

RESOLUTION NO. 2011- 074

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF SOUTHWEST RANCHES, FLORIDA, RELATING TO THE PROVISION OF FIRE PROTECTION SERVICES, FACILITIES AND PROGRAMS IN THE TOWN OF SOUTHWEST RANCHES, FLORIDA; PROVIDING AUTHORITY FOR FIRE PROTECTION SERVICES ASSESSMENTS; PROVIDING PURPOSE AND DEFINITIONS; PROVIDING FINDINGS; INCORPORATING THE FIRE PROTECTION ASSESSMENT REPORT; DIRECTING THE PREPARATION OF AN ASSESSMENT ROLL; AUTHORIZING A PUBLIC HEARING AND DIRECTING THE PROVISION OF NOTICE THEREOF; AND PROVIDING AN EFFECTIVE DATE.

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 Ordinance No. 2001-9 as codified and as may have been amended, sections 166.021 and 166.041, Florida Statutes, and other applicable provisions of law.

Section 2. Purpose and Definitions. This resolution constitutes the Initial Assessment Resolution as defined in the Ordinance (codified as Sections 12-19 through 12-85 in the Town of Southwest Ranches Code of Ordinances). All capitalized words and terms not otherwise defined herein shall have the meanings set forth in the Ordinance. Unless the context indicates otherwise, words imparting the singular number include the plural number, and vice versa. As used in this resolution, the following terms shall have the following meanings, unless the context hereof otherwise requires:

"Assessed Parcel" means those parcels with which are specially benefitted by the availability of and provision of fire protection services, facilities and programs and which are subject to the Fire Services Assessments authorized by this Initial Resolution.

"Building Area" means the actual area of a Building expressed in square feet as reflected on the Tax Roll or, in the event such information is not reflected or determined not to be accurately reflected on the Tax Roll, that area as determined by the Town.

"Commercial Property" means collectively those Assessed Parcels with a DOR Code or Use Code number in the following list: 11 - 17, 22, 23, 26, 27, 73, and 76, including recreational vehicle parks, and not identified as vacant in the Property Appraiser's database. Commercial Property shall be assessed on a per square foot of Building Area basis. Regardless of the DOR Code number assigned to a parcel, the Town shall have the authority to impose the Commercial Property Rate on any building or buildings that are used for commercial purposes.

"DOR Code" means a property use code established in Rule 12D-8.008, Florida Administrative Code, assigned by the Broward County Property Appraiser to Parcels within

the Town. Additionally, the Broward County Property Appraiser assigns property Use Codes to parcels and structures. DOR Codes and associated Use Code descriptions are used in the development of the Fire Protection Assessments set forth in this Resolution and in preparation of the Assessment Roll.

"Dwelling Unit" means (1) a building, or portion thereof, available to be used for residential purposes, consisting of one or more rooms arranged, designed, used, or intended to be used as living quarters for one family only, or (2) the use of land in which lots or spaces are offered for rent or lease for the placement of mobile homes or the like for residential purposes. A mobile home is an individual dwelling unit. For purposes of this Resolution and imposition of the Fire Services Assessment, a Dwelling Unit, as defined herein, may be located on parcels other than residential property under the Town's zoning and development regulations.

"Effort Allocation" means a measure of demand for fire protection services, facilities, or programs attributable to each Assessment Property Category determined by analyzing the historical demand and associated effort factor of fire protection incidents as reflected in the methodology described in the Report, attached to this Initial Assessment Resolution as Appendix A. As defined in this Resolution, Effort Allocation is used to allocate Assessment Budget Costs to Assessment Property Categories.

"Estimated Fire Protection Assessment Rate Schedule" means that rate schedule as specified in the Report set forth in Appendix A, attached hereto and incorporated herein by reference, specifying the Fire Protection Assessed Costs and the estimated Fire Protection Assessments.

"Fire Incident Codes" means either the type of property or fire situation recorded in the Incident Reports as referred to and used in the Report.

"Industrial/Warehouse Property" means those Assessed Parcels with a DOR Code number in the following range: 48 and 91, and not identified as vacant in the Property Appraiser's database. Industrial/Warehouse Property shall be assessed on a per square foot of Building Area basis. Regardless of the DOR Code number assigned to a parcel, the Town shall have the authority to impose the Industrial/Warehouse Property Rate on any building or buildings that are used for industrial or warehouse purposes.

"Institutional Property" means those Assessed Parcels with a DOR Code or Use Code number in the following range: 71 - 89 and are not designated as residential or vacant on the Property Appraiser's database. Institutional Property as defined in this Resolution includes Government Property. Institutional Property shall be assessed on a per square foot of Building Area basis. Regardless of the DOR Code number assigned to a parcel, the Town shall have the authority to impose the Institutional Property Rate on any building or buildings that are used for institutional purposes.

