is typically misunderstood; it is not as large a number 182 as people generally think, since the Town's taxes make up only a portion of the total tax bill. 183

Charles Burge, 4670 Links Village Drive, stated his background is from the New York City 184 Sanitation Department; he retired as the Superintendent of Brooklyn. He needed three things for 185 his job there: material in the street, equipment, and manpower; similar to Mr. Dunlap's job. He 186 187 stated the most important thing is equipment, and people that know how to run the equipment. Like Ms. Davis stated, if there is a downed tree in the middle of the road, and responders cannot 188 get to residents in a catastrophe, it is a bad situation for all. The Town has a brand-new dump truck 189 and he asked Mr. Dunlap if the front-end loader was big enough to load into it; Mr. Dunlap's 190 response was that it fits. When you buy larger equipment, you need larger equipment to load it -191 a front-end loader is a very valuable piece of equipment because it has multiple attachments and 192 uses. He always speaks about safety – buy equipment for the manpower that save our lives and for 193 the people that support them. The Department of Sanitation was the support for the Police and Fire 194 Departments; a coordinated effort between all agencies is paramount. He referred to the proposed 195 police vessel that it is made in South Africa; he asked if there was one made in the USA that we 196 could purchase instead. He also asked if this vessel could be leased or if there is a lease-to-purchase 197 option. He referred to the Ponce Preserve pilings restoration project and asked if they would be 198 wrapped in plastic which would stop the infestation of what eats the wood. He asked what is least 199 200 important to the Council, noting the least important to him is special requests from entities outside the town for their projects. Chief Scales added that the pilings which are compromised at Ponce 201 Preserve will be encased in concrete; they will be looking to mitigate any future deterioration on 202 203 the remaining pilings. They are also planning to look at the pilings at Timucuan Oaks and the boat ramp to determine their condition. Mayor Paritsky asked what staff needed from the Council to 204 move forward for the next budget meeting. Mr. Disher replied now is the time to inform staff if 205 there is anything they want in the budget or that needs to come out. Mayor Paritsky stated she 206 would like some information on Councilmember White's suggestion for an additional reserve fund 207 for storm repairs and if that will require an ordinance or a resolution. Mr. Disher replied he will 208 209 investigate it and provide the information at the next meeting. The second budget workshop will be held July 16, 2024, and the goal is to have the complete draft budget well ahead of time. The 210 next Council meeting will be July 18, 2024, where the proposed millage rate will be set; the 211 practice is to set it high and if they want to reduce it between then and September, that can be done. 212 September 4, 2024 will be the hearing on the tentative millage rate and first reading of the budget 213 ordinance; and final hearing, second reading, and adoption of the budget will occur on September 214 19, 2024. The new fiscal year begins October 1, 2024. 215

- 216
- 217 6. ADJOURNMENT. Mayor Paritsky adjourned the meeting at 3:07 p.m.
- 218

18

- 219 Respectfully submitted by:
- 220 221
- 222 Kim Cherbano, Town Clerk
- 223 Prepared by: Debbie Stewart, Assistant Deputy Clerk

224

225 Attachment(s): Preliminary Budget Workshop Presentation

## Attachment 1





# PRELIMINARY Budget Workshop

June 26,2024

#### 1

## **OVERVIEW**

#### <u>Assumptions</u>

- Reserves
- Hurricane Expenses
- Rising Costs
- Obligations
- Revenue
- Tax Base
- Utility Fees

6/26/24

## **Priorities**

- History
- ESAB Recommendation
- Capital Purchases (equipment)
- Capital Projects (construction)
- Maintenance Activities
- Professional Services
- New Personnel
- Council Priorities?

Next Steps

Preliminary Budget Workshop







## Assumptions – Rising Costs

#### New Staff Positions Added Mid-Year

- 3 firefighters/EMTs
- 2 police officers (1 still vacant)
- 1 Public Works Maintenance Technician (still vacant)
- 1 Assistant Deputy Clerk
- 1 Grants Coordinator/Accounting Specialist (still vacant)

#### **Employee Benefits**

- Health insurance: 4.5% increase
- Wage adjustment of +\$2,080 per employee, per Res. 2021-08 (final year).

#### Insurance

6126124

- Property Insurance: 10% Increase
- Overall (liability, general, property, vehicles, worker's comp., cybersecurity, etc.): TBD

PRELIMINARY BUDGET WORKSHOP

Assumptions – Utility Fees

#### FY 22-23

- The Town raised its utility rates for:
  - o Garbage collection \$35/month, 2-year term, first adjustment since 2019.
  - <u>Water</u> defined annual increases for 5 years, annual adjustments thereafter by the greater of 3% or 1%+CPI-U. First adjustment since 2018. In response to Port Orange increases.

#### FY 23-24

- The Town raised its rates for:
  - <u>Sewer and water/sewer development fees</u> in response to Port Orange (pass-through). First adjustment since 2015 for sewer, first since 2009 for development fees. Port Orange fees will raise fees again effective 01-01-25.
     Water connection fees in response to Port Orange.

#### FY 24-25

6/26/24

• <u>Stormwater utility fee</u> – data collection in progress. Must be adopted by ordinance after rate study.

PRELIMINARY BUDGET WORKSHOP



Loans

**Grant Matches** 

Donations

# <section-header><section-header><section-header><section-header><section-header><list-item><list-item><list-item><list-item><list-item><list-item><list-item><list-item><list-item><list-item><list-item><list-item><list-item><list-item><list-item><list-item><list-item>

Assumptions – Obligations

New Fire Department generator - \$35,000 (50% of total cost)
Sidewalk project design - \$1,121,000 (15% of total project cost)

• Public safety vessel - \$40,000 (50% of project cost)

• Harbour Village dune walkover contribution – TBD?

Septic-to-Sewer Phase 1 - \$5.2 million (100% principal forgiveness SRF loan)

PRELIMINARY BUDGET WORKSHOP

Town Hall – \$328,000/yr. (20<sup>th</sup> of 20 – final year)
Stormwater improvements - \$156,586/yr. (19<sup>th</sup> of 20)
Water system improvements - \$61,828/yr. (8<sup>th</sup> of 20)





	Pr	IORITIES				RECOMMENDATIO	NC
4.	Priority	Request	Dept.	Fiscal Year	Cost	Comment	Previous Priority
	1	Stormwater one-way valve installation, Phase 2	PW	24-25	\$180,000	Completion of project started in FY 23/24 (not on last year's list, added by Town Council)	
	2	1 Water system personnel	PW	24-25 (mid-year)	\$30,000	Needed to restore 1 crew to previous size (4). Split 50% with Water Enterprise Fund	23/24 #5
	3	Replacement fire truck/ apparatus	FD	24-25	\$80,000	Initial down payment. 2-3 year build time from order date. Lease to own, w/ annual payments	
	4	Public safety vessel	PD	24-25	\$80,000	Town council goal. Previously recommended by ESAB in 2022. Not included last year.	
	5	2nd set of fire-fighting gear	FD	24-25	\$52,000		23/24 #6
	6	Museum boardwalk replacement	PW	24-25	\$65,000	Safety issue. Deferred from past two budgets, \$25,000 in FY 22/23, \$45,000 in FY 23/24.	
	7	Back-up power load stretcher	FD	24-25	\$50,000	Needed to optimize service delivery for 2 <sup>nd</sup> patient transport vehicle	
	8	Replacement cascade system	FD	24-25	\$60,000		24/25 #1

EQUIPMENT	Council Goal	Grant Priority	ESAB Priority	FUNDING SOURCE	F/Y 24-25	COMMENT
Fire						
Quint 75' ladder truck			3	GF	\$110,000	Initial down payment in FY24-25, with 2-3-year build time from order date. Lease to own, w/ annual payments over 9 years. Replacing 2009 fire engine. \$1,500,000 total
Replacement fire hose ("Snap-Tite")				GF	\$29,000	Current hose expires in 2025. NEW
Back-up power load stretcher			7	GF	\$45,000	Allows current stretcher to be placed in back-up ambulance, provides stretchers for both ambulances in case of equipment failure.
Police						
Public safety vessel with equipment	~		4	GF / Grant	\$80,000	Town council goal. Previously recommended by ESAB in 2022. Not included last year's budget. \$40,000 grant has been awarded.
Public Works / Water						
Replacement Fire Dept. generator		1		GF / Grant	\$35,000	50% appropriation grant awarded by Legislature and signed into law by Gov. Current generator is 20 years old.
Replacement generator for Public Works		2		1/2 GF, 1/2 Water	\$55,000	50% appropriation grant of \$27,500 vetoed by Gov.
Automatic water line flushers				Water	\$45,000	Three, at \$15,000 each. NEW
TOTAL					\$399,000	



# PRIORITIES – PROJECTS

EQUIPMENT	Council Goal	Grant Priority	ESAB Priority	FUNDING SOURCE	F/Y 24-25	COMMENT
Cultural Services						
Museum boardwalk replacement			6	GF	\$65,000	Safety issue. Includes entire structure. Deferred from past two budgets
Planning & Development						
S. Peninsula sidewalk project	~				\$170,000	The Town's 15% share, to be paid to Volusia County for projec engineering/design = \$1,121,000. Town has \$968,574 already Approx \$365k was borrowed temporarily last year and is bein replaced this FY thru FEMA reimbursemen
Public Works / Water						
Replacement for Building B			*	Land Acquisition	\$200,000	Includes site design, demo, and landscaping. Design to als include parking lot expansion and new locker area. <b>NEV</b>
Stormwater one-way valve installation, Phase 2			1	GF	\$100,000	Completion of project started in FY 23/2
Town Hall landscaping					\$30,000	NEV
Septic-to-Sewer Project Phase 1	~			SRF Loan	\$5,200,000	1st half of 2-year project. Construction funding from FDE 100% forgiveness SRF loar
TOTAL					\$5,765,000	

Preliminary Budget Workshop

6/26/24



# PRIORITIES - MAINTENANCE/REPAIR

	EQUIPMENT	<b>Council Goal</b>	<b>Grant Priority</b>	ESAB Priority	FUNDING SOURCE	FY 23-24	F/Y 24-25	COMMENT
	Cultural Services							
	Ponce Preserve boardwalk pilings				GF	\$80,000		Replacement to start FY 23-24. Includes design, permitting, and construction. <i>NEW</i>
	Ponce Preserve gazebo roof replacement				GF		\$35,000	6 roofs have deteriorated due to weather and age. Split over 2 yrs. NEW
	TOTAL					\$80,000	\$35,000	
				ł				
DE ART	6/26/24				Pr	ELIMINARY	BUDGET V	Vorkshop

	Cou	Gran	ESAE		F/Y	
PROJECT	Council Goal	<b>Grant Priority</b>	ESAB Priority	FUNDING SOURCE	24-25	COMMENT
Administration						
Salary Survey	~			GF	\$28,500	As recommended by the last salary survey in 2016. Includes compensation classification study + one site visit from Evergreen Solutions. They can conduct a compensation-only study for \$21,0
TOTAL					\$28,500	
			٩		Ponce In Salary S	her homes

# PRIORITIES - NEW PERSONNEL

	PERSONNEL	CouncilGoal	Grant Priority	ESAB Priority	F/Y 24-25	COMMENT	
	Public Works/Water						
	(1) Maintenance Technician	•		2			
	Salary and Benef	_			\$25,637	(55%), and Water (50%). Full-year Cost = <b>351,274</b> .	
	TOT	AL			\$25,637		
The Allow	6/26/24				Р	reliminary Budget Workshop	18









# QUESTIONS?

Item 7C



#### MEMORANDUM

#### PONCE INLET POLICE DEPARTMENT – OFFICE OF THE POLICE CHIEF

THE TOWN OF PONCE INLET STAFF SHALL BE PROFESSIONAL, CARING, AND FAIR IN DELIVERING COMMUNITY EXCELLENCE WHILE ENSURING PONCE INLET CITIZENS OBTAIN THE GREATEST VALUE FOR THEIR TAX DOLLAR.

To: Michael E. Disher, AICP, Town Manager

From: Jeff Glazier, Chief of Police

Date: July 5, 2024

Subject: Request to Declare Vehicle as Surplus Property

MEETING DATE: July 18, 2024

The police department requests approval from the Town Council for the declaration of the vehicle listed below as surplus property.

Per Town Code of Ordinances Article VII, Division 3, Sec. 2.382, personal property deemed obsolete, unusable, or in the best interest of the town for sale, with an estimated value of \$5,000.00 or more, must undergo formal bidding procedures, negotiated sale, or other approved procedures by the Town Manager. The Town Council's declaration of surplus property is a prerequisite for its sale.

The vehicle will be sold through Enterprise Fleet Services, with all proceeds returned to the Town.

Vehicle Description: 2018 Ford Explorer Interceptor Utility VIN: 1FM5K8AR4JGC94602

**Meeting Date:** 7/18/2024



## Agenda Item: 11-A

## **Report to Town Council**

- **Topic:** Resolution 2024-13 Authorizing the creation of a Disaster Recovery Fund and a transfer of appropriations within the Town's budget for FY 23/24.
- **Summary:** The purpose behind this new fund is to establish and maintain reserve funds within the budget to be used during emergency incidents and natural disasters.

Suggested motion: To approve Resolution 2024-13 as presented.

