

RESOLUTION NO. 2009 - 087

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF SOUTHWEST RANCHES, FLORIDA, RELATING TO THE PROVISION OF FIRE SERVICES, FACILITIES AND PROGRAMS IN THE TOWN OF SOUTHWEST RANCHES, FLORIDA; REIMPOSING FIRE ASSESSMENTS AGAINST ASSESSED PROPERTY LOCATED WITHIN THE TOWN OF SOUTHWEST RANCHES; ESTABLISHING THE RATE OF ASSESSMENT; APPROVING THE ASSESSMENT ROLL; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the Town Council of the Town of Southwest Ranches, Florida, has enacted Ordinance No. 2001-09 (the "Ordinance"), which authorizes the imposition of Fire Assessments for fire services, facilities, and programs against Assessed Property located within the Town; and

WHEREAS, pursuant to the Ordinance, the re-imposition of a Fire Assessment for fire services, facilities, and programs for Fiscal Year 2010 requires certain processes such as the preparation of the Preliminary Assessment Roll; and

WHEREAS, annually, a Preliminary Rate Resolution describing the method of assessing fire costs against assessed property located within the Town, directing the preparation of an assessment roll, authorizing a public hearing and directing the provision of notice thereof is required by the Ordinance for re-imposition of Fire Assessments; and

WHEREAS, the Town Council imposed a Fire Assessment for the previous fiscal year (FY 2009), and the re-imposition of a Fire Assessment for fire services, facilities, and programs each fiscal year is an equitable and efficient method of allocating and apportioning Fire Assessed Costs among parcels of Assessed Property; and

WHEREAS, the Town Council, at a public hearing on March 14, 2002, made a policy decision regarding lowering the assessment rate for "Institutional" Property to a level reflective of twenty-five percent (25%) of the original rate approved during FY 2002; and

WHEREAS, the Town Council, during its initial deliberations and adoption of the original assessment rates during Fiscal Year 2002, made a policy decision regarding the phasing in of the full rate for the Property Use Category classified as "Acreage" over a three-year period; and

WHEREAS, the rates contained within the rate schedule herein are reflective of prior Town Council policy direction regarding "Institutional" and "Acreage" properties; and

WHEREAS, the Town Council of the Town of Southwest Ranches, Florida, desires to re-impose a fire assessment program within the Town using the tax bill collection method for the Fiscal Year beginning on October 1, 2009, and deems it to be in the best interests of the citizens and residents of the Town of Southwest Ranches to adopt this Annual Rate Resolution so that the Town may re-impose Fire Assessments for Fiscal Year 2010.

NOW, THEREFORE, BE IT RESOLVED BY THE TOWN COUNCIL OF THE TOWN OF SOUTHWEST RANCHES, FLORIDA:

Section 1: AUTHORITY. This Resolution is adopted pursuant to the provisions of the Ordinance (Fire Assessment Ordinance No. 2001-09), the Initial Assessment Resolution (Resolution 2001-74), Final Assessment Resolution (Resolution 2001-82), and Sections 166.021 and 166.041, Florida Statutes, and other applicable provisions of law.

Section 2: PURPOSE AND DEFINITIONS. This Resolution constitutes the Annual Rate Resolution as defined in the Ordinance, which re-imposes Fire Assessments for the Fiscal Year beginning October 1, 2009. All capitalized terms not otherwise defined herein shall have the meanings defined in such Ordinance, the Initial Assessment Resolution, and the Final Assessment Resolution.

Section 3: PROVISION AND FUNDING OF FIRE SERVICES.

(A) Upon the imposition of Fire Assessments for fire services, facilities, or programs against Assessed Property located within the Town, the Town shall provide fire services to such Assessed Property. A portion of the cost to provide such fire services, facilities, or programs shall be funded from proceeds of the Fire Assessments. The remaining cost required to provide fire services, facilities, and programs shall be funded by available Town revenues other than Fire Assessment proceeds.

(B) It is hereby ascertained, determined, and declared that each parcel of Assessed Property located within the Town will be benefited by the Town's provision of fire services, facilities, and programs in an amount not less than the Fire Assessment imposed against such parcel, computed in the manner set forth in this Annual Rate Resolution.