"Non-residential Building" means a structure designated by the Property Appraiser as used for commercial, industrial, warehouse or institutional purposes regardless of the DOR Code assigned to the parcel.

"Report" or **"Town of Southwest Ranches Fire Protection Assessment Report"** means the report detailing the development of the Fire Protection Assessment Rates for Fiscal Year 2011-12 documented by the report in Appendix A, attached hereto and incorporated herein, by Willdan Financial Services, Inc.

"Residential Property" means those Assessed Parcels with a DOR Code or property Use Code number in the following list: 1 - 9, 63 used as residential, 66 - 69 used as residential, 71 used as residential, or otherwise designated as residential property under the DOR Codes or property Use Code and not identified as vacant in the Property Appraiser's database. Residential Property includes single family/duplex as well as single family developed property with multiple dwelling units. Residential Property, for purposes of this Resolution and imposition of the Fire Services Assessment, shall include all parcels with one or more Dwelling Units present on the parcel regardless of the DOR Code number or Use Code assigned to the parcel. Residential Property shall be assessed on a per 100 square foot increment of Dwelling Unit Building Area basis. Dwelling Unit Building Area shall be assessed using whole increments of 100 square feet, for example, 199 square feet will be treated as 100 assessable square feet. Barns and/or accessory structures on Residential Property with existing Dwelling Unit(s) shall not be assessed separately from the Dwelling Unit(s). Regardless of the DOR Code number assigned to a parcel, the Town shall have the authority to impose the Residential Property Rate on any building or buildings that are used as Dwelling Units.

"Vacant/Agricultural Property" means those Assessed Parcels designated as vacant or agricultural in the Property Appraiser's Data Base. Vacant/Agricultural Property shall be assessed on a per acre basis. Vacant/Agricultural Property with structures other than Non-residential Buildings, such as private barns, shall be assessed on a per acre basis and not separately assessed for such structures. Regardless of the DOR Code number assigned to a parcel, the Town shall have the authority to impose the Vacant/Agricultural Property Rate on appropriate parcels.

Section 3. Provision and funding of Fire Protection Services.

Upon the imposition of a Fire Protection Assessment for fire protection services, facilities, or programs against Assessed Property located within the Town, the Town shall provide fire protection services to such Assessed Property. A portion of the cost to provide such fire protection services, facilities, or programs shall be funded from proceeds of the Fire Protection Assessments. The remaining costs of providing fire protection services, facilities, and programs shall be funded by lawfully available Town revenues other than Fire Protection Assessment proceeds. Any costs related to Institutional Property on which Fire Protection Assessments are not collected, for example due to the difficulties of collection from property owned by governmental entities or pursuant to a policy decision of the Town Council, shall be paid by the Town from lawfully available funds of the Town and shall not be paid out of Fire Assessment revenues. Costs related to the provision of Emergency Medical Services (EMS) have not been included in the Fire Protection Assessed Costs and shall be paid for by the Town from other lawfully available funds and shall not be paid out of Fire Assessment revenues.

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

Section 4. Imposition and Computation of Fire Protection Assessments.

Fire Protection Assessments shall be imposed against all Assessed Parcels within the Assessment Property Categories. Fire Protection Assessments shall be computed in the manner set forth in this Initial Assessment Resolution, more specifically as presented in the Report attached as Appendix A. Where the use of a building or buildings on a parcel indicates a use different from the DOR Code assigned to the parcel, the Town has the authority to impose the appropriate rate based on the use of the building or buildings regardless of the DOR Code assigned to the parcel. Where multiple buildings on a parcel have different uses, the Town shall impose the appropriate rate based on the use of each individual building. The Fire Protection Assessment imposed on the parcel shall be the total of the Fire Protection Assessments calculated for all buildings on the parcel, excluding for barns on Residential Property with an assessed Dwelling Unit or non-commercial barns on Vacant/Agricultural Property.

Section 5. Legislative Determination of Special Benefit and fair Apportionment.

It is hereby ascertained, determined, and declared that the fire protection services to be funded by the Fire Protection Assessments provide special benefit to the Assessed Property based upon the following legislative determinations.

A. Upon the adoption of this Initial Assessment Resolution determining the Fire Protection Assessed Costs and identifying the Assessed Property to be included in the Assessment Roll, the legislative determinations of special benefit ascertained and declared in Sections 12-20 and 12-21 of the Code are hereby ratified and confirmed.

B. In accordance with Town of North Lauderdale v. SMM Properties, Inc., 825 So.2d 343 (Fla., 2002), no costs related to the provision of emergency medical services (EMS) are included in the Fire Assessment Budget used in determining the proposed Fire Protection Assessment Rates in this Resolution. The Town of Southwest Ranches provides, by contract with another local government, fire suppression, education and inspection services as well as first responder medical services. The Southwest Ranches also provides, by contract with another local government, emergency medical services (EMS), and costs related to those services have been excluded from the Fire Protection Assessments as discussed in the Report.