Requested by: Chief Scales, Public Safety Director

Approved by: Mr. Disher, Town Manager



## **MEMORANDUM** Office of the Public Safety Director

The Town of Ponce Inlet staff shall be professional, caring and fair in delivering community excellence while ensuring Ponce Inlet citizens obtain the greatest value for their tax dollar.

To:	Michael E. Disher, AICP, Town Manager
From:	Dan Scales, Public Safety Director
Date:	July 9, 2024
Subject:	Resolution 2024-13 – Authorizing the creation of a Disaster Recovery Fund and authorizing a transfer of appropriations within the Town's budget for Fiscal Year 2023-2024

#### MEETING DATE: July 18, 2024

Staff is requesting approval of Resolution 2024-13 to create the Disaster Recovery Fund. This new Fund is intended to establish and maintain appropriate levels of reserve funds within the budget with which to respond to unexpected emergency incidents and natural disasters.

The Town has the responsibility to respond immediately, provide necessary resources, and cover the costs of certain emergency events, often facing delays of several years before receiving Federal reimbursement for eligible expenses. Our recent experiences with the impacts of Hurricanes Ian and Nicole further underscore the necessity for a dedicated emergency funding source focused on impact mitigation.

Being a small coastal community, Ponce Inlet is particularly vulnerable to the adverse effects of natural disasters. Establishing a disaster recovery fund will enable recovery efforts to commence more promptly, ensuring a more effective and efficient response. A dedicated fund will also provide a transparent and accountable means to manage and allocate resources for future emergencies.

Staff is also requesting a transfer of appropriations in the amount of \$100,000 from the General Fund - Designation for Hurricane Expenses Reserve Account (001-0000-271-2000) to the Disaster Recovery Fund (008-0000-284-0000). This transfer will allow the Town to begin building reserves for future emergency incidents and natural disasters while providing transparency in the annual budget by showing the current amount of funds available in a separate reserve fund.

In accordance with Section 6.04(d) of the Town Charter, Council approval is mandated for such appropriation transfers. Staff recommends the approval of Resolution 2024-13 to establish a disaster recovery fund and authorize the transfer of appropriations as detailed above.

#### **RESOLUTION NO. 2024-13**

#### A RESOLUTION OF THE TOWN OF PONCE INLET, FLORIDA, AUTHORIZING THE CREATION OF A DISASTER RECOVERY FUND; AUTHORIZING A TRANSFER OF APPROPRIATIONS WITHIN THE TOWN'S BUDGET FOR FISCAL YEAR 2023-2024; AND PROVIDING AN EFFECTIVE DATE.

**WHEREAS**, the Town of Ponce Inlet, the public, and individual citizens must work together to protect against, mitigate, respond to, recover from, and, to the extent possible, prevent threats and hazards that pose risks to the Town of Ponce Inlet; and

WHEREAS, an emergency or disaster can occur without warning at any time and any location, and may create a significant degree of property damage and economic hardship to individuals, public services, and the environment; and

WHEREAS, Ponce Inlet, as a small coastal community, is particularly vulnerable to the adverse impacts of natural disasters, necessitating a proactive approach to disaster preparedness and recovery; and

WHEREAS, it can take months to years for state or federal agencies to reimburse local governments for their emergency incident and disaster response activities; and

**WHEREAS**, the recent experiences with Hurricanes Ian and Nicole have highlighted the critical need for an established, dedicated emergency funding source to ensure the Town's prompt and effective recovery efforts; and

**WHEREAS**, the Town of Ponce Inlet has the responsibility to establish and maintain appropriate levels of disaster recovery reserve funds to respond to future risks resulting from unexpected emergency incidents and natural disasters; and

WHEREAS, the creation of a Disaster Recovery Fund will enhance the Town's resilience and capability to manage and recover from unforeseen emergencies and disasters without compromising operational funds for other essential public safety and community services;

**WHEREAS**, Section 6.04 of the Charter of the Town of Ponce Inlet, Florida provides for Budget Amendments upon written request of the Town Manager, and for the Town Council by resolution to approve: (a) Supplemental Appropriations, (b) Emergency Appropriations, (c) Reduction of Appropriations, and (d) Transfer of Appropriations; and

**WHEREAS,** based on a review, the Town Manager has requested amendments to the Fiscal Year 2023-2024 budget, as provided hereinafter.

# NOW, THEREFORE, BE IT RESOLVED BY THE TOWN COUNCIL OF THE TOWN OF PONCE INLET, FLORIDA:

**SECTION 1.** That the annual operating budget of the Town of Ponce Inlet as adopted for the fiscal year beginning October 1, 2023, is hereby revised and amended to provide for the creation of the Disaster Recovery Fund (No. 008) as a source of dedicated funds for responding to unforeseen emergencies and disasters.

**SECTION 2**. The Town Council of the Town of Ponce Inlet hereby authorizes a transfer of appropriations, in the amount of \$100,000, from the General Fund Reserves to the Disaster Recovery Fund, within the Town of Ponce Inlet's budget approved for Fiscal Year 2023-2024. Except as amended herein, the annual operating budget for the Town of Ponce Inlet for the fiscal year beginning October 1, 2023, shall remain in full force and effect.

**SECTION 3**. Effective Date. This resolution shall take effect immediately upon its adoption.

It was moved by \_\_\_\_\_\_ and seconded by \_\_\_\_\_\_ that said Resolution be adopted. A roll call vote of the Town Council on said motion resulted as follows:

Mayor Paritsky, Seat #1	
Councilmember Milano, Seat #2	. <u></u> .
Councilmember White, Seat #3	
Councilmember Villanella, Seat #4	<u> </u>
Vice-Mayor Smith, Seat #5	

Passed this 18<sup>th</sup> day of July 2024.

Town of Ponce Inlet, Florida

Lois A. Paritsky, Mayor

ATTEST:

Kim Cherbano, Town Clerk

**Meeting Date:** 7/18/2024



## Agenda Item: 11-B

## **Report to Town Council**

- **Topic:** Resolution 2024-14 Adopting a proposed millage rate for FY 24/25 and establishing public hearing dates for the tentative and final millage rates and budget.
- **Summary:** The budget for FY 24/25 is balanced with a proposed millage rate of 6.6250, which is 14.15% above the rolled-back rate. Please see the attached staff reports for additional information.
- Suggested motion: To approve Resolution 2024-14 as presented.

Requested by: Mr. Disher, Town Manager

Approved by: Mr. Disher, Town Manager



#### MEMORANDUM Office of the Town Manager

The Town of Ponce Inlet staff shall be professional, caring, and fair in delivering community excellence while ensuring Ponce Inlet citizens obtain the greatest value for their tax dollar.

TO:	Town Council
FROM:	Michael E. Disher, AICP, Town Manager
DATE:	July 11, 2024
SUBJECT:	Res. 2024-14 - Proposed Millage Rate for FY 24/25

#### MEETING DATE: July 18, 2024

The budget for fiscal year 24/25 is balanced with a proposed millage rate of 6.6250, estimated to produce \$8,403,446 in ad valorem revenue at a 95% collection rate. The Town's current millage rate is 6.2779 and the rolled-back rate (RBR) is 5.8037. The proposed millage rate is 14.15% above RBR.

According to the Volusia County Property Appraiser's preliminary tax roll, the collective taxable value of property in Ponce Inlet has increased by 9.07% from last year. Per state law, homesteaded properties will be capped at a taxable value increase of 3%; therefore, with the rate of 6.6250 mills, a homesteaded property with a prior year value of \$500,000 would pay a maximum of \$256 more in taxes next year, compared to the previous year. A non-homesteaded property would be capped at a taxable value increase of 10%; therefore, a non-homesteaded property with a prior year taxable value of \$500,000 would see a maximum tax increase of \$505.

Attached is a copy of the memorandum which provides a complete summary of the proposed budget, a full reporting of the town's reserves, a spreadsheet showing millage rate calculations, and a spreadsheet showing the general maximum impact of proposed millage rate.

Resolution 2024-14 has been prepared for the Town Council's approval of a proposed maximum millage rate. At this hearing, the Town Council has the ability to adopt or modify the proposed millage rate; but once approved via this resolution, it cannot be raised further. The Town Council may select a lower millage rate at subsequent budget hearings. If approved, the proposed maximum millage rate will be advertised by the Volusia County Property Appraiser on the proposed property tax bills, which his office mails to property owners in August.

Resolution 2024-14 also provides the dates of two public hearings for the millage rate and budget adoption in September. There are several statutory elements which go into the selection of viable dates, such as not conflicting with the budget hearing dates of Volusia County and the Volusia County School Board, along with advertising period requirements. Based on the information we currently have, both dates proposed will meet all criteria. Should any issues arise in the coming months which require either of these proposed dates to be changed, this resolution provides that flexibility.
Attachment 1

Revised 7/8/24



#### MEMORANDUM Office of the Town Manager

The Town of Ponce Inlet staff shall be professional, caring, and fair in delivering community excellence while ensuring Ponce Inlet citizens obtain the greatest value for their tax dollar.

**TO:** Town Council

FROM: Michael E. Disher, AICP, Town Manager

**DATE:** July 8, 2024

SUBJECT: Final Budget for FY 22/23, Adopted and Amended Budgets for FY 23/24, and Proposed Budget for FY 24/25

WORKSHOP DATE: July 16, 2024

#### Introduction

This budget is presented to cover three fiscal years – the Final budget for FY 22/23, the Adopted and Amended budgets for FY 23/24, and the Proposed budget for FY 24/25. The FY 22/23 and FY 23/24 budgets are presented for information only. For FY 23/24, the adopted budget, mid-year amended budget (per Res. 2024-12) and estimated final amended budget are provided for comparison. The only budget year that the Council will be asked to adopt in September is the Proposed FY 24/25.

#### Background

The Essential Services Advisory Board (ESAB) has held three meetings so far this year (January 13 11<sup>th</sup>, March 7<sup>th</sup>, and June 13<sup>th</sup>) to review budgetary proposals from the Fire, Police, and Public Works Departments for FY 24/25 and FY 25/26. The proposals for next fiscal year were then ranked in terms of priority and then forwarded to the Town Council as recommendations for the FY 24/25 budget.

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18 Likewise, the Cultural Services, Historic Preservation, and Tree Advisory Board (CSB) met three

19 times this year (February 5<sup>th</sup>, April 1<sup>st</sup>, and May 6<sup>th</sup>) to review budget proposals from staff, board

20 members and the public. The Board discussed potential park enhancements and provided its 21 recommendations to the Town Council.

22

23 On April 18, 2024, the Town Council was presented with the results of the audit of the FY 22/23

24 financial statements. For the 8<sup>th</sup> year in a row, the Town has received a perfect, comment-free

audit.

26 At the June 26, 2024 preliminary budget workshop, the Council reviewed the Town's reserve fund 27 levels; the status of reimbursements from 2022 hurricane expenses; the impact of newly added 28 staff positions; anticipated cost increases for insurance and utility rates; existing obligations such 29 as loans and grant matches; the current tax base; and revenue projections. The Council then 30 reviewed a list of significant (\$25,000+) proposed purchases, projects, maintenance activities, 31 professional services, and new personnel to maintain or enhance levels of service for the next fiscal 32 year. These items included the prioritized list recommended by the ESAB. The Council indicated 33 its support for the majority of these items and directed staff to prepare the proposed budget 34 accordingly.

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37

### Town Reserves, Debt, & Finance Practices

38 Per the Town's Reserve Policy, Res. 09-04, reserves are to be used, "...to mitigate current and 39 future risks such as revenue shortfalls, natural disasters, unanticipated expenditures, and to ensure 40 stable tax rates." The policy requires the Town to maintain reserves sufficient to cover between 3-41 9 months of operating expenses. The Town's reserve levels per the audit of FY 22/23 are shown 42 within the budget document in the revenue reserve line of each fund. After the FY 21/22 audit, the Town's reserves stood at 7 months, decreasing to 6 months in FY 22/23. At the beginning of FY 43 44 23/24, the Town's stabilization reserve and other unassigned fund balance was \$4,190,777, which 45 equates to a 53% reserve or 6.4 months. Reserves today are currently estimated at 6 months.

46

This decrease over the last two years has largely been due to a combination of factors, including a lower millage rate in FY 22/23, impacts from Hurricane Ian ineligible for reimbursement<sup>1</sup>; legal expenses related to Unfair Labor Practice hearings; rising costs of utility expenses; higher costs of employee insurance, wages, and benefits; and the cost of new staff positions added mid-year. In FY 22/23 and FY 23/24, the Town took steps to address these shortfalls by making necessary adjustments to the ad valorem millage rate and utility customer rates. This effort was aided by a sizeable increase in the taxable value of all properties in Ponce Inlet.

54

A complete list of the town's current reserves has been provided on **Attachment 1** of this memo and also within the budget document in the revenue reserve line of each fund.

57

58 The town's debt total is currently \$1,445,638. Two of the town's three debt service agreements

59 will be paid in full over the next 2 years: the 2005 Town Hall loan and the 2006 Stormwater

60 Improvements loan. The town also has a 2017 Water System Improvements loan with 13 years

61 remaining.