Section 4: IMPOSITION AND COMPUTATION OF FIRE ASSESSMENTS. Fire Assessments shall be imposed against all tax Parcels within the Property Use Categories. Fire Assessments shall be computed in the manner set forth in the Initial Assessment Resolution and Final Assessment Resolution referenced herein.

Section 5: LEGISLATIVE DETERMINATIONS OF SPECIAL BENEFIT AND FAIR APPORTIONMENT. The legislative determinations of special benefit and fair apportionment embodied in the Initial Assessment Resolution and Final Assessment Resolution are affirmed and incorporated herein by reference.

Section 6: COST APPORTIONMENT AND PARCEL APPORTIONMENT METHODOLOGIES. The Cost Apportionment and Parcel Apportionment, as explained and calculated in the Initial Assessment Resolution and Final Assessment Resolution, and as described in the applicable explanatory appendices incorporated therein, are affirmed and incorporated herein by reference and are supplemented by the additional information contained in Appendix A herein.

Section 7: DETERMINATION OF FIRE ASSESSED COSTS; ESTABLISHMENT OF ANNUAL FIRE ASSESSMENT RATES.

(A) The Fire Assessed Costs to be assessed and apportioned among benefited parcels, pursuant to the Cost Apportionment and the Parcel Apportionment for the Fiscal Year commencing October 1, 2009, are in the amounts determined in the Estimated Fire Assessment Rate Schedule attached hereto as Appendix A. The approval of the Estimated Fire Assessment Rate Schedule by the adoption of this Annual Rate Resolution determines the amount of the Fire Assessed Costs. The remainder of such Fiscal Year budget for fire services, facilities and programs shall be funded from available Town revenue other than Fire Assessment proceeds.

(B) The estimated Fire Assessments specified in the Estimated Fire Assessment Rate Schedule are hereby established to fund the specified Fire Assessed Costs determined to be assessed in the Fiscal Year commencing October 1, 2009. No portion of such Fire Assessed Costs are attributable to capital improvements that are funded by impact fee proceeds.

(C) The estimated Fire Assessments established in this Annual Rate Resolution shall be the estimated assessment rates applied by the Town Administrator, or his designee, using the updated Assessment Roll for the Fiscal Year commencing October 1, 2009, as provided in Section 8 of the Preliminary Rate Resolution.

Section 8: PRELIMINARY ASSESSMENT ROLL.

(A) The Town Administrator caused to be prepared a Preliminary Assessment Roll for the Fiscal Year commencing October 1, 2009, in the manner provided in the Ordinance. The Preliminary Assessment Roll included all Tax Parcels within the Property Use Categories. The Town Administrator apportioned the estimated Fire Assessed Cost to be recovered through Fire Assessments in the manner set forth in the Preliminary Rate Resolution. A copy of the Preliminary Rate Resolution, the Ordinance, the Initial Assessment Resolution, the Final Assessment Resolution, documentation related to the estimated amount of the Fire Assessed Costs to be recovered through the imposition of Fire Assessments, and the updated Assessment Roll shall be maintained on file in the office of the Town Clerk and open to public inspection. The foregoing shall not be construed to require that the updated Preliminary Assessment Roll proposed for the Fiscal Year beginning October 1, 2009 be in printed form if the amount of the Fire Assessment for each parcel of property can be determined by the use of a computer terminal available to the public.

(B) It is hereby ascertained, determined, and declared that the method of determining the Fire Assessments for fire services as set forth in the Initial Assessment Resolution, the Final Assessment Resolution and the Preliminary Rate Resolution is a fair and reasonable method of apportioning the Fire Assessed Cost among parcels of Assessed Property located within the Town.

Section 9: CONFIRMATION OF PUBLIC HEARING. The Town Council hereby confirms that a public hearing was held at 7:00 p.m. on September 17, 2009, at the Southwest Ranches/South Broward Drainage District Meeting Chambers, 6591 SW 160 Avenue, Southwest Ranches, Florida, 33331, at which time the Town Council received and considered comments on Fire Assessments from the public and affected property owners and considered imposing Fire Assessments for the Fiscal Year beginning October 1, 2009, and collecting such assessments on the same bill as ad valorem taxes.

