

RESOLUTION NO. 2012 – 034

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF SOUTHWEST RANCHES, FLORIDA, MAKING A ONE TIME DONATION, FROM THE TOWN'S GENERAL REVENUE FUND OR OTHER AVAILABLE LEGALLY RECOGNIZABLE SOURCE, TO THE TOWN'S LEGALLY RECOGNIZED DISABLED VETERANS, WHO LIVE ON HOMESTEADED PROPERTIES TITLED IN THEIR NAME WITHIN THE TOWN, WHO HAVE RECEIVED A DISABLED VETERANS AD VALOREM TAX EXEMPTION FROM BROWARD COUNTY, AND WHO HAVE PAID THEIR 2011 RESIDENTIAL FIRE PROTECTION SERVICES ASSESSMENT, AN AMOUNT EQUAL TO THE AMOUNT THAT THEY HAVE PAID TO THE TOWN FOR THEIR 2011 RESIDENTIAL FIRE PROTECTION SERVICES ASSESSMENT; PROVIDING FOR AUTHORITY; PROVIDING FOR A PUBLIC PURPOSE; PROVIDING FOR A FUNDING SOURCE; PROVIDING FOR AN ELIGIBILITY REQUIREMENT; PROVIDING FOR FINDINGS; PROVIDING FOR NOTIFICATION; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, on June 23, 2011, the Town Council unanimously voted to grant a fire assessment exemption to legally recognized disabled veterans, a class of individuals who are offered an ad valorem tax exemption by the Florida Statutes; and

WHEREAS, on August 1, 2011, after weekly advertising for four weeks and after holding a public hearing, the Town of Southwest Ranches adopted Resolution No. 2011-074, a resolution of intent to use the uniform method of collecting non-ad valorem assessments authorized in section 197.3632, Florida Statutes, as amended, for collecting non-ad valorem assessments for the cost of providing fire protection services; and

WHEREAS, on October 13, 2011, pursuant to Resolution 2012-001, the final residential fire assessment resolution was passed, but failed to include the desired exemption for legally recognized disabled veterans; and

WHEREAS, since the final residential fire assessment resolution failed to contain the requested exemption language, the Town must effectuate the Town Council's intent through an alternate means; and

WHEREAS, this resolution seeks to achieve the Town Council's policy decision by making a one time donation from the Town's general revenue fund or other available legally recognizable source, to the Town's legally recognized veterans, who live on homesteaded properties titled in their name within the Town, who have received a Disabled Veterans ad valorem tax exemption, and who have paid their 2011 residential fire protection services assessment.

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

Section 1. Recitals. The above recitals are true and correct and are incorporated by reference.

Section 2. Authority. This Resolution is adopted pursuant to Section 2 of the Florida Constitution, Sections 166.021 and 166.041, Florida Statutes, and other applicable provisions of law.

Section 3. Public Purpose. This Resolution manifests the intent of the Town Council, as approved on June 23, 2011, to recognize the contribution legally recognized disabled veterans provide to the greater community and to provide them with a one time donation in an amount equal to the amount that they have paid to the Town for their 2011 residential fire protection services assessment.

Section 4. Funding Source. The Town Council agrees to make the one time donation from the Town's general revenue fund or other available legally recognizable source.

Section 5. Eligibility Requirement. This one time donation is only available to the Town's legally recognized veterans, who live on homesteaded properties titled in their name within the Town, who have received a Disabled Veterans ad valorem tax exemption, and who have paid their 2011 residential fire protection services assessment. All eligible property owners must seek this donation prior to October 1, 2012.

Section 6. Findings. The Town Council hereby finds that veterans played a vital roll in the protection of this county and that providing financial assistance for legally recognized disabled veterans living within the Town is in the best interest of the health, safety, and welfare, of the Town and its residents. Further, the Town Council finds that this donation is in accordance with the ad valorem tax exemption approved by the State of Florida.

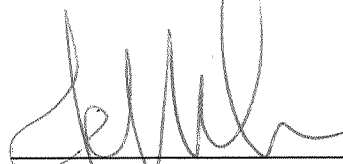
Section 7. Notification. The Town of Southwest Ranches shall provide all properties within the Town that maintain a Disabled Veterans ad valorem tax exemption a copy of this Resolution via regular mail.

Section 8. Effective Date. This 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 22nd day of March 2012 on a motion by Council Member Breitkreuz and seconded by Vice Mayor McKay.

Nelson	<u>YES</u>
McKay	<u>YES</u>
Breitkreuz	<u>YES</u>
Fisikelli	<u>YES</u>
Jablonski	<u>YES</u>

Ayes	<u>5</u>
Nays	<u>0</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: 3732036 1