C. It is fair and reasonable to use the DOR Codes, property use codes, Building Area and parcel data maintained by the Broward County Property Appraiser in the apportionment methodology because: (1) the Tax Roll database employing the use of such property use codes is the most comprehensive, accurate, and reliable information readily available to determine the property

use, Building Area for improved property, and acreage for Vacant/Agricultural Property within the Town, and (2) the Tax Roll database employing the use of such property use codes is maintained by the Property Appraiser and is thus consistent with parcel designations on the Tax Roll. This compatibility permits the development of an Assessment Roll in conformity with the requirements of the Uniform Method of Collection.

D. Where data available from the Property Appraiser was insufficient, the Town has verified and/or supplemented such data for use in the determination of the Cost Apportionment and the Parcel Apportionment. It is fair and reasonable to use such additional data provided by the Town because such data provides a more accurate and complete record of property use and the structures on property.

E. Apportioning Fire Protection Assessed Costs among classifications of property based upon historical demand for fire protection services and the effort expended related to those incidents, as measured by the call duration and number of personnel and apparatus dispatched, is fair and reasonable and proportional to the special benefit received.

F. The Fire Incident Reports are the most reliable data available to determine the potential demand for fire protection services from property use and to determine the benefit to property use resulting from the availability of fire protection services to protect and serve Assessed Property. The Effort Allocation determined for each Assessment Property Category by an examination of such Incident Reports is consistent with the experience of the Town. Therefore, the use of Effort Allocation determined by an examination of Incident Reports as described in the Report is a fair and reasonable method to apportion the Fire Protection Assessed Costs among the Assessment Property Categories.

G. The level of services required to meet anticipated demand for fire protection services and the corresponding annual fire protection budget required to fund fire protection services provided to non-specific property uses would be required notwithstanding the occurrence of any incidents from such non-specific property uses. Therefore, it is fair and reasonable to omit from the Effort Allocation those Incident Reports documenting fire protection services provided to non-specific property uses.

H. The value of Assessed Property does not determine the scope of the required fire protection response nor the staff and equipment needed to make such fire protection response available. The potential demand for fire protection services relates to the fire flow demand of structures which is primarily determined by the size of the Dwelling Unit(s) on Residential Property and the structure or structures on other benefitted property types. There is a logical relationship between the size of structures, the fire flow required to suppress a fire in structures, the staff and equipment needed to provide the necessary fire flow, the Fire Services Assessed Costs required for the necessary staff and

equipment for fire protection services, the special benefit to Assessed Properties from the provision of fire protection services, and the proposed Fire Protection Assessments calculated in the attached Report.

I. Apportioning the Fire Protection Assessed Costs for fire protection services attributable to Residential Property on a per 100 square foot increment of Dwelling Unit Building Area basis is a fair and reasonable method of Parcel Apportionment based upon historical call data and the relationship between the demands on fire protection services and dwelling unit size.

J. Apportioning the Fire Protection Assessed Cost among Non-residential Properties, including Commercial, Industrial/Warehouse and Institutional Property, using historical demand for Fire Protection Services and further allocating by building square footage is fair and reasonable for the purpose of Parcel Apportionment because the demand for Fire Protection Service is determined and measured by the square footage of structures and improvements within benefitted parcels. Section 166.223, Florida Statutes (Chapter 2002-241, Laws of Florida), mandates that the Town treat recreational vehicle park property as Commercial Property for non-ad valorem special assessments levied by the Town. Thus, it is fair and reasonable to treat each space within recreational vehicle park property as a Building of Commercial Property and assign the minimum available square footage of 1,200 square feet that is mandated by the Department of Health under Chapter 64E-15.002(3), Florida Administrative Code for Recreational Vehicle Park spaces and a square footage of 500 square feet for tent spaces on recreational vehicle park property, also as mandated by Chapter 64E-15.002(3), Florida Administrative Code.

K. Apportioning the assessed costs for fire protection services attributable to the Vacant/Agricultural Property Category on a per acre basis is a fair and reasonable method of parcel apportionment based on historical call data.

Section 6. Determination of Fire Protection Assessment costs; Establishment of Initial Fire Protection Assessment Rates.

A. The Fire Protection Assessed Costs to be assessed and apportioned among benefitted parcels pursuant to the Cost Apportionment and the Parcel Apportionment for Fiscal Year 2011-2012 commencing October 1, 2011, is the amount determined in the Estimated Fire Protection Assessment Rate Schedule as described in the Report, attached as Appendix A. The approval of the Estimated Fire Protection Assessment Rate Schedules by the adoption of this Initial Assessment Resolution determines the amount of the Fire Protection Assessed Costs. The remainder, if any, of such Fiscal Year budget for fire protection services, facilities, and programs shall be funded from available Town revenue other than Fire Protection Assessment proceeds.