Section 10: NOTICE BY PUBLICATION. The Town Council confirms that a notice of the September 17, 2009, public hearing for the Preliminary Rate Resolution has been published in the manner and time provided in the Ordinance. The published notice is attached hereto as Appendix B.

Section 11: NOTICE BY MAIL. The Town Council confirms, in the event circumstances described in the Ordinance so require, that the Town has provided notice by mail to the Owner of each parcel of Assessed Property. Notices were mailed no later than August 24, 2009. The notices are in compliance with the provisions of section 200.069(13)(a), Florida Statutes, and are consistent with the requirements of the Uniform Assessment Collection Act and the Ordinance.

Section 12: EFFECT OF ADOPTION OF RESOLUTION. The adoption of the Annual Assessment Resolution shall establish the Fire Assessment Rates for Fiscal Year 2010.

Section 13: CONFLICTS. All resolutions or parts of resolutions in conflict herewith are hereby repealed to the extent of such conflict.

Section 14: SEVERABILITY. If any clause, section or other part of this Resolution shall be held by any court of competent jurisdiction to be unconstitutional or invalid, such unconstitutional or invalid part shall be considered as eliminated and in no way affecting the validity of the other provisions of this Resolution.

Section 15: EFFECTIVE DATE. This Annual Rate Resolution shall take effect immediately upon its passage and adoption.

PASSED AND ADOPTED by the Town Council of the Town of Southwest Ranches, Florida, this 17th day of September, 2009, on a motion by Vice Mayor Breitkreuz and seconded by Council Member McKay.

Nelson	<u>YES</u>	Ayes	<u>4</u>
Breitkreuz	<u>YES</u>	Nays	<u>1</u>
Fisikelli	<u>NO</u>	Absent	<u>0</u>
Knight	<u>YES</u>	Abstaining	<u>0</u>
McKay	<u>YES</u>		

[Signatures on Following Page]

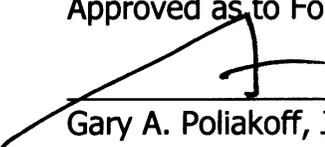


Jeff Nelson, Mayor

ATTEST


Debra Doré-Thomas, CMC, Town Clerk

Approved as to Form and Correctness:



Gary A. Poliakoff, J.D., Town Attorney
ACTIVE: 2684672_1

APPENDIX A

ESTIMATED FIRE ASSESSMENT RATE SCHEDULE

SECTION A-1. DETERMINATION OF FIRE ASSESSED COSTS.

The estimated Fire Assessed Costs to be assessed for the Fiscal Year commencing October 1, 2009 is \$1,298,281.

SECTION A-2. ESTIMATED FIRE ASSESSMENTS. The estimated Fire Assessments to be assessed and apportioned among benefited parcels, pursuant to the Cost Apportionment and Parcel Apportionment, to generate the estimated Fire Assessed Cost for the Fiscal Year commencing October 1, 2009, are hereby established as follows for the purpose of this Preliminary Assessment Resolution:

PROPERTY USE CATEGORY	BILLING UNIT TYPE	FY 2009-10
RESIDENTIAL	Rate Per Residential Unit	\$ 350.00
NON-RESIDENTIAL PROPERTY USE CATEGORIES	Rate per building square foot (non-residential)	
Commercial		\$.57
Industrial/Warehouse		\$.57
Institutional		\$.14
BUILDING LOTS	Rate Per Lot (regardless of size)	\$ 113.51
ACREAGE	Rate Per Acre	\$ 61.18

The above rates of assessment reflect the three-year phase in of the Acreage rate as contemplated in the original assessment study. The Fire Assessment rates for fire services, facilities and programs as listed above and as set forth in the Assessment Roll, as herein approved, are hereby levied and imposed on all parcels of Assessed Property described in such Assessment Roll for the Fiscal Year beginning October 1, 2009.

