



Southwest Ranches Town Council

REGULAR MEETING Agenda of July 23, 2015

Southwest Ranches Council Chambers
7:00 PM THURSDAY

13400 Griffin Road
Southwest Ranches, FL 33330

<u>Mayor</u> Jeff Nelson	<u>Town Council</u> Steve Breitreuz Gary Jablonski Doug McKay	<u>Town Administrator</u> Andrew D. Berns	<u>Town Attorney</u> Keith M. Poliakoff, J.D.
<u>Vice-Mayor</u> Freddy Fisikelli		<u>Town Financial Administrator</u> Martin Sherwood, CPA CGFO	<u>Assistant Town Administrator/Town Clerk</u> Russell C. Muñiz, MMC

In accordance with the Americans with Disabilities Act of 1990, persons needing special accommodation, a sign language interpreter or hearing impaired to participate in this proceeding should contact the Town Clerk at (954) 434-0008 for assistance no later than four days prior to the meeting.

1. Call to Order/Roll Call

2. Pledge of Allegiance

3. Public Comment

- All Speakers are limited to 3 minutes.
- Public Comment will last for 30 minutes.
- All comments must be on non-agenda items.
- All Speakers must fill out a request card prior to speaking.
- All Speakers must state first name, last name, and mailing address.
- Speakers will be called in the order the request cards were received.
- Request cards will only be received until the first five minutes of public comment have concluded.

4. Board Reports

5. Council Member Comments

6. Legal Comments

7. Administration Comments

8. Resolution – A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF SOUTHWEST RANCHES, FLORIDA, ENDORSING THE BROWARD COUNTY CHIEFS OF POLICE ASSOCIATION COMMITTEE REPORT AND RECOMMENDATION REGARDING THE DOMESTIC VIOLENCE INJUNCTION PROCESS; ENCOURAGING STAKEHOLDERS TO PARTICPATE IN IMPLEMENTING THE RECOMMENDATIONS OF THE BROWARD COUNTY CHIEFS OF POLICE COMMITTEE; AUTHORIZING THE TOWN ADMINISTRATOR TO TRANSMIT THIS RESOLUTION TO THE NECESSARY AGENCIES; AND PROVIDING FOR AN EFFECTIVE DATE.

9. Resolution - A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF SOUTHWEST RANCHES, FLORIDA, SETTING THE PROPOSED MILLAGE RATE AND CURRENT ROLL BACK RATE PURSUANT TO SECTION 200.065, FLORIDA STATUTES; AND ESTABLISHING THE DATE, TIME AND PLACE AT WHICH PUBLIC HEARINGS WILL BE HELD TO CONSIDER THE PROPOSED MILLAGE RATE AND THE TENTATIVE BUDGET FOR FISCAL YEAR 2016; AND DIRECTING THE TOWN CLERK TO FILE SAID RESOLUTION WITH THE PROPERTY APPRAISER OF BROWARD COUNTY PURSUANT TO THE REQUIREMENTS OF FLORIDA STATUTES AND THE RULES AND REGULATIONS OF THE DEPARTMENT OF REVENUE FOR THE STATE OF FLORIDA; DIRECTING THAT A CERTIFIED COPY OF THIS RESOLUTION BE SENT TO THE BROWARD COUNTY PROPERTY APPRAISER AND TAX COLLECTOR; AND PROVIDING AN EFFECTIVE DATE.

10. **Resolution** – A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF SOUTHWEST RANCHES, FLORIDA, RELATING TO THE PROVISION OF SOLID WASTE SERVICES, FACILITIES AND PROGRAMS TO RESIDENTIAL PROPERTIES IN THE TOWN OF SOUTHWEST RANCHES, FLORIDA; PROVIDING AUTHORITY FOR SOLID WASTE SERVICES ASSESSMENTS; PROVIDING PURPOSE AND DEFINITIONS; PROVIDING FINDINGS; INCORPORATING THE SOLID WASTE SPECIAL ASSESSMENT METHODOLOGY REPORT; DIRECTING THE PREPARATION OF AN ASSESSMENT ROLL; AUTHORIZING A PUBLIC HEARING AND DIRECTING THE PROVISION OF NOTICE THEREOF; AND PROVIDING AN EFFECTIVE DATE.
11. **Resolution** – A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF SOUTHWEST RANCHES, FLORIDA, APPROVING THE PRELIMINARY FIRE SERVICES ASSESSMENT RELATING TO THE PROVISION OF FIRE PROTECTION SERVICES, FACILITIES AND PROGRAMS IN THE TOWN OF SOUTHWEST RANCHES, FLORIDA; PROVIDING PURPOSE AND DEFINITIONS; PROVIDING FOR THE IMPOSITION AND COMPUTATION OF FIRE PROTECTION ASSESSMENTS; INCORPORATING THE FIRE PROTECTION ASSESSMENT REPORT; PROVIDING FOR LEGISLATIVE DETERMINATION OF SPECIAL BENEFIT AND FAIR APPORTIONMENT; ESTABLISHING THE RATE OF ASSESSMENT; DIRECTING THE PREPARATION OF A PRELIMINARY ASSESSMENT ROLL; PROVIDING FOR A DISABLED VETERANS EXEMPTION; AUTHORIZING A PUBLIC HEARING AND DIRECTING THE PROVISION OF NOTICE THEREOF; AND PROVIDING AN EFFECTIVE DATE.
12. **Approval of Minutes**
 - a. **June 25, 2015, Regular Town Council Meeting**
13. **Appointments**
 - a. **Comprehensive Planning Advisory Board – Mayor Nelson**
14. **Adjournment**