B. The estimated Fire Protection Assessments specified in the Estimated Fire Protection Assessment Rate Schedules as described in the Report are hereby established to fund the specified Fire Protection Assessed Costs determined to be assessed in Fiscal Year 2011-2012 commencing on October 1, 2011.

C. The estimated Fire Protection Assessments established in this Initial Assessment Resolution for Fiscal Year 2011-2012 shall be the proposed assessment rates applied by the Town Administrator in the preparation of the preliminary Assessment Roll for the Fiscal Year commencing October 1, 2011, as provided in Section 7 of this Initial Assessment Resolution.

Section 7. Preliminary Assessment Roll.

A. The Town Administrator is hereby directed to prepare, or cause to be prepared, a preliminary Assessment Roll for the Fiscal Year commencing October 1, 2011, in the manner provided in the Code. The Assessment Roll shall include all Assessed Parcels within the Property Use Categories. The Town Administrator shall apportion the estimated Fire Protection Assessed Cost to be recovered through Fire Protection Assessments in the manner set forth in this Initial Assessment Resolution and the Report.

B. A copy of this Initial Assessment Resolution, documentation related to the estimated amount of the Fire Protection Assessed Cost to be recovered through the imposition of Fire Protection Assessments, and the preliminary 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 preliminary Assessment Roll be in printed form if the amount of the Fire Protection Assessment for each parcel of property can be determined by the use of a computer terminal available to Town staff.

C. It is hereby ascertained, determined, and declared that the method of determining the Fire Protection Assessments for fire protection services as set forth in this Initial Assessment Resolution and the Report attached as Appendix A is a fair and reasonable method of apportioning the Fire Protection Assessed Cost among parcels of Assessed Property located within the Town.

Section 8. Authorization of Public Hearing. There is hereby established a public hearing to be held at 7:00 p.m. on September 12, 2011 in the Council Chambers in Southwest Ranches Town Hall, 6591 SW 160 Ave., Southwest Ranches, Florida, at which time the Town Council will receive and consider any comments on the Fire Protection Assessments from the public and affected property owners and consider imposing Fire Protection Assessments and collecting such assessments on the same bill as ad valorem taxes.

Section 9. Notice by Publication. The Town Administrator shall publish a notice of the public hearing authorized by Section 10 hereof in the manner and time provided in Section 12-53 of the Code. The notice shall be published no later than August 23, 2011.

Section 10. Notice by Mail. The Town Administrator shall also provide notice by first class mail to the owner of each Assessed Parcel, as required by Section 12-54 of the Code. Such notices shall be mailed no later than August 23, 2011. The Town Administrator may direct that such notice be combined with the TRIM notices prepared and mailed by the Property Appraiser.

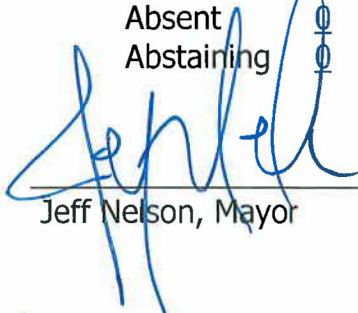
Section 11. Application of Assessment Proceeds. Proceeds derived by the Town from the Fire Protection Assessments shall be deposited into the Fire Protection Assessment Fund and used for the provision of fire protection services, facilities, and programs. In the event there is any fund balance remaining at the end of the Fiscal Year, such balance shall be carried forward and used only to fund fire protection services, facilities, and programs.

Section 12. This Resolution shall take effect immediately upon its adoption.

PASSED AND ADOPTED by the Town Council of the Town of Southwest Ranches, Florida, this 1st day of August, 2011, on a motion by Council Member McKay and seconded by Council Member Breitzkreuz.

Nelson	<u>YES</u>
Fisikelli	<u>NO</u>
Breitzkreuz	<u>YES</u>
Jablonski	<u>YES</u>
McKay	<u>YES</u>

Ayes	<u>4</u>
Nays	<u>1</u>
Absent	<u>0</u>
Abstaining	<u>0</u>



Jeff Nelson, Mayor

ATTEST:



Erika Gonzalez - Santamaria, CMC, Town Clerk

Approved as to Form and Correctness:



Keith Poliakoff, Town Attorney
ACTIVE: 3438284_1

APPENDIX A

**TOWN OF SOUTHWEST RANCHES, FLORIDA
FIRE SERVICES SPECIAL ASSESSMENT REPORT**

by

WILLDAN FINANCIAL SERVICES

Southwest Ranches, Florida Fire Protection Assessment Report

July 15, 2011



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Introduction

The Town of Southwest Ranches (the Town) provides fire suppression and protection service and first response service to properties throughout the Town through their contract with the Sheriff of Broward County ("BSO"). Willdan Financial Services has been retained by the Town to calculate the fire assessment rates used to fund fire suppression and protection services, fire facilities and fire related programs for Fiscal Year 2011/12. These assessment rates are designed to ensure that the Town has the ability to fund fire services for the benefit of all properties in the Town, including costs related to salaries, benefits, daily operations, including volunteer compensation, and capital facilities, equipment and apparatus to maintain established national and state fire service mandates.