SECTION A-3. APPORTIONMENT METHODOLOGY. The Apportionment Methodology, as provided in the Initial Assessment Resolution, is hereby amended as follows: "It is fair and reasonable to partially exempt from the assessment certain institutionally classified properties that provide some public purpose and public benefits to include churches and non-profit organizations. As determined by the Town Council

at a public hearing on March 14, 2002, those institutionally classified properties comprised of churches and non-profits shall receive an exemption of 75 percent (75%) of their fire assessment so that they are charged only 25 percent (25%) of the calculated full cost apportionment. The rates contained in this Preliminary Assessment Resolution reflect this policy change. Any shortfall in the expected Fire Assessment proceeds due to any reduction or exemption from payment of the Fire Assessments required by law or authorized by the Town Council shall be supplemented by any legally available funds, or combination of such funds, and shall not be paid for by proceeds or funds derived from the Fire Assessments."

SECTION A-4. MISCELLANEOUS.

(A) Fire Assessments shall constitute a lien upon the Assessed Property so assessed equal in rank and dignity with the liens of all state, county, district or municipal taxes and other non-ad valorem assessments. Except as otherwise provided by law, such lien shall be superior in dignity to all other liens, titles and claims, until paid.

(B) The Preliminary Assessment Roll, as herein approved, together with the correction of any errors or omissions as provided for in the Ordinance, shall be delivered to the Tax Collector for collection, using the tax bill collection method in the manner prescribed by the Ordinance, upon approval of the Annual Rate Resolution at second hearing.

APPENDIX B

PUBLISHED AD

**NOTICE OF HEARING TO REIMPOSE AND PROVIDE FOR
COLLECTION OF FIRE SPECIAL ASSESSMENTS**

The Miami Herald
A McClatchy Newspaper

PUBLISHED DAILY

MIAMI, FLORIDA

STATE OF FLORIDA
COUNTY OF DADE

Before me, the undersigned authority personally appeared:

Millie Charles

Who on oath that he/she is

Broward Advertising Office Manager

Of the Miami Herald, a daily newspaper published at Miami in Dade County, Florida;
that the advertisement for Town of Southwest Ranches
was published in said newspaper in the issue of:

837922001 BROWARD MAIN 3 x 10.5 B & W 08/23/09

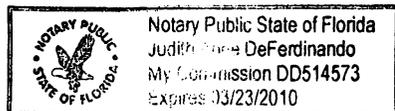
Affiant further says that the said Miami Herald is a newspaper published at Miami, in the
said Dade County, Florida and that the said newspaper has heretofore been continuously
published in said Dade County, Florida, each day and has been entered as second class
mail matter at the post office in Miami, in said Dade County, Florida, for a period of one
year next preceding the first publication of the attached copy of advertisement.

M. Charles
Millie Charles

Sworn to and subscribed before me,

This ^{18th} day of September A.D. 2009.

Judith Anne DeFerdinando
Judith Anne DeFerdinando – Notary Public



BUSINESS

Diaper service really delivers

BY PATTI ROTH
Special to The Miami Herald

Tell Brian Lewis he's in a dirty job and he'll probably grin. He's heard all the jokes. When you're in the diaper field, puns are part of the package.

But Lewis is also serious about the nature of his business.

As a dad and an environmentalist, he decided disposables were a no-no for his own family.

In the diaper debate — reusable cloth versions versus disposables — Lewis has always preferred fabric both for protecting baby's tender skin and protecting the environment.

ON THE BOARD

Lewis, who held elected office for four years on the Board of Supervisors for the Broward Soil and Water Conservation District, said he and his wife heard parents express interest in cloth diapers when chatting with fellow environmentalists.

But some parents were reluctant to switch to cloth for various reasons.

Listening to those reasons, Lewis saw a business opportunity that meshed nicely with his environmental philosophy. In 2006, Brian Lewis' Diaper Duty was born.

He recently relocated from a warehouse in Plantation to a retail store, which offers room for a learning center. His goal is to make using cotton diapers hassle-free, safe and convenient.

For parents who don't



DIAPER DADDY: Brian Lewis, owner of Diaper Duty cloth diaper service, uses a doll to demonstrate how to use a cloth diaper at his Plantation store.