PURSUANT TO FLORIDA STATUTES 286.0105, THE TOWN HEREBY ADVISES THE PUBLIC THAT IF A PERSON DECIDES TO APPEAL ANY DECISION MADE BY THIS COUNCIL WITH RESPECT TO ANY MATTER CONSIDERED AT ITS MEETING OR HEARING, HE OR SHE WILL NEED A RECORD OF THE PROCEEDINGS, AND THAT FOR SUCH PURPOSE, THE AFFECTED PERSON MAY NEED TO ENSURE THAT A VERBATIM RECORD OF THE PROCEEDING IS MADE, WHICH RECORD INCLUDES THE TESTIMONY AND EVIDENCE UPON WHICH THE APPEAL IS TO BE BASED. THIS NOTICE DOES NOT CONSTITUTE CONSENT BY THE TOWN FOR THE INTRODUCTION OR ADMISSION OF OTHERWISE INADMISSIBLE OR IRRELEVANT EVIDENCE, NOR DOES IT AUTHORIZE CHALLENGES OR APPEALS NOT OTHERWISE ALLOWED BY LAW.

RESOLUTION NO. 2015-____

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF SOUTHWEST RANCHES, FLORIDA, ENDORSING THE BROWARD COUNTY CHIEFS OF POLICE ASSOCIATION COMMITTEE REPORT AND RECOMMENDATION REGARDING THE DOMESTIC VIOLENCE INJUNCTION PROCESS; ENCOURAGING STAKEHOLDERS TO PARTICPATE IN IMPLEMENTING THE RECOMMENDATIONS OF THE BROWARD COUNTY CHIEFS OF POLICE COMMITTEE; AUTHORIZING THE TOWN ADMINISTRATOR TO TRANSMIT THIS RESOLUTION TO THE NECESSARY AGENCIES; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, domestic violence is one of the most wide-spread problems in our society as it affects women, men, and children of all racial, social, religious, ethnic and economic groups, can have a huge range of consequences if it is not addressed, and has even led to death in some cases; and

WHEREAS, the ramifications of domestic violence are staggering and the tragedy of domestic violence touches all of our lives by weakening families, leaving emotional scars as devastating as physical ones and creating a destructive cycle of violence where those who were abused as children may become abusers themselves; and

WHEREAS, the public often bears the financial and economic costs of domestic violence through increased medical expenses, expenditure of social service resources, dedication of precious judicial and law enforcement resources, and other costs; and

WHEREAS, although great strides have been taken to educate people about domestic violence, an average of three women die each day in America; one in four

women and one in thirteen men will be the victim of domestic violence in their lifetime; and domestic violence still often goes unreported; and

WHEREAS, victim survivors of domestic violence are permitted, and even encouraged, to seek emergency protection through a court ordered temporary injunction against domestic violence against an alleged abuser which injunction is intended to prevent contact and/or communication between abusers and victims; and

WHEREAS, the process of obtaining an emergency injunction against domestic violence does not require a hearing or notice to the abuser and, when granted, the protections afforded are effective until such time as the Court sets a hearing; and

WHEREAS, the entry of an emergency injunction against domestic violence allows law enforcement to arrest and take into custody alleged abusers if they violate the terms of the temporary injunction orders; and

WHEREAS, the timely entry of an emergency injunction against domestic violence can minimize the trauma of domestic violence, prevent additional harassment and further abuse, and save lives; and

WHEREAS, there are many reasons a victim survivor of domestic violence may feel afraid or discouraged to seek an emergency injunction against domestic violence, but the legal process of obtaining these necessary protections should not be one of these reasons; and

WHEREAS, currently, in order for any victim survivor of domestic violence to obtain an emergency injunction against domestic violence, the victim in Broward County

must go in person to a single location in Broward County - the main courthouse in downtown Fort Lauderdale; and

WHEREAS, victim survivors often have no choice but to bring their children, and after victims navigate through the courthouse, they go to a room often crowded with victims, advocates and children; and