Loan	Annual Payment	Years Remaining	Total Remaining
		(out of 20)	Payment
Town Hall Buildings	\$328,400	1	\$328,400
Stormwater Improvements	\$156,587	2	\$313,174
Water System Improvements	\$61,828	13	\$804,064
TOTAL			\$1,445,638

<sup>&</sup>lt;sup>1</sup> NOTE: As of 6-24-24, the Town has received \$240,983 from insurance and \$356,714 from FEMA. Another \$58,250 is expected back from insurance and FEMA in the next year. A total of \$223,173 is ineligible for reimbursement.

In addition, the Town has pledged grant matches totaling \$1,196,000 for a public safety vessel,
fire station generator, and the S. Peninsula sidewalk project, all of which are expected to be paid
in FY 24/25.

66

Due to its strict adherence to standard governmental accounting practices and purchasing procedures, the town has received perfect, comment-free audits for the last 8 years. Management closely monitors policies and practices from all departments to ensure the protection of the Town's finances. This combination of reserves, low debt, and history of perfect audits demonstrates that the Town remains in an excellent financial position.

72

#### 73 74

#### Proposed Budget for FY 24/25

With a limited number of revenue sources, the Town is highly dependent on ad valorem taxes to fund its expenditures and services. In all, ad valorem taxes will comprise 79% of all anticipated General Fund revenue in the coming fiscal year. The remainder will mostly be received from sales taxes, services charges, permit fees, interest earnings, grants.

79

The budget for Fiscal Year 24/25 is balanced with a proposed millage rate of 6.6250, which is intended to maintain or enhance the level of service provided by the Town government to its residents and property owners. At a 95% collection rate, the proposed millage will produce \$8,403,446 in ad valorem revenue. The Town's current millage rate is 6.2779 and the rolled-back rate (RBR) is 5.8037. The proposed millage rate is 14.15% above RBR.

85

86 According to the Volusia County Property Appraiser's preliminary tax roll, the taxable value of 87 property in Ponce Inlet has increased by 9.07%. Homesteaded properties (approximately 47% of 88 total households) will be capped at a taxable value increase of 3%. A homesteaded property with 89 a prior year value of \$500,000 would pay a maximum of \$256 more in taxes next year, compared 90 to the previous year. Non-homesteaded properties (approximately 53% of total households) are 91 capped at a 10% increase. A non-homesteaded property with a prior year value of \$500,000 would 92 pay a maximum estimated \$505 more. On Attachment 2 is a calculation of revenue at different 93 millage rates. The impact of the 6.6250 millage rate on properties at various values is provided 94 with Attachment 3.

- 95
- 96 97

### Multi-Department Costs

98 Certain types of expenditures have an impact on multiple departments or the entire organization. 99 These include the cost of employee salaries and benefits, utilities, insurance, and fuel. The 100 proposed FY 24/25 budget accounts for these general costs in addition to the specific requests from 101 each department.

- 102
- Eight new staff positions were added in FY 23/24 (3 firefighters, 2 police officers, 1 Public
   Works maintenance technician, and 2 in Finance/Administration). No new personnel are
   proposed next year.
- Per Resolution 2021-08, employee salaries will increase next year by \$2,080 per employee, equivalent to an extra \$1 per hour. This will be the last year of a four-year plan to comply with Florida's \$15/hour minimum wage law.

The Town's required contribution for FRS (Florida Retirement System) is either increasing negligibly (1/10<sup>th</sup> of 1%) or remaining the same for various categories. These amounts are dictated to participating local governments each year by the State of Florida.

- Employee health insurance is increasing 4.5%.
- Property insurance costs have been estimated to increase by 10%.
- Overall insurance costs (worker's comp., liability, vehicles, cybersecurity, flood, etc.) have
   been estimated to increase by 10%.
- Water, sewer, and electric costs are increasing approximately 3%.
- Fuel costs are estimated to decrease slightly or stay the same as FY 23/24, based on EIA (U.S. Energy Information Administration) forecast for 2025.

#### **Highlights**

122 In addition to the costs, obligations, and debt service noted above, the proposed budget includes 123 requests for purchases, projects, maintenance activities, and professional services to maintain or 124 enhance levels of service for the next fiscal year. Purchases can be thought of as tangible 125 equipment, such as new generators or vehicles. Projects involve construction, such as the S. 126 Peninsula sidewalk expansion or the complete replacement or redevelopment of an existing 127 facility. Services can include maintenance activities like storm pipe cleaning or professional 128 services for new studies and plans. The majority of items on this list were either prioritized by the 129 ESAB, recommended by the Cultural Services Board, tied to a Council goal, or were part of the 130 Town's appropriation requests to the Florida Legislature this year.

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121

#### 132 Equipment (\$444,000)

132	<u>Equipment (\$444,000)</u>	
133	• Quint 75' ladder truck (Capital Fire Equip. fund)	\$210,000 (1 <sup>st</sup> yr. payment)
134	Replacement fire hose	\$29,000
135	Back-up power-load stretcher	\$45,000
136	Public safety vessel	\$40,000 (+\$40,000 grant)
137	• Fire Dept. generator (Leg. contingency)	\$35,000 (+\$35,000 grant)
138	• Automatic water line flushers (Water R&R fund)	\$45,000
139		
140	<u>Projects (\$5,730,000)</u>	
141	• PW Building "B," incl. locker room & generator	\$225,000
142	(Land Acquisition fund)	
143	Museum boardwalk replacement	\$35,000
144	• S. Peninsula sidewalk project (Transfer to 311 fund)	\$170,000
145	• Storm-drain one-way valves, Phase 2	\$100,000
146	• Septic-to-sewer project, Phase 1 (New 312 fund)	\$5,200,000
147		
148	Maintenance/Repair (\$113,000)	
149	Stormwater pond excavation	\$50,000
150	• Harbour Village boardwalk contribution (Leg. contingency)	\$25,000 (final \$ TBD)
151		
152	Professional Services (\$78,000)	
153	Salary Survey	\$28,500
154		

155	New Personnel (\$0)	
156	• None	
157		
158	Other Notable Requests (\$399,039)	
159	Government Affairs consultant (lobbyist)	\$36,000 (12 months)
160	• Annual contribution to the First Step homeless shelter	\$14,187
161	• Hosting Volusia League of Cities dinner (every 3 yrs.)	\$8,900
162	Contractual services for financial auditors	\$44,000
163	• New CivicPlus software for meeting agenda mgmt.	\$14,300
164	(included with I.T. contractual computer services)	
165	• Additional outdoor public security cameras for Town parks	\$15,000
166	(included with I.T. non-capital equipment)	
167	Replacement plotter/scanner for Planning & Development	\$11,000
168	(included with I.T. non-capital equipment)	
169	• 3 additional leased vehicles from Enterprise	\$40,102
170	• Portable electronic message board for Police Dept.	\$19,000
171	<ul> <li>Public Works facility electric gate motors</li> </ul>	\$11,000
172	• Repair and resurface tennis courts at Pollard Park	\$15,000
173	• New kayak staging area at boat ramp	\$3,000
174	• Utility box art wrap project	\$9,000
175	• Tree replenishment plan (from Tree Bank fund)	\$8,000
176	New landscaping at Community Center	\$10,000
177	Replacement gutters at Community Center	\$8,000
178	Replacement fence at museum	\$19,000
179	Painting of museum buildings	\$16,000
180 181	<ul> <li>Hazardous waste pick-up and paper shredding event (from Refuse fund)</li> </ul>	\$8,000
182	• Replacement fire hydrants, valves, and meters	\$68,000
183	(from Water R&R fund)	
184		
185	Carry-forward requests from FY 23/24	<u>4</u>
186		
187	There are several projects budgeted in FY 23-24 that are not expect	•
188	the current fiscal year. When this happens, the remaining funding f	
189	to the following fiscal year. These projects are listed in the budg	-
190 191	items. Because the money has already been appropriated and collect next fiscal year has no impact on the proposed millage rate for no	
191	include:	ext fiscal year. These projects
192	include.	
194	Stormwater impact code review	\$10,000
195	<ul> <li>Stormwater pond excavation</li> </ul>	\$38,000
196	<ul> <li>Adaptation Action Plan (FDEP grant)</li> </ul>	\$50,000
197	<ul> <li>CRS compliance and map update project</li> </ul>	\$17,500
198	<ul> <li>Energov software update (Economic Impact fund)</li> </ul>	\$21,550
199	Lierge, serenare aparte (Beenenne impact fana)	+= - ,

200	Special Funds
201 202 203	Besides the General Fund, the Town's budget also includes 26 separate special funds. These special funds exist for specific purposes, such as:
204 205 206 207 208 209	<ol> <li>to receive revenue from non-ad valorem sources, such as the Local Option Gas Tax funds and Land Acquisition Fund, which also have restrictions on how such funds can be used;</li> <li>to pay for on-going operating expenses related to a specific Town function or service, such as the Water Operations and Maintenance Fund;</li> <li>to ensure money is saved over time for large expenditures, such the Fire Capital Equipment Fund;</li> </ol>
210 211 212 213	<ul> <li>4) to account for expenditures and reimbursements for a one-time project or event, such as the S. Peninsula Sidewalk Fund and the Hurricane Ian Fund; and</li> <li>5) to pay off long-term debt, such as the Town Hall Loan fund;</li> </ul>
214 215	Note that funds established for specific projects, events, or loans are eventually shut down once no longer needed. Below is a description of the Town's special funds.
216 217 218 219 220 221 222 223 224 225 226 227 228 229 230 231	Local Option Gas Tax (.06 cent) Fund – 002 This is a restricted fund used for certain types of road expenditures; \$85,000 is budgeted each year for debt service associated with the Town's stormwater loan. Each year the Town receives a share of the gas taxes collected in Volusia County. Beginning in 2021, the distribution formula for Volusia County cities was revised based solely on the proportion of road miles in each jurisdiction. mileage. Previously, the formula also included other factors such as population and assessed property values. The rates between 2012-2026 are adopted by interlocal agreement, which the Town officially adopted per Resolution 2021-04. This change negatively affects land-locked jurisdictions with no room for expansion such as Ponce Inlet and Daytona Beach Shores. The Town's share was reduced to 0.582% in FY 22 and drops each year until FY 26 when the share is 0.298%. The annual adjustment after 8/31/26 shall be automatically adjusted annually based on the ratio of lane miles of public roads maintained by all participating municipalities. The gas tax funds will continue to see declining revenue over time as the Town's proportion of roads decreases as other communities expand.
232 233 234 235	<u>Local Option Gas Tax (.05 cent) Fund – 003</u> This is a restricted fund used for certain types of road related expenditures; $$7,000$ is budgeted for debt service associated with the Town's stormwater loan. See above.
236 237 238 239 240	<u>Donations Fund – 005</u> In past years, this fund was primarily used for the Christmas parade donations and expenditures. Now that the parade receives corporate sponsorship, it is not needed for that purpose. Nonetheless, the fund still remains to receive donations for certain departments/categories. The reserve/fund balance in each category is tracked pursuant to its specific income and expenditures.
241 242 243	<u>Hurricane Ian – 007</u> This fund was established for accounting purposes related to expenses and reimbursement from

- damage caused by last year's Hurricane Ian. This fund itemizes all expenditures related to repair of Town structures, debris removal, equipment, and supplies. It shows the revenue received to date 244
- 245

- from the Town's insurance provider and FEMA. The Hurricane Ian fund will close after all repairs
- are complete and all eligible reimbursements have been received.
- 248
- 249 <u>Disaster Recovery Fund 008</u>
- 250 This is a new fund being established to save money for future hurricanes and other disasters. This
- is a common practice in other cities. Staff is proposing a one-time transfer of \$100,000 from
- General Fund reserves in FY 23/24, and a \$25,000 transfer from the Economic Impact Fund in FY
   24/25.
- 253 2 254
- 255 <u>Tree Bank Fund 141</u>

This is a restricted fund for monies received from tree removal on private properties when on-site replacement cannot occur. This fund's budget includes \$8,000 for the creation of a tree replenishment plan for Town-owned properties, and \$4,000 for replacement trees as needed.