This Fire Assessment Report (the Report) has been prepared in connection with the levy of non-ad valorem assessments for Fiscal Year 2011/12, which reflect the proportional special benefit properties receive from fire suppression and protection services, facilities, and fire related programs. In accordance with State law, costs related to Emergency Medical Services are considered non-fundable because these services do not provide special benefits to properties within the Town. Additionally, costs related to automatic response (automatic aid) are considered a general benefit to the public at large; however, since the Town contracts with the BSO for Delivery of Emergency Medical Fire Protection and Fire Prevention Services (the "Agreement") only incidents occurring within the Town were considered. Therefore, the only expenditures that must be excluded from this updated Fire Assessment are costs associated with Emergency Medical Services.

Fire Assessment Budget

Florida case law requires that the imposition of a special assessment for fire services may only fund fire protection services and first response services. A fire special assessment may not fund emergency medical services (EMS) since such services do not provide a special benefit to property (Florida Supreme Court opinion in City of North Lauderdale v. SMM Properties). Therefore, call data associated with responses to the Town was obtained from the Florida State Fire Marshal Office from calendar years 2004 through 2009 and examined to determine what portion of the Town's total Agreement obligation to the BSO is associated with fire related activities. In addition to the call data, the Town also provided the last four years of the Town's Fire Budget (Table 1), which was used to project the total budget for Fiscal Year 2011/12.

Table 1

Expenditures	FY 2007/08 Actual	FY 2008/09 Adopted	FY 2009/10 Adopted	FY 2010/11 Estimate
BSO Contract Service	\$ 1,200,000	\$ 3,591,000	\$ 3,462,215	\$ 3,040,000
Davie Fire Rescue	420,865			
Volunteer Fire Service	87,938	93,000	73,000	81,000
Temp BSO Fire Station	-	21,500	11,500	4,000
Admin Overhead	-	-	65,000	65,000
Total Fire/Rescue	\$ 1,708,803	\$ 3,705,500	\$ 3,611,715	\$ 3,190,000

Special Benefit Allocation

The proposed Fiscal Year 2011/12 budget was apportioned between Fire and Non-Fire by analyzing the Town's fire call data as a means to quantify the total effort expended between fire related activities (fire Budget) and non-fire related activities (Non-Fire Budget). The first step in our analysis involved examining the call volume to determine the number of incidents related to fire versus non-fire services, as defined by National Fire Incident Reporting System classifications (Table 2).

Table 2

Incidents	
Fire	300
Non - Fire	567

The incidents attributable to fire and non-fire were then weighted by the respective average time durations for fire and non-fire, yielding the total amount of effort expended for the two different incident types (Effort Factor). The Effort Factor is then used to calculate the Effort Allocation, which equals the ratio of each call type's Effort Factor compared to total effort. The Effort Allocations, identified in Table 3, illustrate the percentage of total effort expended between fire incidents versus non-fire incidents.

Table 3

Incident Type	Calls	Duration	Effort Factor	Effort Allocation
Fire	300	30.33	9,099	42.30%
Non - Fire	567	21.89	12,411	57.70%

The Effort Allocation for fire related calls identified in Table 3 above yields the total percentage of effort that is fire related and considered to specially benefit properties within the Town. The Special Benefit Percentage was then applied to the total Budget to determine what portion of the Budget may be funded through a Fire Assessment. .

Fire/Rescue Budget

The Town provided their proposed budget for Fiscal Year 2011/12 equal to approximately \$3.17 million. Applying the Effort Allocation (Special Benefit Percentage) to the Town's Budget generates a total of approximately \$1.68 million in Fire related expenditures that may be funded through the Town's Fire Assessment. *Table 4 shows the budget for Fiscal Year 2011/12, the allocations of the Budget between Non-Fire and Fire, and the proposed amount to fund through the Fire Assessment, including incidental expenses.*

The assessable cost calculations contain the following considerations for the purpose of this Report:

- The line item "Assessment Study" is the reimbursement to the Town for the costs of conducting the special assessment study. These costs are reimbursable through the assessment program and are a one-time cost.
- The line item "Notification Costs" are the costs associated with the first class mailed notices to affected property owners in accordance with the statutory requirements to use the tax bill collection method.
- The line item "Statutory Discount" reflects an offset to address revenue reductions from the discounts for early payment as required by section 129.01, Florida Statutes and potential delinquencies.
- The line item "Collection Costs" reflects the two percent (2%) maximum amount that the Tax Collector may charge to collect the fire assessments on the tax bill.