WHEREAS, some domestic violence victim advocates say the process is slow and can unintentionally discourage victims from seeking protection; and

WHEREAS, some domestic violence victim advocates report victims and their children, despite being encouraged to arrive at the courthouse early in the day, sometimes must wait the entire day at the courthouse before receiving the court-approved temporary injunction order. Some victims are told to come back at 5:00 P.M., an option which may not be realistic. All are told they could alternatively choose to obtain the judge's order entering a temporary injunction order, or denying such, via U.S. mail, which is fraught with delays and potential dangers should the abuser obtain the copy delivered in the mail; and

WHEREAS, as a result of the current process, victim survivors may need to seek leave from their jobs, foregoing money that would have been earned to help them secure safe and alternative housing and other costs of living for themselves and their children because they must wait all day at the courthouse; and

WHEREAS, precious and finite domestic violence advocate resources are consumed assisting victims through the current lengthy process of the securing the temporary injunction order; and

WHEREAS, technology has improved our lives in so many ways. Unfortunately, for victim survivors of domestic violence in Broward County, technological advances have eluded the process of obtaining necessary and timely protections from abusers; and

WHEREAS, New Jersey courts launched a successful program where victim survivors of domestic violence in hospitals are linked through teleconference with hearing officers at the courthouse or to duty judges after hours. The victims give their version of events and the restraining orders are decided immediately; and

WHEREAS, if the process for obtaining restraining orders in New Jersey can be done with technology from busy hospitals, similar techniques should be utilized from satellite courthouses, approved domestic violence shelters and police stations for victim survivors of domestic violence; and

WHEREAS, the Broward County Chiefs of Police Association (BCCPA) formed a Committee to evaluate the current process in Broward County for victim survivors of domestic violence to seek emergency court-order protections; and

WHEREAS, the BCCPA Committee on Domestic Violence Injunction Process in Broward County represented a broad spectrum of stakeholders in Broward County representing law enforcement, the Clerk of Courts, the Office of Trial Court Administration for the Seventeenth Judicial Circuit, the State Attorney's Office, law enforcement victim advocates, victim advocates from domestic violence shelters and organizations, organizations who provide legal assistance to victim survivors, and other organizations who serve as advocates for victim survivors of domestic violence; and

WHEREAS, the BCCPA Committee took months researching and analyzing the law, the process, the challenges victim survivors (and their advocates) face and the resources available to help victim survivors of domestic violence; and

WHEREAS, the BCCPA Committee issued on June 10, 2015 a Report and Recommendation which contained points of consensus and recommendations to improve the process for victims and that was Report and Recommendations was unanimously ratified by the BCCPA; and

WHEREAS, based upon the BCCPA Committee findings, the current legal process in Florida and in Broward County for victim survivors of domestic violence to obtain emergency protections through an injunction against domestic violence is antiquated, unnecessarily laborious and fails to fully meet the challenges faced by victim survivors of domestic violence; and

WHEREAS, amongst the ten (10) broad consensus points and resulting recommendations, the BCCPA Committee unanimously agreed the current Statewide electronic filing system is virtually unavailable to self-represented victim survivors of domestic violence because (a) the manual to learn the e-filing system is one-hundred and one (101) pages long; (b) e-filing requires informational technology infrastructure; (c) e-filing requires some level of information technology sophistication; and (d) in the disorienting circumstances in the aftermath of domestic violence and considering the need for emergency court-ordered protections, it is too much to believe that victims survivors will be able to meaningfully navigate the e-filing system; and

WHEREAS, through the process of the BCCPA Committee work, the Clerk of Courts began some improvements, including dedicating four (4) additional personnel to the injunction process, re-purposing rooms to allow more privacy for victim survivors when seeking emergency court-ordered protections and providing additional information on the Clerk of Court's website; and

WHEREAS, the time has come to utilize and deploy technology to help victim survivors of domestic violence and streamline an antiquated process involving injunctions against domestic violence; and

WHEREAS, the BCCPA Committee identified a number of concerns regarding the process for victim survivors on Broward County to seek injunctions against domestic violence:

- The only location to file a petition seeking protections is at the main courthouse;
- This single location requires victims to travel to the courthouse, sometimes with their children, pay for parking and for some it is a substantial distance;
- The process for filing the petition through actually obtaining an order can take the entire day;
- Those victims waiting for an order providing protection often have children with them and, as a result, the area where victims prepare petitions and wait is often crowded and chaotic;
- To avoid waiting for the entry of an injunction order, victims are told they can have the injunction delivered via US mail; however this is not a realistic option for

most seeking emergency protection in so far as there is time delay in delivery and some victims may not know where they will be in the coming days;

- Technology is not being fully deployed to efficiently process the petitions from filing to execution of an injunction order;