DEBRA SOLER FOR THE MIAMI HERALD

want to bother rinsing and washing cloth diapers, Lewis' business takes on the task. Each week, his diaper service picks up used diapers from customers' homes and replaces them with a fresh stack. Lewis said his laundering process includes a five-step wash.

NO SHARP PINS

Some parents worry that you have to use sharp pins with cloth diapers, but Lewis said his products have a different device for securing the fabric. The fastener features tiny prongs that grab the fabric at three points.

For some, the diapering process itself is intimidating.

Lewis is happy to show parents how it's done. He provides free diapering demonstrations on Sunday afternoons.

"It's not harder [than diapering with disposable

products]. It is a different thing to do," he said. "It's quite simple."

Lewis is particularly fond of what he refers to as "The Navy Fold."

The learning center also offers other educational programs and activities, including mom-and-baby yoga classes and childbirth education.

In Broward, the fee for Lewis' diaper service, with

tax, is \$18 a week.

RECYCLABLE BAGS

Lewis said he aims for environmental responsibility. The bags customers use to stow the dirty diapers are recyclable. And the delivery van runs on a biodiesel-blend alternative fuel.

Even the clean cotton lint from the dryer is recycled — in a compost bin.

About Diaper Duty

- What: Brian Lewis' Diaper Duty.
- Where: 6908 Cypress Rd., Plantation
- When: Hours vary. Free diaper demonstrations 4-5:30 p.m. Sundays. Other classes include prenatal yoga at 6:30 p.m. Aug. 31 and mom-and-baby yoga (for babies 6 weeks to 6 months) at 2 p.m. Sept. 2. (Some classes have a fee depending on the instructor.) Check website for schedule.
- Cost: Weekly diaper service is \$18 for 48 regular diapers or 72 newborn diapers. More diapers can be added if needed. Delivery is free for Broward County customers. The service also delivers to parts of Palm Beach and Miami-Dade counties (\$2 delivery charge).
- Information: 954-242-0442 or www.diaper-duty.com.

PET OF THE WEEK



Chase is a 1½-year-old Siberian Husky mix who is creamy white, great with kids and loves to go to the dog park.

To adopt Chase (ID No. 340463) or any other pet, visit the Humane Society of Broward County at 2070 Griffin Rd., just west of Interstate 95 in Dania Beach.

Adoption fees are \$85 for felines, \$100 for dogs and \$135 for puppies 6 months and younger. The fee includes spay/neuter surgery, preliminary vaccinations, heartworm test for dogs and feline leukemia test for cats, microchip and registration and a 14-day healthcare plan. You can adopt two felines and pay just one adoption fee. The adoption fee for rabbits is \$20.

Adoption hours are 10 a.m. to 6:30 p.m. Monday through Saturday and 10 a.m. to 5:30 p.m. Sunday. Call 954-989-3977, press 3 for adoptions, or visit the Broward Humane Society website at www.humanebroward.com.

Do you have a pet that needs to be spayed or neutered? Send an e-mail to the shelter's low-cost spay/neuter department at spayneuter@sbroward.com or call the hot line at 954-463-7729.

Client Name: **TOWN OF SW RANCHES**
Advertiser: **Neighbors/BN9/Brow**
Section/Page/Zone: **Neighbors/BN9/Brow**
Description:
Ad Number: **837922001**
Insertion Number: **837922001**
Size: **3X10.5**
Color Type: **B&W**

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Publication Date: 08/23/2009

TOWN OF SOUTHWEST RANCHES, FLORIDA
NOTICE OF HEARING TO REIMPOSE AND PROVIDE FOR COLLECTION OF FIRE SPECIAL ASSESSMENTS AND SOLID WASTE SERVICE SPECIAL ASSESSMENTS

Notice is hereby given that the Town Council will conduct a public hearing to consider re-imposing fire special assessments for the provision of fire services within the Town of Southwest Ranches for the Fiscal Year beginning October 1, 2009.