Table 4

Expenditures	FY 2011/12 Estimate	Non-Fire Budget	Fire Budget
		57.70%	42.30%
BSO Contract Service	\$ 2,520,000	1,454,015	1,065,985
Davie Fire Rescue			
Volunteer Fire Service	581,000	-	581,000
Fire Station Maintenance	4,000	2,308	1,692
Admin Overhead	61,550	35,514	26,036
Dispatch Fee ¹	12,204	9,469	2,735
Total Fire/Rescue	\$ 3,178,754	1,501,306	1,677,448
SUB-TOTAL: FIRE RELATED EXPENDITURES			1,677,448
Fire Assessment Micellaneous Expenses			
Assessment Study			23,700
Annual Administration - Prof Serv			-
Publication and Notification Costs			8,753
Statutory Discount			91,930
County Collection Costs			36,772
Fiscal Year 2011/12 Fire Assessment			1,838,603

1) charges for dispatch are spread based on the number of fire and non-fire calls in relation to total dispatch calls for the Town

Assessment Analysis

Property Data

The Broward County Property Appraiser provided the current tax roll and property data used to develop the Fiscal Year 2010/11 assessment rates for each property category. Properties within the Town were correlated to the Department of Revenue (DOR) codes as determined by the Broward County Property Appraiser on the ad-valorem tax roll and grouped into fire protection assessment rate categories as part of the analysis in this Report. The property classifications include Commercial, Industrial/Warehouse, Institutional, Residential, and Vacant / Agricultural. In addition to these property classifications, properties including rights of way; lakes and bodies of water; and streets were classified as Exempt parcels because these properties do not benefit from fire suppression services and have been excluded from the calculation of the fire assessment.

Incident Data

The call volume data included information regarding the type of property that was responded to for each incident, as defined by the Florida State Fire Marshal Office. These incident property codes were correlated with the above listed fire assessment classifications. The frequency that each property classification requests the need for fire services and the related effort expended by the BSO provides a direct correlation of the special benefits received by such properties. Hence, the relationship between effort expended and benefit received.

Of the total 300 Southwest Ranches fire related incidents displayed in Table 2, thirty-four (34) incidents could not be assigned to a specific property or parcel due to the lack of property information for that particular incident detail. The remaining fire related incidents were categorized based on their specific property uses. *Only those calls that identified a specific property use were considered in calculating the percentage of calls generated by each property category listed in Table 5 below.*

TABLE 5

Fire Calls By Property Category		
Property Type	Calls	Percent of Calls
Residential	125	46.99%
Commercial	68	25.56%
Industrial / Warehouse	28	10.53%
Institutional	34	12.78%
Vacant / Agricultural	11	4.14%
Total	266	100.00%

Weighting of Incidents

Similar to the Effort Allocation computed between fire and non-fire incidents, the amount of total resources that respond to a particular call and effort expended by the BSO varies depending on the property category. As such, the fire related incidents allocated to each property category above were also weighted by the respective average time durations for fire incidents within each property category, which resulted in the total amount of effort expended for the five different property types (Effort Factor).

Use of this type of methodology is intended to derive a special benefit nexus between different property types. In this sense, calls within each category are “weighted” based upon a comparison with the other categories of calls. These ratios become an expression of total effort expended, as presented in Table 6.

Table 6

Property Type	Calls	Duration	Effort Factor	Effort Allocation
Residential	125	41.14	5,142	62.8912%
Commercial	68	18.07	1,229	15.0283%
Industrial / Warehouse	28	27.98	783	9.5818%
Institutional	34	15.03	511	6.2499%
Vacant / Agricultural	11	46.45	511	6.2488%
Total	266		8,176	100.00%

Demonstration of Special Benefit

The Fire Assessment will not fully fund all Town Fire Rescue related activities for the Town’s service area. Fire Assessment revenue will only fund fire protection services and equipment that are property related and assist the Town in meeting its public safety goals. Other revenue sources provide funds needed for emergency medical services, non-fire related costs, and other non-assessed costs. The following rationale supports the finding that the assessment used to fund fire protection and first response services of the Town provide a special benefit to the assessed parcels.

A logical relationship exists between the provision of fire and first response services and the use and enjoyment of improved property by accomplishing the following: (i) maintenance and protection of structures and occupants from fires and resulting property loss; (ii) protecting the life and safety of intended occupants in the use and enjoyment of improvements and structures within improved parcels; (iii) reduction of fire risk through the implementation of a fire assessment revenue stream that is solely dedicated to fire and first response services, and (iv) potentially lowering the cost of fire insurance by the presence of a professional and comprehensive fire control program within the Town.