- Electronic filing of petitions for injunction by through the state portal by victims, whether represented or unrepresented, while theoretically available, is simply not a realistic option for victim survivors. The manual to learn how to e-file is 101 pages. E-filing requires computer infrastructure and technology experience to navigate the system;

- The current courthouse has petitioners and respondents (alleged abusers), contrary to established recommendations regarding separation, in the same hallway leading to unsafe and intimidating conditions;

- In the current courthouse in-custody respondents are walked right by the victim survivors due to the lack of a secure transport system;

- There are no accommodations for victims to park, either at the time of filing a petition or during the court process;

- The proposed plan for separation of petitioners and respondents outside the courtrooms in the new courthouse, while well-intentioned, is not sufficient; and

WHEREAS, the BCCPA Committee identified points of consensus:

- There is a need to provide additional safe locations where victims are able to file and process petitions for injunction against domestic violence;

- The current state-wide system for electronic filing of petitions for injunction against domestic violence is not user friendly for *pro se* victims of domestic violence and, therefore, is not a meaningful opportunity for *pro se* victims to avoid in person filing at the singular location in the County;

- The current physical process for victims to obtain certified copies of orders granting injunctions and emergency service packets is an impediment to fully utilizing the capabilities of the electronic filing portal;

- Greater use of technology for the filing and processing of petitions for injunction against domestic violence could streamline the process for the Clerk's office and the Judiciary;

- The Clerk's office and Judiciary, as well as victims, could directly benefit from more domestic violence advocates to guide and assist victims through the process of filing petitions for injunction against domestic violence;

- The current courthouse layout for injunction hearings is less than ideal for victims, adds to the stress on victims and their advocates associated with proceeding through the court process and generates preventable and foreseeable risks and dangers to victims and their advocates;

- While collaboration and cooperation in the planning for the new courthouse as it relates to the domestic violence court process, including the filing of petitions for injunction against domestic violence, gave due consideration to some of the concerns presented in the current courthouse, additional analysis and steps are necessary to fully address concerns noted in this report;

- While the issues facing domestic violence victim survivors as identified herein were focused on Broward County, the Committee notes that these same issues are faced state-wide by victim survivors of domestic violence;

- Any improvements and/or changes to the process for victims to file and seek petition for injunction against domestic violence, including expanded availability of electronic portal filing with the assistance of advocates, requires additional educational efforts community wide;

- The Committee recognizes there are many stakeholders who should be interested in this Report and Recommendation and, therefore, this Report and Recommendation should be distributed widely; and

WHEREAS, the BCCPA issued Recommendations to address the process victim survivors of domestic violence must navigate to obtain necessary emergency protections:

- Implement Legislative Changes to Allow the Full Deployment of Technology to Streamline the Process for Victim Survivors of Domestic Violence;

- Expand E-Signature for Judicial Execution of Injunctions;

- Utilize Regional Courthouses for Filing of Petitions;

- Utilize Regional Courthouses for Production of Certified Orders and Emergency Packets;

- Develop and Implement Process To Provide Certified Copies and Emergency Packets at Designated Approved Locations;

- Expand E-Filing Training (for advocates);

- Validate Parking for Victim Survivors of Domestic Violence Seeking Injunctions and for Final Hearings;
- Develop Partnerships for Transportation;
- Utilize Regional Courthouses for Hearings on Petitions;
- Increase Training for Volunteer Advocates;
- Develop a Domestic Violence Victim Advocates Program;
- Take Appropriate Steps to Increase Security on the 8th Floor Outside Courtrooms;
- Continue to Re-Evaluate a Separate and Secure Waiting Area for Petitioners, Advocates and Counsel;
- Develop and Sustain a System of Notification for In-Custody Transport Through the 8th Floor Hallways;
- The Currently Proposed Expansion of Space for the Clerk's Office Should Be Implemented;
- Additional Dialogue And Analysis Amongst the Stakeholders Regarding the New Courthouse Accommodations and Security Plan related to the Domestic Violence Injunction Process is Necessary;
- Implement A State-Wide Taskforce With Broad Participation to Improve Process for Victim Survivors of Domestic Violence;
- Develop Partnerships With County-Wide Community Groups for Dissemination of Information Regarding the Injunction Process;
- Distribute This Report Widely To All Potential Stakeholders and Media; and

WHEREAS, the implementation of recommendations intended to improve the process for victim survivors of domestic violence will require the participation and cooperation of many, including the state legislators, Broward County Board of County Commissioners, the Clerk of Court for the Seventeenth Judicial Circuit, the Judges of the Seventeenth Judicial Circuit, the State Attorney's Office, Broward Sheriff's Office, law enforcement, advocates and municipalities; and

WHEREAS, implementing the BCCPA Recommendations and improving the process for victim survivors of domestic violence should also improve the process for those seeking emergency court-ordered protections against Repeat Violence, Dating Violence, Sexual Violence, and Stalking.