- 259
- 260 <u>Sidewalk Fund 143</u>
- This is a restricted fund for monies received when it is not feasible to add a sidewalk in front of a newly developed property, especially when there are no adjoining sidewalks on either side.
- Expenditures must be related to the repair, replacement, or extension of sidewalks; \$15,000 is proposed for sidewalk repair. These monies may also be used in a future year toward the Town's
- 265 portion of the South Peninsula Drive sidewalk project.
- 266
- 267 Parks & Recreation Fund 144
- This is a restricted fund to receive one-time impact fees with newly developed properties to improve the Town's parks and recreation facilities. The Town charges \$347.81 per new singlefamily construction and \$262.88 per unit for multi-family construction.
- 271
- 272 <u>Community Center Fund 145</u>
- This fund was established to support the operation and maintenance of the Community Center. The Town has a contractual partnership with Ponce Inlet Community Center, Inc (PICCI) to operate and maintain the building. The Town pays for general insurance, 75% of the electric bill, and repairs/maintenance for the building, while PICCI covers the full cost of water service, 25% of the cost of electric service, and 100% of the insurance policy for activities in the Center. There is a General Fund transfer proposed in the amount of \$46,680 for FY 24/25, part of which will be used for new landscaping and replacement gutters.
- 280
- 281 <u>Historical Museum Fund 146</u>
- This fund was established to support operations at the Ponce Inlet Historical Museum, located at 143 Beach Street. The Museum brings in very minimal revenue through donations and charges only for classes, so its operations must be funded through transfers from the General Fund. This year, a transfer of \$114,200 is proposed, \$54,000 of which is intended to replace the rotting boardwalk and wooden stockade fence.
- 287
- 288 <u>Police Education Fund 160</u>
- 289 This is a restricted fund for monies received from court-processed citations and criminal cases. Per
- state law, expenditures must be related to police education; police training has been budgeted in this account.
- 291 thi

- 293 <u>Debt Service Stormwater Improvements Loan Fund 201</u>
- 294 This fund was established pursuant to state revolving fund loan requirements for debt service.
- 295 Local option fuel tax revenues, refuse rate revenues, and sewer administrative fee revenues were
- 296 pledged by the Town in 2005 for repayment of this loan (\$156,586/year). FY 23/24 will be the 19<sup>th</sup>
- 297 year of this 20-year loan, which has a 2.7% interest rate.
- 298
- 299 <u>Debt Service Town Hall Loan Fund 203</u>
- 300 This fund was established pursuant to loan requirements for debt service. Funding from the Land

301 Acquisition Fund, was pledged by the Town in 2004 for repayment of this loan (\$328,400/year).

- 302 FY 23/24 will be the 20<sup>th</sup> year of this 20-year loan, which has a 4.11% interest rate.
- 303
- 304 Land Acquisition Fund 302
- 305 This restricted fund was established in 2003 as follows:

306 All revenue generated and collected by the town from franchise fees for the collection of

307 garbage and the public service tax on the sale of electricity, metered natural gas, liquefied

- 308 petroleum and manufactured gas shall be deposited into the town public land acquisition
- 309 and facility fund, and shall be expended from that fund only for the purposes of acquiring
- 310 real estate, construction of public facilities and payment of administrative, engineering
- 311 and legal expenses related to those tasks. In the event of a natural disaster or financial
- 312 emergency, the town manager may request the town council to permit the expenditure of
- funds from the town public land acquisition and facility fund for other purposes and the
- town council may grant this request only by a four-fifths vote of the members present.
   The town manager is authorized to make expenditures from this fund within the
- 316 parameters of this section.
- 317 The annual transfer from this fund to the Town Hall Debt Service fund is budgeted. In addition,
- this fund will be used to pay for the Public Works Building "B" design and construction, including a replacement generator and locker rooms. Paying from this fund rather than the General Fund
- 320 means it does not affect the ad valorem millage rate.
- 321
- 322 <u>Capital Fire Equipment Fund 305</u>
- This fund was established to save up for the purchase of Fire/EMS equipment and vehicles (e.g., ambulance, fire engine). Such equipment does not need to be replaced often, but when they do can have a highly disproportionate impact on a single year's budget. In the past, it has been used to purchase Self-Contained Breathing Apparatus (SCBA) gear and replacement
- Monitors/Defibrillators. In FY 24/25 it will be used to make the first \$210,000 annual payment for the 75' Quint ladder truck. This vehicle is available for delivery now, and will be financed through
- 329 a multi-year lease-purchase arrangement.
- 330
- 331 <u>Capital Facility Maintenance Fund 307</u>
- 332 This fund was established at the direction of Council for the purpose of building a reserve for
- 333 capital maintenance and repair needs of various town facilities, including otherwise unplanned
- 334 capital equipment replacement requirements (e.g., air conditioners, generators, etc.). Last year it
- 335 was used to repair and replace the Town Hall HVAC evaporator coil, the Police Department
- 336 HVAC heater, and the Fire Department HVAC system. No new transfers or expenses are proposed
- in FY 24/25, although there is \$82,760 available in the fund if needed.
- 338

- 339 <u>Ponce de Leon Circle Septic-to-Sewer Project 309</u>
- 340 This fund was established for the gravity sewer project on this street. This project is now complete
- 341 and the fund will be closed out once staff receives the OK from our auditors.
- 342
- 343 Economic Impact Funds 310
- This fund was initially created to segregate the Town's Coronavirus Relief Funds, which were provided as part of the American Rescue Fund Act (ARPA). The Town Council allocated these
- 346 funds through Resolution 2022-06 for design of the septic-to-sewer master plan, Police and Fire
- 347 radios, Energov software and hardware (servers), and for the S. Peninsula sidewalk project. For
- 348 FY 24/25, \$21,550 is proposed to be carried over to complete the Energov update. Another \$25,000
- 349 is proposed for transfer to the new Disaster Recovery Fund while \$110,000 will go to the Capital
- 350 Fire Equipment Fund.
- 351
- 352 South Peninsula Drive Sidewalk Grant Match Fund 311
- The Town has pledged a 15% match for this project. Per the Town's interlocal agreement with Volusia County, the Town will be able to fulfill its 15% match requirement by paying for 100% of the survey and design costs. The current estimate for the design is \$1,120,800. The agreement also requires the Town to reimburse County staff for its time to manage the project on the Town's
- behalf. The survey and design work is expected to start this year and continue through FY 24/25.
- These expenses are shown in the amended budget for FY 23/24 and the proposed budget for FY 24/25.
- 359 360
- 361 Septic-to-Sewer Phases 1 and 2 312
- This is a new fund being created to manage the \$10.4 million SRF loan (100% principal forgiveness) funds and construction expenditures for this project. After being authorized by the Town Council in June 2024, staff has now submitted the loan application to FDEP. Once the loan agreement between FDEP and the Town has been executed (anticipated November 2024) the construction can be put out for bid. Staff is proposing to split the construction into two phases over two years, with the first phase (\$5,200,000) proposed for funding in FY 24/25.
- 368
- 369 <u>Water Operating & Maintenance Fund 401</u>
- 370 This fund operates as a semi-enterprise fund to segregate the Town's water revenues and allocated
- 371 expenditures that support the Town's delivery of water utility services. The rates for water service
- 372 have been established to cover the Town's internal service delivery costs, the payment to the City
- of Port Orange for the wholesale purchase of water, and the debt service for the 2016 water system
- 374 improvement project. At the recommendation of the Town's water rate consultant, repair and
- 375 maintenance costs are now paid out of a separate Repair & Replacement Fund, which was
- established last year for that purpose. For FY 24/25, \$195,000 is proposed to be transferred to the
- 377 R&R Fund.
- 378
- 379 <u>Refuse Fund 402</u>
- 380 This fund operates as a semi-enterprise fund to segregate the town's waste collection revenues and
- 381 expenditures. The Town has also pledged \$12,500 annually from this fund for the stormwater debt
- 382 service. The Town's current contract with Waste Pro began in 2019 and runs through September
- 383 30, 2024. Last year the Town increased its rates to \$35/month, which was intended to cover
- 384 increased rates from Waste Pro along with increased fuel costs and landfill tipping fees. The
- 385 Town's new rate provides sufficient revenue to provide a hazardous waste pick-up and paper

shredding event, as desired by residents. The Town's current contract with Waste Pro expires
September 30, 2024 and is renewable for 3 additional 5-year terms beyond the current term. The

- 388 contract allows for modifications at any time.
- 389

390 <u>Sewer Fund – 403</u>

391 This fund operates as a semi-enterprise fund to segregate the sewer revenues and impact fees 392 collected by the Town for a direct pass-through payment to the City of Port Orange. The Town 393 receives an administrative fee from Port Orange for this payment processing. The administrative 394 fee is first used to meet an annual pledge of \$12,500 for the Town's stormwater debt service 395 obligation and the remainder is transferred to the General Fund to support the administration of 396 this billing service. Sewer rates are set by the City of Port Orange and adopted as-is by the Town. 397 The City of Port Orange increased its sewer rates last year and is doing so again next year, effective 398 January 2025.

399

### 400 <u>Water Expansion Fund – 404</u>

This is a restricted fund for impact fees assessed to support the Town's water system infrastructure.
 All monies received from this impact fee can only be expended for making major emergency
 repairs, extending or oversizing water lines, separating or constructing new additions to the

distribution system, paying any fees required by contractual agreement, or for the expansion,improvement and maintenance of the operation and administration of the water system. The Town

406 increased its impact fees and connection fees earlier this year to match recent increases by the City

- 407 of Port Orange.
- 408

409 <u>Water Renewal & Replacement Fund – 405</u>

410 This new fund was created in FY 23/24 at the recommendation of the Town's water rate consultant.

The "R&R" fund is intended to pay for all repair and maintenance expenses related to the water system, including equipment, vehicles, and hydrants. It is also used to maintain healthy reserves

for water system operations. In prior fiscal years, these expenses were paid out of the Water Operating & Maintenance Fund (#401). For FY 24/25, \$195,000 is proposed to purchase 4

415 replacement hydrants, 3 new valves, 3 new auto-flushers, and a \$25,000 transfer to reserves.

416

417 <u>Debt Service – Water System Improvements Fund – 411</u>

This fund was established in 2015 pursuant to the state revolving fund loan requirements for debt service. The water fund is the only revenue source that was pledged by the Town for repayment of this loan (\$61,828/year). FY 23/24 will be the 8<sup>th</sup> year of this 20-year loan, which has a 1.01% interest rate.

422 423

424

### Unfunded Requests

The following is a list of requests made by various departments that will need to be deferred to a future year or funded through grants or appropriations.

427

428	٠	Public Works maintenance technician (mid-year)	\$30,000
429	٠	Ponce Preserve gazebo roof replacement (3 of 6)	\$35,000
430	٠	Fire Dept. replacement cascade system	\$60,000
431	٠	Fire Dept. bunker gear dryer	\$15,000

432	• Police Dept. low-speed vehicle ("golf cart")	<u>\$20,000</u>
433	TOTAL	\$160,000
434		
435	Legal Requirements	
436 437	The Town Council is required to set the tentative millage rat	e for notices on the proposed property
438	tax bill at the July 18, 2024 Council meeting. From that po	
439	proposed millage rate before the final budget is adopted i	n September, but the rate cannot be
440	increased. The proposed millage rate of 6.6250 is 14.15% abo	-
441 442	\$8,403,446 in ad valorem revenue collected at 95%. How limitations for the millage rate increase for the Town in FY	· · ·
443 444	• Council by simple majority vote may adopt a millage above RBR and estimated to produce \$7,780,513 in	-
	1	
445 446	• Council by super majority vote may adopt a millage above RBR and estimated to produce \$8,558,577 in	
447 448	• Anything higher than a 6.7473 millage rate must be	approved by unanimous vote.
449 450 451 452	After reviewing the full proposal, should the Council wish to millage rate, note that each one-tenth mill equals \$126,844 the percentage historically relied upon for budgeting purpos	in revenue proceeds at 95%, which is
453	Conclusion	
454		
455	This proposed budget is the product of many months of wo	
456 457	Town staff, the Town Council, and the public. Operational is life, are all considerations in the balancing process. We well	
458	ultimately your direction as we go forward in this annual mil	
459	Thank you.	

Attachments:

- Summary of the Town's Reserves (April 2024)
   Millage Rate Projected Revenue Calculations for FY 24/25
- 3. Impact of Millage Rate at 6.6250 mills

Fund Name	Fund Type	Fund Balance FY 19/20	Fund Balance FY 20/21	Fund Balance FY 21/22	Fund Balance FY 22/23	F	und Balance FY 23/24
General Fund	Non-Restricted	\$2,808,484	\$3,405,223	\$4,035,916 \$	4,048,698	\$	4,190,777
Old Gas Tax (.06)	Restricted	\$84,930	\$88,278	\$98,529 \$	98,082	\$	89,115
New Gas Tax (.05)	Restricted	\$411,517	\$470,268	\$433,304 \$	487,462	\$	538,391
Donations	Restricted	\$3,625	\$3,617	\$6,423 \$	8,188	\$	8,566
Hurricane Ian	Restricted	n/a	n/a	n/a \$	-	\$	123,842
Tree Bank	Restricted	\$15,947	\$22,855	\$26,791 \$	27,760	\$	44,085
Sidewalk	Restricted	\$44,863	\$56,246	\$70,453 \$	76,824	\$	90,787
Parks & Recreation	Restricted	\$11,116	\$14,594	\$20,856 \$	24,682	\$	27,812
Community Center	Non-Restricted	\$5,388	\$26,434	\$57,100	\$23,737		\$25,717
Historical Museum	Non-Restricted	\$18,697	\$19,648	\$21,978 \$	22,383	\$	14,670
Lighthouse Park Project	Grant Project	\$163,657	\$23,246	\$23,283 \$	-	\$	-
Police Education	Restricted	\$10,643	\$11,237	\$12,566 \$	13,623	\$	14,853
Stormwater Loan	Debt Service	\$2,630	\$2,729	\$2,727 \$	2,725	\$	2,723
Town Hall Loan	Debt Service	\$2,409	\$2,409	\$2,408 \$	1,581	\$	1,221
Land Acquisition Fund	Restricted	\$124,805	\$167,230	\$302,799 \$	464,357	\$	439,546
Capital Fire Equipment Fund	Non-Restricted	\$150,000	\$200,000	\$29,400 \$	229,400	\$	115,830
Capital Facility Maintenance Fund	Non-Restricted	n/a	\$25,000	\$50,000 \$	75,000	\$	82,760
Ponce de Leon Septic-to-Sewer Project	Grant Project	n/a	n/a	\$31,841 \$	(40,374)	\$	(21,155)
Economic Impact Fund	Restricted	n/a	n/a	n/a \$	1,214,037	\$	266,002
S. Peninsula Dr. Sidewalk	Restricted	n/a	n/a	n/a \$	150,000	\$	802,756
Water Operating & Maintenance Fund	Enterprise	\$1,009,119	\$1,288,818	\$1,042,489	\$1,022,330		\$850,862
Water O&M Fund (Captial Assets - Equity)	Enterprise			\$2,053,209	\$1,887,943		\$1,765,438
Refuse	Enterprise	\$27,986	\$36,744	\$45,649 \$	31,384	\$	6,389
Sewer	Enterprise	\$6,273	\$8,986	\$8,991 \$		\$	6,515
Water Expansion	Restricted	\$117,920	\$127,082	\$145,406 \$		\$	164,448
Water System Improvements Loan	Debt Service	\$59,038	\$59,211	\$59,385 \$	59,558	\$	59,731
Contraband/Forfeiture	Restricted	\$7,033	\$7,033	\$3,494 \$		\$	-
Tota	ıl	\$5,086,080	\$6,066,888	\$8,584,997 \$	10,092,195	\$	9,711,681