Method of Assessment

Cost Apportionment

The budget for Fiscal Year 2011/12, identified in Table 4, was used to determine the fire assessment rates to be levied against parcels within each Property Category for Fiscal Year 2011/12. The fire assessment budget was first allocated to each Property Category based on the Effort Allocation presented in Table 6. *Table 7 provides the allocated Fiscal Year 2011/12 fire assessment budget.*

TABLE 7

Budget Allocation		
Property Type	Effort Allocation	Budget Allocation
Residential	62.8912%	\$ 1,156,320
Commercial	15.0283%	276,311
Industrial / Warehouse	9.5818%	176,171
Institutional	6.2499%	114,910
Vacant / Agricultural	6.2488%	114,891
Total	100.00%	\$ 1,838,603

Allocated Budget Apportionment

The budget figures allocated between each Property Category shown in Table 7 are further apportioned to property within each category by dividing the budgeted amount for each Property Category by a denomination that provides a fair and equitable basis for determining each parcel's proportional special benefit within each classification. Residential parcels shall be assessed on building square footage in 100 square foot increments; all Commercial, Industrial/Warehouse and Institutional parcels shall be assessed a rate per building square foot; and all Vacant/Agricultural parcels shall be assessed on a per acre basis. *Table 8 provides a summary of the basis on which each Property Category shall be assessed.*

TABLE 8

Assessment Multiplier Per Property Category	
Property Category	Fire Assessment Apportionment
Residential	Building Square Footage (100 SqFt increments)
Commercial	Building Square Footage
Industrial / Warehouse	Building Square Footage
Institutional	Building Square Footage
Vacant / Agricultural	Acreage

Residential Property - Apportionment of Allocated Budget

The following support findings that the parcel apportionment for the Residential category is fair and reasonable.

- The value of a residential parcel does not determine the scope of the required fire protection response. The potential demand for fire protection services is driven by the existence of a dwelling unit and the size of such dwelling unit. In addition, there is a significant size disparity between residences within the Town which generate different demands for fire protection services.
- Apportioning the assessed costs for fire protection services attributable to the residential property use category on building square footage is a fair and reasonable method of parcel apportionment based upon the potential demand each residential parcel places on fire services when compared to other residential properties.

Residential Property - Allocated Budget Apportionment Calculation

Based upon the historical demand for fire protection services, the percentages of the Town's total fire protection assessable costs allocated to residential category were calculated. To apportion the amount of special benefit equitably amongst residential properties it is necessary to relate each property's proportional special benefit to the special benefits of all other properties within this category. Therefore, based on the wide range of building square footage between residential properties within the Town, each residential parcel shall be assessed based on its building square footage.

Each residential parcel shall be assessed for each 100 square foot increment of building square footage by multiplying the applicable assessment rate per 100 square feet to compute the fire protection assessment for each specific parcel.

TABLE 9

<u>Residential Property Category</u>	
Property Category	Total Square Footage
Residential	8,545,802

Commercial and Industrial/Warehouse Parcel - Apportionment of Allocated Budget

Commercial and Industrial/Warehouse properties are assessed based on building square footage. This methodology is fair and reasonable based on the following findings:

- Commercial and Industrial/Warehouse properties can drastically vary in size from property to property,
- The demand for fire protection availability directly correlates to the size of the structure,
- Assessment are calculated on a per square foot basis,
- An assessment rate per square foot is a fair and reasonable method to classify benefited parcels and to apportion costs among benefited buildings that create similar demand for the availability of fire protection services.

Commercial and Industrial/Warehouse Property Parcel - Allocated Budget Apportionment Calculation

Based upon the historical demand for fire protection services, property classified as Commercial or Industrial/Warehouse will be responsible for funding a percentage of the Town's total fire protection assessable costs segregated by the Commercial and Industrial/Warehouse categories.

To apportion the amount of special benefit equitably amongst parcels within the Commercial and Industrial/Warehouse Category, it is necessary to relate each property's proportional special benefit to the special benefits of all other properties within this category. The amount of the assessable costs attributable to each property category was divided by the respective total building square footage associated with such property category to determine an assessment rate per square foot. Each parcel's assessment will be computed by multiplying the parcel's building square footage by the applicable assessment rate per square foot for Commercial or Industrial / Warehouse properties. *Table 10 identifies the total number of parcels and total square footage for the Commercial Property and Industrial / Warehouse Property.*

TABLE 10

Commercial and Industrial / Warehouse Property Category	
Property Category	Total Square Footage
Commercial	326,592
Industrial / Warehouse	125,646

Institutional Parcel - Apportionment of Allocated Budget

Institutional properties are assessed based on building square footage. This methodology is fair and reasonable based on the following findings:

- Commercial and Industrial/Warehouse properties can drastically vary in size from property to property,
- The demand for fire protection availability directly correlates to the size of the structure,
- Assessment are calculated on a per square foot basis,
- An assessment rate per square foot is a fair and reasonable method to classify benefited parcels and to apportion costs among benefited buildings that create similar demand for the availability of fire protection services.