NOW THEREFORE, BE IT RESOLVED by the Town Council of the Town of Southwest Ranches, Florida:

Section 1. The foregoing Whereas clauses are hereby ratified and incorporated as the legislative intent of this Resolution.

Section 2. The Town Council endorses the June 10, 2015 Report and Recommendations of the Broward County Chiefs of Police Association's Committee on Domestic Violence Injunction Process in Broward County.

Section 3. The Town Council encourages legislators, domestic violence victim advocates, law enforcement, fire-rescue, the Broward County Clerk of Courts, the Broward County Judiciary, the Broward County Board of County Commissioners, Broward County State Attorney's Office and municipalities to participate in the process of implementing the Recommendations meant to streamline, make more efficient and

provide necessary dignity in the process for victim survivors of domestic violence to obtain injunctions against domestic violence.

Section 4. The Town Administrator is hereby directed to distribute a copy of this Resolution to each Mayor and Municipal Commissioner within Broward County, the Broward County Board of County Commissioners, the State Attorney for Broward County, the Broward County Clerk of Courts, and the Broward County Judiciary via the Chief Judge of the Seventeenth Judicial Circuit in and for Broward County.

Section 5. Effective Date. This Resolution shall be effective immediately upon its passage.

PASSED AND ADOPTED by the Town Council of the Town of Southwest Ranches, Florida, this ____ day of _____, 2015.

Nelson _____
Fisikelli _____
Breitkreuz _____
Jablonski _____
McKay _____

Ayes _____
Nays _____
Absent _____
Abstaining _____

Jeff Nelson, Mayor

Attest:

Russell Muñiz, Assistant Town Administrator/Town Clerk

Approved as to Form and Correctness:

Keith Poliakoff, Town Attorney



Town of Southwest Ranches

13400 Griffin Road
Southwest Ranches, FL 33330-2628

(954) 434-0008 Town Hall
(954) 434-1490 Fax

Town Council
Jeff Nelson, Mayor
Freddy Fisikelli, Vice Mayor
Steve Breitreuz, Council Member
Gary Jablonski, Council Member
Doug McKay, Council Member

Andrew D. Berns, MPA, Town Administrator
Keith M. Poliakoff, JD, Town Attorney
Russell C. Muniz, MBA, MPA, MMC, Assistant Town Administrator/Town Clerk
Martin D. Sherwood, CPA CGMA, CGFO, Town Financial Administrator

COUNCIL MEMORANDUM

TO: Honorable Mayor Nelson and Town Council

THRU: Andrew D. Berns, Town Administrator

FROM: Martin D. Sherwood, Town Financial Administrator

DATE: July 23, 2015

SUBJECT: FY 2015-2016 PROPOSED PRELIMINARY MILLAGE RATE

Recommendation

It is recommended that the Town Council ratify the attached Resolution to set the proposed preliminary Millage Rate for Fiscal Year 2015 – 2016 at not higher than 4.3354 mills (\$4.3354 per \$1,000 in taxable value).

Issue

To ratify a proposed preliminary Budget Millage rate for Fiscal Year 2015-2016

Background

The Town of Southwest Ranches received the 2015 Certification of Taxable Value from the Broward County Property Appraiser on July 1, 2015. The Town must now establish a proposed (not-to-exceed) millage that can be mailed with the notice, date, time, and location of our public budget hearings to all property owners. The deadline for returning our proposed millage for our 2015-2016 budget to the Property Appraiser, Tax Collector and Florida Department of Revenue is Tuesday, August 4, 2015.

The maximum super majority millage rate which could be established by ratification of 4 out of 5 Council members is 4.6729 mills would result in an approximately \$164 increase (almost \$14 monthly) per \$250,000 in taxable property value. **The current proposed rate comprises the Town of Southwest Ranches “Historic Rate” (3.9404 mills) plus the impact from the Transportation Surface Drainage Ongoing Rehabilitation (TSDOR) restricted capital project resulting in a net increase of approximately \$80 (-\$19 + \$99, respectively) or approximately \$6.67 monthly in total on the same property. Accordingly, the proposed rate is also considered an increase and as a percentage change of the rolled back rate is 7.95%.**

It should be noted that individual properties of comparable market value likely have different taxable values depending upon a number of factors. A common exemption which may influence taxable value is the \$50,000 Homestead exemption as is the "Save Our Homes." The latter prohibits taxes on any (non-improved) home with that exemption from rising more than 3% annually in taxable value irrespective of the increase in market value.