# **Town of Ponce Inlet Reserve Analysis (April 2024)**

\*Adjusted FY21/22 to take out fixed assets to get an accurate Fund Balance (This matches retained earnings)

Pre-Preliminary Millage Rate Est	imates for Fiscal Year	24/25		
Based on certified tax estimates (Letter required by June 1st):				
Total taxable value of property is (take from Step 1)	1,335,204,947			
Taxable value of new construction (take from Step 1)	11,120,942			
Current year adjusted taxable value (A5-A6)	1,324,084,005			
	1,024,004,000			
Prior year final gross taxable value (take from January 2024 letter)	1,224,076,757			
multiply by prior year operating millage levy	6.2779			
Prior year ad valorem proceeds: (current year)	7,684,631			
Current year estimated rolled back-rate	5.8037			
Proposed millage scenarios based on preliminary estimates:				
Proposed Millage Rate	Ad Valorem Proceeds	95% Proceeds	% Increase over RBR	
7.0000		8,879,113		
6.9500		8,815,691	19.75%	1
6.9250	9,246,294	8,783,980	19.32%	
6.9000	9,212,914	8,752,268		
6.8000	9,079,394	8,625,424	17.17%	
6.7473		8,558,577	16.26%	
6.7000		8,498,579	15.44%	
6.6500		8,435,157	14.58%	
6.6250		8,403,446	14.15%	
6.6000		8,371,735		
6.5900	, ,	8,359,051	13.55%	
6.5000		8,244,891	12.00%	
<u>6.4000</u> 6.3000		8,118,046 7,991,202	10.27% 8.55%	
6.2779		7,991,202	8.53% 8.17%	
6.2000		7,864,357		
6.1339		7,780,513	5.69%	
6.1000	, ,	7,737,513		
6.0000		7,610,668		
5.9000		7,483,824	1.66%	
5.8000		7,356,979		
5.8037	7,749,129	7,361,673	0.00%	Roll-back rat
5.7941	7,736,311	7,349,495	-0.17%	
5.7000	7,610,668	7,230,135	-1.79%	
5.6500		7,166,713	-2.65%	
5.6000	, , ,	7,103,290	1	
5.5000	,,-	6,976,446	-5.23%	I
5.4000		6,849,601	1	
5.3759		6,819,032		
5.3000		6,722,757	-8.68%	
4.8986		6,213,603	-15.60%	l
<u>1.0000</u> 0.1000	,,	1,268,445 126,844		
0.1000	133,520	120,844		

	Gei	neral Maximun	n Impact of Millage	Rate - FY 24/2	25	
Proposed Rate	6.625					
Prior year tax rate	6.2779					
	Homost	adad Drapartic	es currently assessed	holow morko		
2023 - Pr	once Inlet Tax			024- Ponce In	1	
<u>2023 - FC</u>		<u>55</u>	FT0p0seu Z	Minus		
Assessed Taxable	Minus	Taxes Paid	3% Assessed	\$50,000	Taxes Paid	
Value	Homestead	to Ponce	Increase	Homestead	to Ponce	Difference
\$1,000,000	\$950,000	\$5,964	\$1,030,000	\$980,000	\$6,493	\$528
\$750,000	\$700,000	\$4,395	\$772,500	\$722,500	\$4,787	\$392
\$500,000	\$450,000	\$2,825	\$515,000	\$465,000	\$3,081	\$256
\$375,000	\$325,000	\$2,040	\$386,250	\$336,250	\$2,228	\$187
\$250,000	\$200,000	\$1,256	\$257,500	\$207,500	\$1,375	\$119
			es currently assessed			
<u> 2023 - Po</u>	once Inlet Tax	<u>es</u>	Proposed 20	024 - Ponce In	<u>let Taxes</u>	
			10% Increase			
Assessed Taxable		Taxes Paid	(Average		Taxes Paid	
Value		to Ponce	Townwide)		to Ponce	<u>Difference</u>
\$1,000,000		\$6,278	\$1,100,000		\$7,288	\$1,010
\$750,000		\$4,708	\$825,000		\$5,466	\$757
\$500,000		\$3,139	\$550,000		\$3,644	\$505
\$375,000		\$2,354	\$412,500		\$2,733	\$379
\$250,000		\$1,569	\$275,000		\$1,822	\$252

1	<b>RESOLUTION 2024-14</b>
2	
3	A RESOLUTION OF THE TOWN OF PONCE INLET,
4	VOLUSIA COUNTY, FLORIDA ADOPTING THE
5	PROPOSED MILLAGE RATE FOR THE LEVYING OF AD
6	VALOREM PROPERTY TAXES FOR MUNICIPAL
7	PURPOSES ON ALL TAXABLE PROPERTY WITHIN THE
8	TOWN FOR THE FISCAL YEAR BEGINNING OCTOBER 1,
9	2024 AND ENDING SEPTEMBER 30, 2025; ESTABLISHING
10	THE PUBLIC HEARING DATES AND TIMES; PROVIDING
11	FOR SEVERABILITY; PROVIDING FOR CONFLICTING
12	RESOLUTIONS; AND PROVIDING FOR AN EFFECTIVE DATE.
13 14	DATE.
14	WHEREAS, Florida law requires the Town Council of the Town of Ponce Inlet, Florida,
16	to establish a proposed millage rate for levying ad valorem property taxes for municipal purposes
17	on all taxable property within the Town limits of the Town of Ponce Inlet, Florida; and
18	on an arrange property wrann are rown minus of the rown of ronee milet, rionau, and
19	WHEREAS, the Town Council hereby establishes the dates for its public hearings on the
20	millage rate and the budget for fiscal year 2024/2025.
21	
22	NOW, THEREFORE, BE IT RESOLVED BY THE TOWN COUNCIL OF THE
23	TOWN OF PONCE INLET, FLORIDA:
24	
25	SECTION 1. ADOPTING THE PROPOSED AD VALOREM PROPERTY TAX
25 26	<u>SECTION 1</u> . ADOPTING THE PROPOSED AD VALOREM PROPERTY TAX MILLAGE RATE
25 26 27	MILLAGE RATE
25 26 27 28	MILLAGE RATE The proposed millage rate for the Fiscal Year commencing on October 1, 2024 through
25 26 27 28 29	MILLAGE RATEThe proposed millage rate for the Fiscal Year commencing on October 1, 2024 throughSeptember 30, 2025 is 6.6250 mills, which equals \$6.6250 per \$1,000 (One Thousand Dollars) of
25 26 27 28 29 30	MILLAGE RATE         The proposed millage rate for the Fiscal Year commencing on October 1, 2024 through         September 30, 2025 is 6.6250 mills, which equals \$6.6250 per \$1,000 (One Thousand Dollars) of         taxable value and generates \$8,403,446 in ad valorem revenue at a 95% collection rate. The
25 26 27 28 29 30 31	MILLAGE RATEThe proposed millage rate for the Fiscal Year commencing on October 1, 2024 throughSeptember 30, 2025 is 6.6250 mills, which equals \$6.6250 per \$1,000 (One Thousand Dollars) of
25 26 27 28 29 30	MILLAGE RATE         The proposed millage rate for the Fiscal Year commencing on October 1, 2024 through         September 30, 2025 is 6.6250 mills, which equals \$6.6250 per \$1,000 (One Thousand Dollars) of         taxable value and generates \$8,403,446 in ad valorem revenue at a 95% collection rate. The
25 26 27 28 29 30 31 32	<b>MILLAGE RATE</b> The proposed millage rate for the Fiscal Year commencing on October 1, 2024 through September 30, 2025 is <b>6.6250 mills</b> , which equals \$6.6250 per \$1,000 (One Thousand Dollars) of taxable value and generates \$8,403,446 in ad valorem revenue at a 95% collection rate. The proposed millage rate is 14.15% above the rolled-back rate of 5.8037 mills.
25 26 27 28 29 30 31 32 33	<b>MILLAGE RATE</b> The proposed millage rate for the Fiscal Year commencing on October 1, 2024 through September 30, 2025 is <b>6.6250 mills</b> , which equals \$6.6250 per \$1,000 (One Thousand Dollars) of taxable value and generates \$8,403,446 in ad valorem revenue at a 95% collection rate. The proposed millage rate is 14.15% above the rolled-back rate of 5.8037 mills.
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#### RESOLUTON 2024-14 PAGE 1 OF 2

portions of this Re	esolution.		
<u>SECTION 4</u> . CO	ONFLICTING RESOLU	TIONS	
A 11 D ag a 14		h h 1	at the the extent of each conflict
All Resolu	luons in conflict herewith	are nereby repeate	ed to the extent of such conflict.
SECTION 5. EF	FECTIVE DATE		
This Resol	lution shall become effect	ive immediately up	pon adoption.
It was mo	oved by Councilmember		and seconded by Councilmember
it was inc			1 vote of the Town Council on said
motion resulted as		adopted. A toli cal	i vote of the Town Council on sale
motion resulted as	5 10110 w S.		
	Mayor Paritsky, Seat	:#1	
	Councilmember Mila	ano, Seat #2	
		,	
	Councilmember Whi	te, Seat #3	
	Councilmember Villa	anella, Seat #4	
	Vice-Mayor Smith, S	Seat #5	
Passed this 18 <sup>th</sup> da	$a_{\rm N}$ of July 2024		
	iy 01 July 2024.		
		Town of Ponce In	nlet. Florida
			,
		Lois A. Paritsky,	Mayor
ATTEST:			
Kim Cherbano C	MC	_	
Kim Cherbano, C Town Clerk	MC	_	

**Meeting Date:** 7/18/2024



# Agenda Item: 13-A

# **Report to Town Council**

**Topic:** Ponce Inlet Business Hours and Vision Statement

**Summary:** At its June 20, 2024 meeting, the Town Council reviewed and briefly discussed an email received from a resident regarding the Town's regulations for commercial business hours in relation to the adopted Vision Statement. Please see the attached staff report for more information.

Suggested motion: At Council's discretion.

Requested by: Mr. Disher, Town Manager

Approved by: Mr. Disher, Town Manager



# MEMORANDUM Office of the Town Manager

The Town of Ponce Inlet staff shall be professional, caring, and fair in delivering community excellence while ensuring Ponce Inlet citizens obtain the greatest value for their tax dollar.