The public hearing will be held at 7:00 p.m. on **September 17, 2009**, at the Southwest Ranches 8800 Meeting Chambers, 6589 SW 160 Avenue, Southwest Ranches, Florida, for the purpose of receiving public comment on the proposed assessments. All affected property owners have a right to appear at the hearing and to file written objections with the Town Council within twenty (20) days of this notice. If a person decides to appeal any decision made by the Town Council with respect to any matter considered at the hearing, such person will need a record of the proceedings and may need to ensure that a verbatim record is made, including the testimony and evidence upon which the appeal is to be made. In accordance with the Americans with Disabilities Act, persons needing a special accommodation or an interpreter to participate in this proceeding should contact the Town Clerk's Office at (954) 434-0008 at least seven (7) days prior to the date of the hearing.

The assessment for each parcel of property will be based upon each parcel's classification and the total number of billing units attributed to that parcel. The following tables reflect the Proposed Fire Assessment schedule:

FISCAL YEAR 2010 FIRE ASSESSMENT SCHEDULE		
Property Use Category	Billing Unit Type	Billing Rate
Residential	Rate per residential unit	\$350.00
Commercial	Rate per building square foot (non-residential)	\$ 0.57
Industrial/Warehouse	Rate per building square foot (non-residential)	\$ 0.57
Institutional	Rate per building square foot (non-residential)	\$ 0.14
Building Lots	Rate Per Lot (regardless of size)	\$113.51
Acreage	Rate Per Acre	\$ 61.18

SOLID WASTE SERVICE ASSESSMENT SCHEDULE		
Property Use Category	Billing Unit Type	FY 2009-10
Residential, Single-Family	Rate Per Dwelling Unit	\$ 687.00

Copies of the Fire Assessment Ordinance, the Initial Assessment Resolution, the Final Assessment Resolution, and this Preliminary Rate Resolution for the Fiscal Year commencing October 1, 2009, initiating the annual process of updating the Assessment Roll and re-imposing the Fire Assessments, and the preliminary Assessment Roll for the upcoming fiscal year, are available for inspection at the Town Clerk's Office, Town Hall, located at 6589 SW 160 Avenue (Dykes Road), Southwest Ranches, Florida.

The assessments will be collected on the ad valorem tax bill to be mailed in November 2009, as authorized by Section 197.3632, Florida Statutes. Failure to pay the assessments will cause a tax certificate to be issued against the property, which may result in a loss of title.

If you have any questions, please contact the Town at (954) 434-0008, Monday through Friday between 8:30 a.m. and 5:00 p.m.

Debra Doro-Thomas, Town Clerk

2009 SOUTH BROWARD REGIONAL BIZ EXPO
DANIA JAI-ALAI EXHIBITION HALL
THURSDAY, AUGUST 27, 2009 5:30-9 PM
301 E DANIA BEACH BLVD
FREE ADMISSION FREE & OPEN TO THE PUBLIC
FREE PARKING GREAT FOOD & BEVERAGES.
50150 DRAWING.

EXPO PACKAGE INCLUDES:

MEMBER \$99 NON-MEMBER \$149

FREE SEMINARS:
SOCIAL NETWORKING: CUT THROUGH THE CHATTER & MAKE IT WORK FOR YOUR BUSINESS
PRESENTED BY STEVEN ALLIG INFORMATION ARCHITECT AND SEO EXPERT
I.T. ON A BUDGET: BULLETPROOF YOUR NETWORK FOR FREE (OR NEXT TO FREE)
PRESENTED BY SEAN ATKINSON IMMEDIATE TECH

WORKFORCE ONE WITH HELP FOR EMPLOYERS: FREE JOB POSTINGS • CANDIDATE PRESCREENING • NEW OR EXISTING EMPLOYEE TRAINING DOLLARS • FINANCIAL INCENTIVES FOR QUALIFIED EMPLOYERS
JOB SEEKERS: JOB PLACEMENT • JOB PREPAREDNESS WORKSHOPS FOR ALL LEVELS OF JOB SEEKERS • NO COST EDUCATION AND TRAINING PROGRAMS (FOR ELIGIBLE CANDIDATES) • AVAILABLE REFERRALS TO BENEFICIAL COMMUNITY RESOURCES

ALL THIS AND.....
JAI-ALAI, POKER AND PONIES
AT DANIA JAI-ALAI EXHIBITION HALL!
INFO 954-926-2323 INFO@GREATERDANIA.ORG