The proposed millage rate funds vital Public Safety services as well as several Town Council priorities which improve quality of life for those using the services and, ultimately, are expected to raise market values throughout the Town. In addition to TSDOR, a few of these improvements include funding for "Guardrails Installation", "Drainage Improvements", "SW 190th Street Extension" and "Pavement Striping and Markers." Another budgetary item of note is the transfer of funds to pay the normal amortization of borrowed funds/debt previously obtained for land/PROS acquisition and capital projects. Finally, to help reduce the millage (property tax) burden, utilization of \$150,000 and \$106,500 in unassigned General Fund fund balance (reserves) and restricted Fire Control fund balance (reserves), respectively is proposed to be utilized for FY 15/16 to cover the Transportation-Guardrail CIP (\$100,000), the 3rd and final year funding for the Town Hall Roof Replacement CIP (\$50,000) as well as for one-time, Public Safety-Fire Rescue Modular facilities (\$100,000) and to partially fund the Volunteer Fire Pumper Vehicle debt service (\$6,500). The Towns' projected unassigned General Fund fund balance (reserves) at September 30, 2016 is \$3,930,097 and represents 36.88% of the FY 15-16 proposed total General Fund expenditures and transfers. A Government Finance Officers Association (GFOA) "best practice" only recommends the maintenance of unassigned General Fund fund balance (reserves) to about 15-18%.

The resolution before the Town Council tonight does not address budgetary allocations directly. Rather, it establishes an advertised rate for the Truth-In-Millage (TRIM) notices as below explained and notices the community of the public hearing set for:

Tuesday, September 15, 2015 6:00 PM
Town of Southwest Ranches
13400 Griffin Road
Southwest Ranches, FL 33330

Fiscal Impact

Establishing a preliminary Budget millage rate that requires a super majority vote (4 out of 5 members and also known as the Town of Southwest Ranches Historic Rate + TSDOR - see attachment A) with total resulting net revenues of \$5,123,150 will enable the Town Council to evaluate all managements proposed budgeted FY 2015-2016 operating, capital improvement and program modification recommendations (funded and unfunded) while also receiving public discussion and input during our scheduled budget workshop and hearings. Since the rates are a not-to-exceed rate, it can be lowered with no additional "notice" costs. Raising the rate later would require the expense of an additional first class mailing to all Southwest Ranches property owners.

Staff Contact

Martin D. Sherwood, Town Financial Administrator
Richard Strum, Controller

RESOLUTION NO. _____

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF SOUTHWEST RANCHES, FLORIDA, SETTING THE PROPOSED MILLAGE RATE AND CURRENT ROLL BACK RATE PURSUANT TO SECTION 200.065, FLORIDA STATUTES; AND ESTABLISHING THE DATE, TIME AND PLACE AT WHICH PUBLIC HEARINGS WILL BE HELD TO CONSIDER THE PROPOSED MILLAGE RATE AND THE TENTATIVE BUDGET FOR FISCAL YEAR 2016; AND DIRECTING THE TOWN CLERK TO FILE SAID RESOLUTION WITH THE PROPERTY APPRAISER OF BROWARD COUNTY PURSUANT TO THE REQUIREMENTS OF FLORIDA STATUTES AND THE RULES AND REGULATIONS OF THE DEPARTMENT OF REVENUE FOR THE STATE OF FLORIDA; DIRECTING THAT A CERTIFIED COPY OF THIS RESOLUTION BE SENT TO THE BROWARD COUNTY PROPERTY APPRAISER AND TAX COLLECTOR; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, on July 1, 2015 the Property Appraiser of Broward County served upon the Town of Southwest Ranches (the "Town"), a "Certification of Taxable Value" certifying to the Town its 2014 taxable value; and

WHEREAS, the provisions of Section 200.065, Florida Statutes, require that within thirty-five (35) days of service of the Certification of Taxable Value upon a municipality, said municipality shall be required to furnish to the Property Appraiser of Broward County the proposed operating millage rate, the current year rolled-back rate, and the date, time and place at which a first public hearing will be held to consider the proposed millage and the tentative budget; and

WHEREAS, pursuant to Section 200.065, Florida Statutes, the taxing authority must advise the Property Appraiser of said proposed millage rate and of the date, time and place at which a public hearing will be held to consider the proposed millage rate and the tentative budget for the preparation of the Notice of Proposed Property Taxes (TRIM Notice).

NOW, THEREFORE, BE IT RESOLVED by the Town Council of the Town of Southwest Ranches, Florida, as follows:

Section 1. Recitals Adopted. That each of the above stated recitals is hereby adopted and confirmed.

Section 2. That the proposed operating Millage Rate for the first public hearing shall be 4.3354 mills, which is \$4.3354 dollars per \$1,000.00 of assessed property within the Town of Southwest Ranches for the 2015-2016 fiscal year.