TO:	Town Council
FROM:	Michael E. Disher, AICP, Town Manager
DATE:	July 11, 2024
SUBJECT:	Discussion – Ponce Inlet Business Hours and Vision Statement

#### MEETING DATE: July 18, 2024

#### 1 Introduction

- 2 At its June 20, 2024 meeting, the Town Council reviewed and briefly discussed an email
- 3 received from a resident regarding the Town's regulations for commercial business hours in
- 4 relation to the adopted Vision Statement (Attachment 1). Specifically, the e-mail questions
- 5 whether allowing most businesses to remain open 24 hours each day and seven days a week is
- 6 consistent with the Town's Vision statement to maintain a safe, quiet, residential atmosphere.
- 7 The e-mail goes on to suggest the Town reach of to all residents to ascertain what their vision is
- 8 for Ponce Inlet. Following discussion, the Town Council directed Staff to bring back additional
- 9 information on this topic at a future meeting.
- 10

### 11 **Discussion**

- 12 The Town's Vision Statement was created in 2002, the product of a town-wide visioning process
- 13 with extensive public engagement. The Vision Statement reads as follows:
- 14
- 15 Ponce Inlet is and will be a residential haven for those persons who value nature, quiet and
- 16 privacy. It offers a small town lifestyle where people feel safe and should have easy access to
- 17 *small scale businesses serving their needs. The community will continue to be particularly*
- 18 distinguished by its natural beauty and its access to nature. It has ensured that its built
- 19 *environment is of high quality and appropriate scale while protecting historic features. The*
- 20 *community will be recognized for the professionalism and integrity of its government and the*
- 21 *high level of citizen involvement and participation in the life of the community.*
- 22

23 In addition to the Vision Statement, the visioning process yielded a set of recommendations

- 24 which have since been incorporated into the Town's Comprehensive Plan (Attachment 2). The
- 25 visioning recommendations were used to develop policies and requirements found throughout

- 26 the Town's comprehensive plan and Land Use and Development Code (LUDC). These policies
- 27 and regulations limit the type and scale of new commercial developments, prohibit tourist-
- 28 oriented uses, require landscape buffers between residential and commercial uses, protect
- 29 existing trees, and preserve the character of historic areas.
- 30
- 31 The Town's Code of Ordinances (CoO) and LUDC do not place limits on normal business hours
- 32 of operation across the board. However, they do restrict the hours of specific types of businesses,
- 33 as follows:
- 34

Business Type	Hours	Code reference
Farmers Markets	7:00 am – 9:00 pm	LUDC <u>Ch. 3, Sec. 3.20.3</u>
Mobile Food Vendors	8 hrs. btwn. 7:00 am – 11:00 pm	LUDC <u>Ch. 3, Sec. 3.34.E</u>
Pain Management Clinics	7:00 am – 9:00 pm, Mon-Sat	CoO <u>Ch 22</u> , Art. III, Sec. 22-124
Rave clubs • juvenile	4:00 pm – 11:00 pm, Sun-Thu 4:00 pm – 12:01 am, Fri 1:00 pm – 12:01 am, Sat	CoO <u>Ch. 42</u> , Art. V, Div. 1, Sec. <u>42-217</u>
• adult	1:00 pm – 2:00 am	

35 36

- The Code also limits the hours of certain kinds of commercial activities:
- 37

Activity	Hours	Code reference
Construction <ul> <li>Non-holiday weekdays</li> <li>Saturdays</li> <li>Sundays</li> <li>Official Town holidays</li> <li>National holidays</li> </ul>	7:00 am – 6:00 pm 8:30 am – 5:00 pm Maintenance and repair only 8:30 – 5:00 pm, no grading None	CoO <u>Ch. 18, Art. 1, Sec. 18-7</u>
Display of boats for sale in residential areas	8:00 am – 7:00 pm	CoO <u>Ch. 14</u> , Art. IV, Div. 2, <u>Sec. 14-254</u>
<ul><li>Sale of alcohol</li><li>on-premise consumption</li><li>off-premise consumption</li></ul>	8:00 am – 2:00 am 6:00 am – 2:00 am	CoO <u>Ch. 6, Sec. 6-2</u>
Sales, deliveries, and services in a PWD zoning district within 100' of residential property	8:00 am – 9:00 pm	LUDC <u>Art. 2, Sec. 2.15</u> .F.1
Soliciting, peddling, or canvasing	9:00 am – 6:00 pm, Mon-Sat	CoO, <u>Ch. 50, Art. II, Div. 2,</u> <u>Sec. 50-55</u>

38

39 Also mentioned in the resident's e-mail was a related concern about music and outdoor festivals.

40 The Town's noise regulations are found under CoO <u>Ch 34, Art. IV</u>. Section <u>34-93</u> of this article

41 establishes decibel limits for residential and commercial (non-residential) uses during the

42 daytime and evening, as follows:

43

44

Use Occupancy Category	Time	Sound Level Limit
Residential	7:00 a.m. to 10:00 p.m.	60 dB
	After 10:00 p.m. to 7:00 a.m.	55 dB
Commercial	7:00 a.m. to 10:00 p.m.	70 dB
	After 10:00 p.m. to 7:00 a.m.	65 dB

45

46 These regulations prohibit the creation of a noise disturbance except as permitted by this code.

47 The regulations further prohibit unreasonable sounding of vehicle horns; excessive volume of

48 music; pets that disturb the peace of their neighbors; any noise disturbance that can be heard 100

49 feet away from the property line; and low-frequency bass causing vibration that can be felt50 beyond the property line.

51

52 Businesses with bands or other live entertainment outdoors must apply for annual sound

amplification permit, per <u>Sec. 34-97</u>. Permit application is typically done at the same time the

54 business renews its annual Business Tax Receipt at the start of the Town's fiscal year. Outside

55 sound amplification is allowed only between 11:00 am – 11:00 pm, except during certain

national holidays and area-wide special events, in which case it may continue until 12:00 or
 12:30 am.

57 58

59 Violators of the noise regulations are first given a written warning. Repeat violators are subject

60 to fines and arrest. Violators of sound amplification permits are also given written warnings. If

61 the permit holder accumulates three written warnings for violation during a 30-day period, the

62 code enforcement board shall suspend the permit holder's permit for 30 days. Repeat violations

- 63 after that are subject to further suspension for 180 days. Violations while under suspension result
- 64 in the permit being revoked for 365 days.
- 65

# 66 Conclusion

67 The resident's suggestion for the Town to contact all of its e-mail subscribers is one of several

68 ways to reach Ponce Inlet residents about potential changes to the code or Vision Statement.

69 Other options include posting surveys on its social media platforms and holding public

70 workshops. If the Council wishes to proceed, it may wish to first consider whether changes to

existing ordinances would address the issues raised, rather than revisiting the entire Vision

- 72 Statement.
- 73

74 The Town's Vision Statement was the result of months of work by the Town Council, board

members, staff, consultants, and the public, and has served the Town well for the past 22 years.

76 To be effective and meaningful, any update to the Vision Statement needs to have the same

broad level of support from all stakeholders in the community. Depending on whether the

78 Council wishes to simply update the existing statement or start over, it may also warrant the use

79 of professional facilitators, the cost for which must be budgeted.

80

### 81 <u>Attachments</u>:

- 82 1. E-mail from resident, June 13, 2024
- 83 2. Vision Statement and recommendations

#### ATTACHMENT 1

From: JUDY DICARLO <jjkorky47@gmail.com> Sent: Thursday, June 13, 2024 1:39 PM To: Mike Disher <<u>mdisher@ponce-inlet.org</u>> Subject: Vision Statement vs. Town regulations

Dear Mike,

Thank you for all you and all your town staff & council does for our little town... you all are much appreciated - We are blessed!

If you could, please forward this email to Town Council for us:

We have been surprised to learn that all businesses in Ponce Inlet can be open 24/7, which seems to us that there are no residential protections in place for any business operation hours. Is our understanding incorrect?

According to The Vision Statement...This is a residential community with small businesses serving the needs of the residents. (Do residents really want the possibility for businesses to be open 24 hours a day?)

Over the years we've, personally, heard complaints from many families living near Jerry's about how Outdoor Festivals with music & outdoor activities till 2am is disrupting their residential tranquility, yet they continue.

Now we also learn Outdoor Farmers Markets can be open till 9pm and Outdoor Food Trucks till 11pm? (and we are hearing from many that this idea isn't popular) Is this really what the majority of our residents want - or is it for only the few who express their opinions at Council Meetings?

Is this in line with our Vision Statement?

We believe people move to Ponce Inlet for the quiet, safe, residential atmosphere. A place to raise their families, walk around their neighborhoods and town areas, enjoy the parks and beach - quietly.

Now that the town has more internet capabilities with a large residential email list, we would like to suggest to Town Council that it might be time to reach out to all residents to find out what their vision & wishes really are for the future of our little town.

Thank you for your evaluation & consideration.

Judy & Joe DiCarlo 32 Caribbean Way

## **ATTACHMENT 2**

#### From the Future Land Use Element of the Ponce Inlet Comprehensive Plan

#### VISIONING PROCESS

In early 2002 the Town of Ponce Inlet embarked on a visioning process that resulted in the establishment of a number of goals which were intended to provide the basis for future development. The vision statement that came out of this process was as follows:

Ponce Inlet is and will be a residential haven for those persons who value nature, quiet and privacy. It offers a small town lifestyle where people feel safe and should have easy access to small scale businesses serving their needs. The community will continue to be particularly distinguished by its natural beauty and its access to nature. It has ensured that its built environment is of high quality and appropriate scale while protecting historic features. The community will be recognized for the professionalism and integrity of its government and the high level of citizen involvement and participation in the life of the community.

Responding to a questionnaire that was sent out to the Town's residents, the following community values emerged as being the most important:

- Quiet and privacy.
- Safety.
- Access to nature and open space through parks, bike paths and sidewalks.
- The small town character of the community.
- The Town's history.

This, in turn, led to a series of recommendations that were established by the visioning committee. These are:

- Continue to provide the current high level of public safety services that the community values. Government officials should specifically ensure that:
  - <sup>o</sup> Response times are maintained.
  - <sup>o</sup> A highly visible police force is provided.
  - <sup>o</sup> Investment is made to provide new public safety technologies.
  - <sup>o</sup> EMT/ALS services are provided.
- Create neighborhood-based residential development policies and regulations that fit the house to the property and respect the character of the community and neighborhood.
- Update and consistently apply all code enforcement policies. Specific policies must be developed and enforced that ensure that Ponce Inlet will not become a rental community characterized by a high turnover in residential areas.
- Review and update commercial land development regulations to encourage:
  - <sup>o</sup> The development of small scale, quiet businesses that serve residents.
  - <sup>o</sup> The creation of a historic overlay district for appropriate commercial and residential areas.
- Establish an open space acquisition program to include:
  - <sup>o</sup> An oversight committee.
  - <sup>o</sup> A site prioritization system.

- <sup>o</sup> A financing mechanism.
- Create a sidewalk and bikepath network master plan that will provide adequate capacity and ease of access from anywhere in the community.
- Establish a public education and communication program regarding the water supply master plan.
- Establish a historic preservation program to include:
  - <sup>o</sup> The development of a historic preservation plan that includes community involvement.
  - <sup>o</sup> The identification and pursuit of funding sources.
  - <sup>o</sup> Strategies to use historic preservation as a growth management tool.

**Meeting Date:** 7/18/2024



Agenda Item: 13-B

# **<u>Report to Town Council</u>**

- **Topic:** Code enforcement hearing process through a Special Magistrate.
- **Summary:** At its June 2024 budget workshop, the Town Council requested staff to provide information on the use of Special Magistrates for Code Enforcement hearings as an alternative to a volunteer Code Enforcement board. Please see the attached staff report and supporting attachments for more information.
- Suggested motion: At Council's discretion.
- Requested by: Mr. Lear, Planning & Development Director Mr. Hooker, Code Compliance Manager
- Approved by: Mr. Disher, Town Manager



# MEMORANDUM

TOWN OF PONCE INLET – PLANNING & DEVELOPMENT DEPARTMENT

THE TOWN OF PONCE INLET STAFF SHALL BE PROFESSIONAL, CARING, AND FAIR IN DELIVERING COMMUNITY EXCELLENCE WHILE ENSURING PONCE INLET CITIZENS OBTAIN THE GREATEST VALUE FOR THEIR TAX DOLLAR.

**TO:** Michael E. Disher, AICP, Town Manager

**THROUGH:** Darren Lear, AICP, Director, Planning & Development Dept.

**FROM:** David Hooker, Code Compliance Manager

**DATE:** July 8, 2024

**SUBJECT:** Discussion - Code enforcement hearing process through a Special Magistrate

#### MEETING DATE: July 18, 2024

At its June 2024 budget workshop, the Town Council requested staff to provide information on the use of Special Magistrates for Code Enforcement hearings as an alternative to a volunteer Code Enforcement board.

In the early 1980s, Palm Beach County and the City of West Palm Beach proposed legislation to expedite the handling of municipal code violations, which were frequently delayed due to the caseloads of municipal judges. This legislation ultimately became known as the Local Code Enforcement Board Act, or Florida Statute 162, which governs the code enforcement process for municipalities in Florida.

Agencies throughout Florida, including the Town of Ponce Inlet, benefited from this legislation. As a result, the Town established its own code enforcement board, which held its inaugural meeting on January 31, 1984.

Shortly after, a new movement aimed to further streamline the municipal code enforcement process by introducing a hearing officer, better known as a special magistrate, to the statute.

The special magistrate was intended to address concerns with the traditional Code Enforcement Board process, which included:

• Lack of volunteers

- Attendance requirements for members
- Lack of expertise in specific subject areas
- Ex-parte communications, including members visiting violating properties and speaking with owners prior to hearings
- Assisting violators to help correct issues
- Failure to identify ex-parte communications
- Sunshine law violations
- Inconsistent fine amounts for the same type of violation

Although Florida Statutes do not specify the qualifications for a special magistrate, they are typically attorneys who are bar-certified and in good standing in Florida. This qualification ensures that the special magistrate has knowledge of case law and is well-suited to act on the cases presented to them. Consequently, the previously mentioned concerns are mitigated.

Like hearings before the Code Enforcement Board, Code enforcement proceedings before Special Magistrates are constitutionally authorized as quasijudicial in nature. These hearing officers have jurisdiction to enforce building, zoning, land development, environmental, and other non-criminal local government ordinances that safeguard the health, safety, and welfare of the community. Having knowledge and experience in local government law, judicial and administrative procedure, and the rules of evidence, They are appointed and paid by a local government and they serve at the discretion of the local commission.

A basic component of minimum due process is an impartial decision maker. Special Magistrates retain wide latitude in their investigative duties to discover facts, hold hearings, and draw conclusions as a basis for official action.

Special Magistrates have the same discretion as a Code Enforcement Board to grant the owner additional time for compliance, impose a fine, bring the case back to be heard at another time, or dismiss the case. However, unlike the Code Enforcement Board, in which Board members first discuss the vote on a motion to address each case, the Special Magistrate is the sole administrator of the decision that is made. This yields a more consistent ruling in matters that are brought before the Magistrate.