Institutional Parcel - Allocated Budget Apportionment Calculation

Based upon the historical demand for fire protection services, the percentages of the Town's total fire protection assessable costs attributable to Institutional properties were calculated. The amount of the assessable costs attributable to property in the Institutional Category was divided by the total building square footage associated with Institutional parcels to determine an assessment rate per square foot. Each parcel's assessment will be computed by multiplying the parcel's building square footage by the assessment rate per square foot for Institutional properties. *Table 11 identifies the total number of parcels and total square footage for the Institutional Property Category.*

TABLE 11

<u>Institutional Property</u>	
Property Category	Total Square Footage
Institutional	510,922

The Town has previously made a policy decision to exempt governmental, tax-exempt property and shall fund the proportional assessed costs allocated to such properties from other sources. As such, based on the updated methodology presented herein, the aggregate assessment against governmental, tax-exempt parcels within the category of Institutional has been estimated to be \$7,418. The aggregate assessment against churches as institutional properties has been estimated to be \$74,315.

Institutional Parcel - Apportionment of Allocated Budget

The following support findings that the parcel apportionment applied in the Agricultural and Vacant Land Property Category is fair and reasonable.

Apportioning the assessed costs for fire protection services attributable to the Vacant/Agricultural land use category on a per acre basis is a fair and reasonable method of parcel apportionment since the size of the vacant land captures the potential risk of each property when compared to the total acreage within the category.

Vacant/Agricultural Parcel - Allocated Budget Apportionment Calculation

Based upon the historical demand for fire protection services, the percentages of the Town's total fire protection assessable costs attributable to Vacant/Agricultural properties were calculated. The costs attributable to parcels were divided by the number of acres associated with parcels in the Vacant/Agricultural category to compute the fire protection assessment rate per acre.

Each parcel's assessment will be computed by multiplying the parcel's acreage by the assessment rate per acre for Vacant/Agricultural properties. *Table 12 identifies the total number of parcels and total acreage for the Vacant/Agricultural Property Category.*

TABLE 12

<u>Vacant / Agricultural Property</u>	
Property Category	Acreage
Vacant / Agricultural	2,173

There are certain parcels under the category of Vacant/Agricultural Property that are owned by governmental, tax-exempt entities. As such, based on the updated methodology presented herein, the aggregate assessment against governmental, tax-exempt parcels within the category of Vacant/Agricultural has been estimated to be \$29,582.

Mixed Use Property Calculation and Classifications

For residential parcels that contain non-residential buildings, non-residential improvements located on the parcel were treated according to their non-residential property use category and size to compute the parcel's non-residential fire protection assessment. This assessment was then added to the parcel's residential fire protection assessment.

For non-residential parcels that contain a residence, the residential square footage located on the parcel shall be assessed as residential to compute the parcel's residential fire protection assessment. This assessment shall be added to the parcel's non-residential fire protection assessment.

For agricultural parcels that contain a single-family residence or non-residential building, the parcel shall be assessed the appropriate assessment for each building type.

Assessment Rates

Applying the parcel apportionment methodology, fire protection assessment rates were computed for each category of property use in the Town. Based on the assessable costs of providing fire protection services, the number of fire protection calls and total effort calculated to specific property categories, and the number of billing units within the specific property categories, *Table 13 represents the recommended fire assessment rates to be assessed against parcels within each Property Category for Fiscal Year 2011/12.*

TABLE 13
FIRE ASSESSMENT RATES
FISCAL YEAR 2011/12
FIRE ASSESSMENT BUDGET = \$1,838,603

Property Category	Assessment Unit Type	Assessment Units	Assessment Rate	Total Revenue
Residential	Rate per 100 Square Feet	84,267	\$ 13.72	\$ 1,156,320
Commercial	Rate per Square Foot	326,592	0.85	276,311
Industrial/Warehouse	Rate per Square Foot	125,646	1.40	176,171
Institutional ^{1,2}	Rate per Square Foot	510,922	0.22	114,910
Vacant/Agricultural ³	Rate per Acre	2,173	52.87	114,891
Notes:				
1) The total amount assessed against government owned parcels under the category of Institutional is estimated at \$7,418				
2) The total amount assessed against churches under the category of Institutional is estimated at \$74,315				
3) The total amount assessed against government owned parcels under the category of Vacant/Agricultural is estimated at \$29,582				