Section 3. That the current year rolled-back rate, computed pursuant to 200.065 Florida Statutes, is 4.0162 dollars per \$1,000.00.

Section 4. That the proposed operating millage rate is greater than the rolled-back rate by 7.95%.

Section 5. The date, time and place of the public hearings to consider the above-referenced proposed millage rate and tentative budget shall be as follows:

Date: Tuesday, September 15, 2015
Time: 6:00 PM
Place: Southwest Ranches Council Chambers
13400 Griffin Road
Southwest Ranches, Florida 33330

Date: Tuesday, September 29, 2015
Time: 6:00 PM
Place: Southwest Ranches Council Chambers
13400 Griffin Road
Southwest Ranches, Florida 33330

Section 6. The Town Clerk or designee is hereby directed to send a Certified Copy of this Resolution to the Property Appraiser and Tax Collector for Broward County.

[Signatures on Following Page]

PASSED AND ADOPTED by the Town Council of the Town of Southwest

Ranches, Florida, this 23rd day of July, 2015, on a motion by _____

and seconded by _____.

Nelson _____
Fisikelli _____
Breitkreuz _____
Jablonski _____
McKay _____

Ayes _____
Nays _____
Absent _____

Jeff Nelson, Mayor

ATTEST:

Russell Muniz, Assistant Town Administrator/Town Clerk

Approved as to Form and Correctness:

Keith M. Poliakoff, Town Attorney

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**Fiscal Year 2016 Millage Maximums and Related Information
(Based on Certified Assessment Information)**

Millage Name	Votes Required	Maximum Millage	Total Resulting Net Revenues	Net Revenue Change (from proposed funding level)	FY 2016 levy increase on \$250,000 taxable value
Town of Southwest Ranches Historic Rate	3	3.9404	\$4,656,377	(\$466,700)	(\$19)
Current Year Roll-Back Rate	3	4.0162	\$4,745,950	(\$377,199)	\$0
Adjusted Current Year Roll-Back Rate	3	4.1664	\$4,923,442	(\$199,708)	\$38
Maximum Majority Vote	3	4.2481	\$5,019,987	(\$103,163)	\$58
FY 2014-2015 Adopted Rate (Town of SWR Historic-3.9404 + TSDOR-.3315 Rates)	4	4.2719	\$5,048,112	(\$75,038)	\$64
FY 2015-2016 Proposed Rate (Town of SWR Historic-3.9404 + TSDOR-.3950 Rates)	4	4.3354	\$5,123,150	\$0	\$80
Maximum Super Majority Rate	4	4.6729	\$5,521,974	\$398,824	\$164
Unanimous	5	10.0000	\$11,817,017	\$6,693,867	\$1,496

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Town of Southwest Ranches

13400 Griffin Road
Southwest Ranches, FL 33330-2628

(954) 434-0008 Town Hall
(954) 434-1490 Fax

Town Council
Jeff Nelson, Mayor
Steve Breitzkreuz, Vice Mayor
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Gary Jablonski, Council Member
Doug McKay, Council Member

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Martin D. Sherwood, CPA CGFO, Town Financial Administrator

COUNCIL MEMORANDUM

TO: Honorable Mayor Nelson and Town Council

THRU: Andrew D. Berns, Town Administrator

FROM: Martin D. Sherwood, Town Financial Administrator

DATE: July 23, 2015

SUBJECT: FY 2015-2016 INITIAL SOLID WASTE ASSESSMENT RATES

Recommendation

It is recommended that the Town Council ratify the attached Resolution to set the initial Solid Waste special assessment maximums in accordance with Attachment A.

Issue

This resolution is necessary in order to comply with Florida Statutes, to facilitate the preparation of the Truth in Millage (TRIM) Notices, and to authorize the Town Administrator and Town Financial Administrator to prepare, or cause to be prepared, a preliminary Assessment Roll for the 2016 Fiscal Year.

Since the rates are a not-to-exceed rate, they can be lowered without additional transaction costs. Raising the rate later would require the expense of an additional first class mailing to all Southwest Ranches property owners. Without adoption of this (or similar) resolution no funding would be available to cover the expenses of solid waste & recycling and bulk waste collection and disposal.

Background

Chapter 197.3632, Florida Statutes, and Town Ordinance No. 2002-08, requires the annual adoption of an Initial Solid Waste Assessment Resolution. Proceeds derived by the Town from the Solid Waste Service Assessments will be utilized for the provision of solid waste services, planning, administration, equipment 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 exclusively to fund the qualified expenditures above stated.

The approval of the Estimated Solid Waste Assessment Rate Schedule by the adoption of the Initial Assessment Resolution determines the amount of the Solid Waste Assessed Costs advertised. This initial assessment rate is necessary in order to notify the Property Appraiser of the initial assessment rate and hearing schedule for purposes of the Truth in Millage (TRIM) notifications. The initial assessment rates being proposed are based on a consultant study utilizing tranches of minimums/maximums based on lot square footage ranging from \$389.65 to \$510.01 for residential (not commercial) properties.