If the Town desires to move forward with the adoption of the Special Magistrate, the process itself will not change. The only noticeable difference would be the elimination of the members of the Code Enforcement board. The Town would pay for the services rendered by the Special Magistrate the same as it does currently with the Boards attorney. Staff would still have the Town attorney present for any legal issues that may arise. Many agencies have transitioned from traditional code boards to using a special magistrate, not only for the reasons mentioned but also to maintain the integrity of the process.

In October 2019, staff conducted a formal survey of the 412 incorporated municipalities and 67 chartered counties in Florida. They asked which process was used for prosecuting code enforcement cases: Code Board, Special Magistrate, Citations, or a combination of these options. Of the 479 agencies surveyed, 214 responded (44.6%). Of those, 133 (62.1%) used only a Special Magistrate, while 51 (23.8%) used only the Code Enforcement Board. (see attached).

In June 2024, Staff conducted a survey of agencies in Volusia County on their methods for prosecuting code cases, such as using a Code Enforcement Board, Special Magistrate, Citations, or a combination of these options. All but Ormond Beach responded. Of the respondents, the only jurisdiction using the Code Enforcement Board exclusively is the Town of Ponce Inlet. Daytona Beach and Volusia County use a combination of an Enforcement Board and Special Magistrate, while the remaining 12 use the Special Magistrate exclusively for prosecuting code violations. (see attached).

The findings indicate that the Special Magistrate system is the clear preferred option.

If there is a desire to change our current method, the code of ordinances should be updated to reflect the Town's preference. Staff would also recommend a sunset clause in the ordinance to allow for a gradual transition over time.

#### Attachments:

- > 2019 statewide agency survey results
- 2024 Volusia County survey results

# Attachment 1

#### Survey

#### October 2019

Code Enforcement Board / Special Master / Municipal Courts

There are 412 Incorporated Cities and 67 Counties in the State of Florida asked to participate in this survey

The following responded to the request

# **Incorporated Cities**

Agency	Code Board	Special Master	Municipal Courts
	×.		
Altamonte Springs	Х		
Anna Maria		X	
Arcadia		X	
Atlantic Beach		X	
Atlantis		X	
Bartow		X	
Bradenton		X	
Bay Harbor Island		Х	
Belle Glade		Х	
Belleair Beach		Х	
Belleview	Х		
Bonita Springs		X	X
Bunnell	Х		
Callaway		X	
Cape Canaveral	Х		
Cape Coral		X	
Casselberry		X	
Clermont		X	
Clearwater	Х		
Clewiston		X	

Сосоа	Х		
Cocoa Beach		Х	
Coconut Creek		Х	
Cooper City		Х	
Coral Gables	Х	Х	
Coral Springs		Х	
Crescent City	Х		
Crestview	Х		
Crystal River		Х	
Dade City		Х	
Dania Beach		Х	
Davenport		Х	
Davie		Х	
Daytona Beach	Х	Х	
Daytona Beach Shores		Х	
DeBary		Х	
Deerfield Beach		Х	
DeLand		Х	
Delray Beach	Х		
Deltona		Х	
Doral		Х	
Dundee		Х	
Dunedin	Х		
Eagle Lake		Х	
Eatonville	Х		
Edgewater		Х	
Englewood		Х	
Estero		Х	
Eustis	Х		
Flagler Beach		Х	
Fort Lauderdale	Х	Х	
Fort Myers	Х		Х

Fort Pierce		X	
Fort Walton Beach	Х		
Frostproof		X	
Fruitland Park		X	
Gainesville		X	
Green Acres		X	
Green Cove Springs		X	
Groveland		X	
Hallandale Beach		Х	
Hawthorne	Х		
Hilaleah		Х	
Holly Hill		X	
Hollywood		X	
Indian Rocks Beach		X	
Indialantic	Х		
Indian Shores		Х	
Islamorada		Х	
Jacksonville		Х	
Jacksonville Beach		X	
Juno Beach		Х	
Jupiter		X	X
Keystone Heights		X	
Key West		X	
Kissimmee		X	
La Belle			X
Lake Alfred		X	
Lake City		X	
Lake Clake Shores	Х		
Lake Hamilton		X	

Lake Helen		Х	
Lakeland	Х	Х	
Lake Mary	Х		
Lake Wales	Х		
Lantana		X	
Largo	Х	Х	Х
Lauderdale by the Sea		Х	
Lauderhill	Х		
Leesburg		Х	
Longwood		Х	
Maitland		X	
Marco Island		X	
Mascotte		X	
Medley		Х	
Melbourne	Х		
Melbourne Beach	Х		
Miami	Х	Х	
Miami Beach		Х	
Minneola		Х	
Miramar		Х	
Mount Dora		X	
Naples	Х		
Neptune Beach		X	
Newberry		X	
New Port Richey	Х	X	X
New Smyrna Beach	Х	X	
North Lauderdale	Х	X	
North Miami		X	
North Miami Beach	Х	X	
North Palm Beach		X	
North Port		X	
Oakland Park	X	Х	

Ocala	Х		
Ocoee	Х	Х	
Okeechobee		Х	
Oldsmar	Х		
Opa-Locka		Х	
Orange City		Х	
Orange Park		Х	
Orlando	Х	Х	
Ormond Beach		Х	
Oviedo		X	
Palatka	Х		
	× X	X	
Palm Bay	<u> </u>	X	
Palm Beach	Χ	X	
Palm Beach Gardens	X	X	
Palm Coast	Х	X	
Palmetto		<u> </u>	
Palmetto Bay		X	
Panama City		X	
Parkland		X	
Pembroke Park	Х		
Pembroke Pines		X	
Pinecrest		X	
Pinellas Park	X	X	
Plant City		X	
Polk City		X	
Pompano Beach		X	
Ponce Inlet	Х		
Port Orange		Х	
Port St. Joe		Х	
Port St. Lucie		Х	
Punta Gorda	Х		
Riviera Beach		X	
Royal Palm Beach		X	

Rockledge	Х		
Safety Harbor	Х		
Sanford		Х	
Sarasota		X	
Satellite Beach		X	
Springfield			X
St Augustine	Х		
St Pete Beach		X	
Stuart		X	
South Daytona		X	
South Miami		Х	
Sunrise		Х	
Tallahassee	Х	X	
Tampa		X	
Tavares		X	
Temple Terrace	Х		
Tequesta		X	
Titusville	Х		
Treasure Island	Х	X	
Venice		X	
Vero Beach	Х		
Wellington		X	
West Melbourne	Х		
West Palm Beach		X	
West Park		Х	
Wildwood		Х	
Wilton Manors		Х	
Winter Garden	Х		
Winter Haven		Х	
Winter Park	Х		
Winter Springs	Х		

Zephyrhills	Х	
Zolfo Springs	Х	

# Counties

Agency	Code Board	Special Master	Municipal Courts
Bay	V	V	
Bay	Х	X	
Brevard		X	
Broward		X	
Citrus		X	
Clay		Х	
Collier	Х	Х	
Dade		X	
Flagler			Х
Hendry County		X	
Hernando		X	
Hillsborough	Х	X	Х
Indian River County	Х		
Lake		X	
Lee		Х	
Madison	Х		
Marion	Х		
Martin		Х	
Monroe		X	

Nassau	Х		
Okalossa	Х		
Orange	Х	X	X
Osceola	Х		
Palm Beach			
Pinellas		X	X
Polk		X	
Putnam	Х		
Santa Rosa		X	
Sarasota		X	
Seminole	Х	X	
St Johns		X	X
St Lucie	X		
Sumter		Х	
Walton	X		X
Wakulla	Х		
Volusia	Х	X	
Volusia	Λ	^	
		1	<u> </u>

#### Results

179 Incorporated Cities responded out of 412 (43.4%)

35 Counties responded out of 67 (52.2%)

214 out of 479 agencies responded (44.6%)

#### Cities -

41 Use the Code Enforcement Board only – (23.0%)

117 Use the Special Master only -(65.3%)

21 Use a combination of CEB /CM/ Court – (11.7%)

#### Counties -

10 Use the Code Enforcement Board only – (28.5%)

16 Use the Special Master only -(45.7%)

8 Use a combination of CEB/CM/Court - (22.8%)

#### Total (cumulative)

51 out of 214 use Code Enforcement Board only - (23.8%)

133 out of 214 use Special Master only – (62.1%)
29 out of 214 use combination of CEB/CM/Court – (13.5%)

# Attachment 2

## Survey

June 2024

Name	Contract with	Cost	Code Board / Special Master	How often do they meet
Daytona Beach	Attorney Robert Riggio Attorney David Vukelja Attorney Charlie Cino	\$125 per hour (SM) - (3) \$125 per hour (SM) - (4) \$125 per hour (CEB) - (5)	Both	<ol> <li>Meet once a month</li> <li>City uses 3 separate attorneys for prosecution</li> <li>Have a special master for rental violations</li> <li>Have special master for commercial properties</li> <li>have code board attorney for residential</li> </ol>
Daytona Beach Shores	Attorney Steven deLaroche	\$170	Special Master	Meet once per month
DeBary	Gray, Gorenflo & Partlow, PA	\$275 per hour	Special Master	Meet once per month
Deland	Gray & Robinson P.A.	\$150 per hour	Special Master	Meets once per month
Deltona	Garganese, Weiss,D'Agresta & Salzman P.A.	\$225 per hour	Special Master	Meets once per month

Edgewater	The Grosshans Group	\$220 per hour Billed a minimum of 2 hours	Special Master	Meet once per month	
Holly Hill	John Pascucci, P.A.	1-5 cases - \$275 6-8 cases - \$325 9-11 cases - \$375 12-15 cases - \$450 \$30 for each case after	Special Master	Meet once per month / or as needed	
Lake Helen	Currently open	\$150 per hour	Special Master	As needed	
New Smyrna Beach	New Smyrna Beach Garganese, Weiss & D'Agresta, P.A.		Special Master	Meet once per month	
Oak Hill	Ela Lugo	\$150 per hour	Special Master	Whenever needed	
Orange City	Drage Law Firm	\$140 per hour	Special Master	Meet once a month	
Ormond Beach					
Ponce Inlet	Charles J. Cino	\$125 per hour	Code Board	Meet once a month	
Port Orange	David Fuller		Special Master	Meet once a month	
South Daytona	Matt Branz P.A.	\$275 per hour	Special Master	Meet once a month	
Volusia County	Clay Meeks	\$125 per hour	Both	Meet once a month 1. S/M cases are only used as needed – 2X since 2017	

Town of Pierson uses Volusia County for prosecution of Code Cases

**Meeting Date:** 7/18/2024



# Agenda Item: 13-C

# **Report to Town Council**

- Topic: Purchasing Thresholds
- **Summary:** At its June 20,2024 meeting, the Town Council asked staff to prepare information for discussion on this topic. The attached report and supporting documents will provide an overview of the Town's purchasing thresholds.

Suggested motion: At Council's discretion.

Requested by: Mr. Disher, Town Manager

Approved by: Mr. Disher, Town Manager



## MEMORANDUM

#### Town of Ponce Inlet - Office of the Town Manager

The Town of Ponce Inlet staff shall be professional, caring and fair in delivering community excellence while ensuring Ponce Inlet citizens obtain the greatest value for their tax dollar.

To:Town CouncilFrom:Michael E. Disher, AICP, Town ManagerDate:July 8, 2024Subject:Discussion – Purchasing Thresholds

**MEETING DATE:** July 18, 2024

It has been the practice of the Town Council to periodically review and update its purchasing policies in accordance with the best interests of Ponce Inlet. At its June 20, 2024 meeting, the Town Council briefly discussed the Town's existing limits on purchasing authority, and asked staff to prepare additional information for further discussion at a future Council meeting.

Purchasing thresholds are intended to provide a balance between efficiency, transparency, accountability, and competition in the delivery of goods and services to the public. These thresholds help streamline procurement processes by providing clear guidelines on when competitive bidding, quotes, or direct purchases are necessary. Clear purchasing policies not only prevent misuse of public funds and potential corruption, but also ensure that local governments can respond swiftly to the needs of their communities. By setting appropriate thresholds, local governments can balance the need for oversight with the flexibility required to meet urgent or routine demands, ultimately enhancing the overall quality of public service delivery.

The Town's purchasing thresholds are found in Code of Ordinances Ch.2, Article VIII (see **Attachment 1**). For purchases of \$5,000 or less, the Town Manager has the authority to set internal purchasing guidelines. Under these guidelines, Department Heads may approve purchases of up to \$1,499, while purchases between \$1,499 and \$5,000 require three verbal quotes and approval of the Finance Department and the Town Manager. For audit purposes, it is our practice to create written documentation of the verbal quotes, usually in the form of an e-mail between the requesting and approval authorities. For purchases of \$5,000 to \$25,000, three written quotes are required. Finally, purchases over \$25,000 must be approved by the Town Council through the competitive bidding process or the standardization (aka "piggybacking") process.

The Town's purchasing thresholds have fluctuated over time, as shown in the table below. The threshold for competitive bidding was first set at \$25,000+ in 2006, reduced to \$10,000+ in 2009

during the "Great Recession," then restored to \$25,000+ in 2018. The other significant change in 2018 was to raise the threshold for small purchases to \$5,000. Accounting for inflation, the \$25,000+ threshold for large purchases first established in 2006 equates to \$38,500 in today's dollars.

	Ord. 97-19	Ord. 2006-11	Ord. 2009-10	Ord. 2018-04
Small purchases	\$250	\$1,000	\$1,000	\$5,000
Medium purchases	\$251-\$15,000	\$1,001-\$25,000	\$1,001-\$10,000	\$5,001-\$25,000
Large purchases	\$15,000+	\$25,000+	\$10,000+	\$25,000+

As part of the research for this report, Staff contacted the other municipal jurisdictions in Volusia County for a comparison of purchasing thresholds. Staff received responses back from Daytona Beach Shores, DeLand, Edgewater, New Smyrna Beach, Ormond Beach, and Port Orange. These cities represent a range of sizes in terms of population and government staff. The purchasing thresholds for each are illustrated in **Attachment 2** and described in **Attachment 3**.

Surprisingly, there did not seem to be much correlation between purchasing thresholds and size among the cities in the sample. Both small- and medium-sized cities like Daytona Beach Shores and New Smyrna Beach require Council approval at \$50,000 or above, while larger cities like Ormond Beach and Port Orange rely on the same \$25,000+ threshold as Ponce Inlet.

In most jurisdictions, the threshold for requiring Council approval and requiring the competitive bidding process are one and the same. One exception is the City of Port Orange, which requires Council approval of three written quotes between \$25,001 and \$100,000, and only requires competitive bidding above that amount.

This information has been provided for discussion purposes. Should the Council determine a change to the Town's current thresholds is warranted, Staff will prepare an ordinance accordingly.

#### Attachments:

- 1. Ponce Inlet purchasing threshold regulations
- 2. Purchasing threshold comparison chart
- 3. Purchasing threshold comparison table

#### **DIVISION 2. PURCHASING THRESHOLDS**

#### Sec. 2-361. Small purchases less than and including five thousand dollars.

The town manager shall adopt operational procedures for making small purchases of less than and including \$5,000.00. Such operational procedures shall provide for obtaining adequate and reasonable competition for the supply, service or construction being purchased.

(Ord. No. 97-19, § 1(2-707), 7-16-97; Ord. No. 2006-11, § 1, 7-19-2006; Ord. No. 2009-02, § 2, 2-18-2009; Ord. No. 2018-04, § 1, 1-18-2018)

#### Sec. 2-362. Small purchases in excess of five thousand dollars and up to and including twentyfive thousand dollars.

For all purchases in excess of \$5,000.00 up to and including \$25,000.00, no less than three businesses shall be solicited to submit quotations. Award shall be made to the business offering the lowest acceptable quotation.

All quotations shall be in writing and the names of the businesses submitting quotations and the date and amount of each quotation shall be recorded and maintained as a public record.

(Ord. No. 97-19, § 1(2-708), 7-16-97; Ord. No. 2006-11, § 1, 7-19-2006; Ord. No. 2009-02, § 2, 2-18-2009; Ord. No. 2009-10, § 1, 8-20-2009; Ord. No. 2018-04, § 1, 1-18-2018)

#### Sec. 2-363. Large purchases.

All purchases, except as otherwise provided herein, when the estimated cost thereof exceeds \$25,000.00, shall be made by formal written contract from the lowest responsible bidder, after due notice formally inviting proposals or bids.

(Ord. No. 97-19, § 1(2-709), 7-16-97; Ord. No. 2006-11, § 1, 7-19-2006; Ord. No. 2006-21, § 1, 11-15-2006; Ord. No. 2009-02, § 2, 2-18-2009; Ord. No. 2009-10, § 1, 8-20-2009; Ord. No. 2018-04, § 1, 1-18-2018)

#### Sec. 2-364. Competitive sealed proposals.

When the town manager determines in writing that the use of competitive sealed, bidding is either not practicable or not advantageous to the town, a contract may be entered into by use of a request for proposals.

(Ord. No. 97-19, § 1(2-710), 7-16-97; Ord. No. 2006-11, § 1, 7-19-2006; Ord. No. 2009-02, § 2, 2-18-2009)

#### Sec. 2-365. Professional services.

Professional services, with an estimated cost in excess of \$25,000.00, shall be procured in accordance with the selection procedures specified in division 5 of this article. Professional legal services shall be procured in accordance with the selection procedures set forth in division 5 of this article, regardless of the estimated cost.

(Ord. No. 97-19, § 1(2-711), 7-16-97; Ord. No. 2006-11, § 1, 7-19-2006; Ord. No. 2006-21, § 2, 11-15-2006; Ord. No. 2009-02, § 2, 2-18-2009; Ord. No. 2009-10, § 1, 8-20-2009; Ord. No. 2018-04, § 1, 1-18-2018)

#### Sec. 2-366. Consultants' Competitive Negotiation Act.

All professional services falling within the scope and threshold amounts of the Consultants' Competitive Negotiation Act shall be procured as provided for in F.S., § 287.055, as amended.

(Ord. No. 97-19, § 1(2-712), 7-16-97; Ord. No. 2006-11, § 1, 7-19-2006; Ord. No. 2009-02, § 2, 2-18-2009)

#### Sec. 2-367. Alterations or modifications of contracts.

Where in the opinion of the town manager it becomes necessary for the prosecution of any work or improvement under contract to make alterations or modifications in such contract, such alterations or modifications may only be affected as follows:

- (a) If the original contract amount is equal to or less than \$50,000.00, a modification not to exceed ten percent of the original contract price may be authorized by the town manager. Modifications in excess of ten percent must be authorized by the town council.
- (b) If the original contract amount exceeded \$50,000.00, any modification up to \$10,000.00 or ten percent, whichever is less, may be authorized by the town manager.
- (c) Any modification to any contract which changes the original contract price by more than ten percent or \$10,000.00, whichever is less, must be authorized by the town council.

(Ord. No. 97-19, § 1(2-713), 7-16-97; Ord. No. 2006-11, § 1, 7-19-2006; Ord. No. 2018-04, § 1, 1-18-2018)

#### Secs. 2-368—2-375. Reserved.

### **ATTACHMENT 2**



NOTE: For all jurisdictions, purchases above city manager approval thresholds require approval of the Governing Body.

## Purchasing Threshold Comparison Arranged by level of approval

	Ponce Inlet	Daytona Beach Shores	DeLand	Edgewater	New Smyrna Beach	Ormond Beach	Port Orange
Dept. Head approval only	\$0-\$1,500	\$0-\$5,000	\$0-\$1,499	\$0-\$4,999	\$0-\$4,999	\$0-\$2,499	\$0-\$5,000
2-3 verbal quotes, approved by Dept. Head.			\$1,500-\$4,999				
3 written quotes - approved by Dept. Head			\$5,000-\$9,999				
3 written quotes - approved by Dept. Head & Finance Director			\$10,000- \$34,999				
3 verbal quotes - approved by Dept. Head, Finance, & City Manager	\$1,501-\$5,000			\$5,000-\$14,999			
2+ written quotes - approved by City Manager.		\$5,000-\$30,000					
3 written quotes – approved by City Manager or designee					\$5,000-\$49,999		
3 written quotes - approved by City Manager							\$5,001-\$25,000
3 written quotes - approved by Dept. Head & City Manager.						\$2,500-\$24,999	
3 written quotes - approved by Dept. Head, Finance Director & City Manager.	\$5,001-\$25,000		\$35,000- \$49,999	\$15,000- \$49,999			
Formal requests for quotes posted 2 weeks on City's website - approved by City Manager.		\$30,001- \$50,000					
3 written quotes - approved by City Council.							\$25,001- \$100,000
Competitive bid - approved by City Council	\$25,001+	\$50,001+	\$50,000+	\$50,000+	\$50,000+	\$25,000+	\$100,000+

**Meeting Date:** 7/18/2024



Agenda Item: 13-D

# **Report to Town Council**

- **Topic:** Request to change the December 2024 regular Town Council meeting date.
- **Summary:** A change of date will be discussed for December's Town Council meeting.
- Suggested motion: At Council's discretion.
- Requested by: Councilmember Milano
- Approved by: Mr. Disher, Town Manager



### **MEMORANDUM** Town of Ponce Inlet – office of the Town Clerk

The Town of Ponce Inlet staff shall be professional, caring and fair in delivering community excellence while ensuring Ponce Inlet citizens obtain the greatest value for their tax dollar.

To:Michael E. Disher, AICP, Town ManagerFrom:Kim Cherbano, Town ClerkDate:July 10, 2024Subject:Request to change the December 2024 regular Town Council meeting date

#### Meeting Date: July 18, 2024

Councilmember Milano has requested a discussion regarding the regularly scheduled Town Council meeting for the month of December. It is currently scheduled for Thursday, December 19 at 2:00 PM. Due to the busy holiday season, the December meeting is often subject to change to ensure most Council members will be available. The attached calendar shows dates and times of known board meetings and other potential conflicts that month.

Prompt rescheduling of meetings allows for sufficient time for the Council, staff, attorneys, and residents to plan accordingly. If you have any questions, please feel free to contact me. Thank you.

# December 2024

Sun	Mon	Tue	Wed	Thu	Fri	Sat
1	2 Cultural Services Board 5:30 PM	3	4	5	6	7
8	9	10	11	12 Volusia League of Cities Dinner Meeting	13	14
15	16	17	18	19 Town Council 2:oo PM	20	21
22	23 Code Board 9:30 AM		25 Is Holiday Ill Closed*	26	27	28
29	30	31				

**Meeting Date:** 7/18/2024



# Agenda Item: 15

# **Report to Town Council**

**Topic:** From the Town Manager

Summary: Please see attached report.

Requested by: Mr. Disher, Town Manager

Approved by: Mr. Disher, Town Manager



## MEMORANDUM Office of the Town Manager

The Town of Ponce Inlet staff shall be professional, caring and fair in delivering community excellence while ensuring Ponce Inlet citizens obtain the greatest value for their tax dollar.

To:Town CouncilFrom:Michael E. Disher, AICP, Town ManagerDate:July 11, 2024Subject:Town Manager's Report

### MEETING DATE: July 18, 2024

- 1. County Council July 16, 2024 meeting:
  - <u>Item Q</u> Appropriation of Marine Science Center donations A request to use donations received to construct an alternate entrance sidewalk and to purchase irrigation equipment, exhibit signage, and sea turtle medical supplies.
  - <u>Item W</u> Application and resolution of support to FDEP Beach Management Funding Assistance Program –The grant will help pay for continued regular monitoring of the Ponce de Leon inlet in accordance with the 2020 Inlet Management Plan.
  - <u>Item 03</u> Bid Award for Paid Parking Services for Off-Beach Parking Following direction from the County Council in March 2024, this contract is to establish and operate a paid off-beach parking program for all County-owned beach parks, such as Winterhaven. A separate contract regarding *on*-beach parking will be considered at the August 6, 2024 County Council meeting.
  - <u>Item 04</u> Ordinance 2024-21, Off-Beach Parking Fees Following direction from the County Council in March 2024, creates new fees for all County-owned off-beach parking lots: \$20 daily pass, \$100 annual pass for out-of-county residents, and \$0 (free) annual pass for county residents. This ordinance does not affect Lighthouse Point Park. A separate ordinance for on-beach parking fees will be considered at the August 6, 2024 County Council meeting.
  - <u>Item 18</u> Fiscal Year 2024-25 TRIM Rates and Budget Overview.
- 2. Public Works updates:
  - This week crews have been cleaning out the swales on portions of Beach Street between S. Atlantic Ave. and S. Peninsula Drive. This work is intended to help alleviate flooding, especially near the low part of the road where water and sediment flow downhill from

both directions. They are removing approximately 6 inches of grass and dirt to lower the swale below road level, then replacing the sod.

- 3. Our application to FDEP for the septic-to-sewer 100% principal forgiveness loan was submitted on July 3, 2024, well ahead of the August deadline. Once the application has been reviewed, FDEP will provide a loan agreement for approval by the Town Council.
- 4. We have successfully completed our annual CRS recertification, retaining our Class 5 rating and flood insurance discounts.
- 5. The Town has now officially "Opted In for the F-ROC (Florida Recovery Obligation Calculation) program, as discussed at the May 7, 2024 Council meeting. The next step for the Town to complete and submit a Disaster Readiness Assessment (DRA), which will identify strengths and weaknesses in the Town's emergency management preparedness, recovery, and procurement capabilities. Completing the DRA increases the Town's score and ability to receive a higher percentage of funding immediately after a disaster.
- 6. Later this month, the Ponce Inlet Police Department will once again be conducting another pedestrian crosswalk awareness operation on S. Atlantic Avenue as part of a back-to-school safety initiative. This effort is coordinated in partnership with the River-to-Sea TPO and Bike/Walk Central Florida's "Best Foot Forward (BFF)" program.

	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Total	Avg
Permit applications	94	112	112	111	142	124							695	116
Permits issued	85	118	113	96	147	119							678	113
Plan reviews	85	118	113	118	137	115							691	115
Inspections	243	242	274	292	254	238							1,543	257

7. Building permit activity: The number of permits and applications remains above the 100-permonth average for the fifth month in a row.