Between FY 2013 and FY 2015, the Town of Southwest Ranches was able to reduce the total costs for these services by approximately thirty-seven percent (37%) to arrive at a tightly budgeted proprietary fund where service fees roughly match fund expenditures. For FY 2016, staff has been notified of anticipated expenditure increases to the Town in the form of mandated contractual consumer price and fuel indices adjustments impacting collection and disposal costs as well as increases in other operating expenses, general fund transfers for cost reimbursement which are partially offset by a reduction in the provision for rate stabilization in the grand total amount of \$15,274 (net). Accordingly, Staff is currently proposing a small increase to FY 2016 solid waste assessment rates depending on parcel lot square footage.

The final assessment hearing is scheduled for:

Tuesday, September 15, 2015 at 6:00 PM
Southwest Ranches Town Hall
13400 Griffin Road
Southwest Ranches, FL 33330

Fiscal Impact

Total Solid Waste assessment expenses for FY 2015-2016 are estimated at \$1,100,754. The proposed initial rate(s) reflect less than a 1% increase in total solid waste assessment expenses from the prior fiscal year (2014-2015).

Staff Contact

Martin D. Sherwood, Town Financial Administrator
Richard Strum, Controller

RESOLUTION NO. _____

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

WHEREAS, the Town Council has adopted a Solid Waste Service Assessment Ordinance, Ordinance Number 2002-8 (the "Ordinance") on final reading at the Town Council meeting of June 24, 2002; and

WHEREAS, the adoption of solid waste assessment rates resulting from the Town Council's policy direction requires the annual adoption of an Preliminary Assessment Resolution and the annual adoption of a Final Assessment Resolution, as required under the Ordinance as well as under the Uniform Method of Collection provided under Florida Statutes Chapter 197.3632;

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. 2002-8 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 Preliminary Assessment Resolution as defined in the Ordinance (codified as Sections 16-108 through 16-173 in the Town of Southwest Ranches Code of Ordinances, hereinafter "Code"). 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 one or more Dwelling Units which are specially benefitted by the provision of solid waste collection and disposal services

and which are subject to the Solid Waste Assessments authorized by this Initial Resolution.

"Bulk Waste" means materials including yard trash, white goods, and clean debris, as such terms are defined in §16-108 of the Code, as may be amended, generated from residential activities and those materials generally outlined in §16-19 of the Code as acceptable for bulk trash pickup.

"Commercial Property" or "Non-residential Property" means collectively those Parcels with DOR Codes or Use Codes indicating uses other than single-family residential uses and that have no Dwelling Units present on the parcel. Commercial Property or Non-residential Property, for the purposes of this Resolution, includes commercial, institutional, industrial, vacant/agricultural and other all uses, except for Residential Property as defined in this Initial Resolution. As Non-residential Properties are billed directly for services by the Town's Solid Waste Provider, such parcels are not subject to the Assessments authorized by this Initial Resolution.

"DOR Code" means a property land use code established in Rule 12D-8.008, Florida Administrative Code, assigned by the 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 Solid Waste 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 Solid Waste Assessment, a Dwelling Unit, as defined herein, may be located on parcels other than residential property under the Town's zoning and development regulations.

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

"Household Waste" means and includes garbage, rubbish, and recovered materials, as those terms are defined in §16-108 of the Code, as may be amended, and recyclable materials as defined in §16-24 of the Code, as may be amended, generated from residential activities and excluding Bulk Waste.

“Report” or **“Town of Southwest Ranches Solid Waste Assessment Report”** means the report detailing the development of the Solid Waste Assessment Rates by New Community Strategies amended and revised per Council action dated September 12, 2011.

“Residential Property” means those Assessed Parcels with a DOR Code number on the following list or range: 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 and Use Codes. 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 Solid Waste Assessments, 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. All Residential Property shall be assessed based on the number of Dwelling Units for Household Waste and based on parcel size for Bulk Waste according to the rate schedule in the Report, by New Community Strategies amended and revised per Council action dated September 12, 2011, as may be modified in the Final Resolution adopted after the September 12, 2013 Public Hearing.

“Vacant/Agricultural Property” means those Assessed Parcels designated as vacant or agricultural in the Property Appraiser's Data Base and that have no dwelling units on the parcel. For purposes of this Resolution, Vacant/Agricultural Property is treated as Commercial or Non-residential Property.

Section 3. Provision and Funding of Solid Waste Services.

A. Upon the imposition of a Solid Waste Assessment for solid waste collection and disposal services, facilities, or programs against Assessed Property located within the Town, solid waste collection and disposal services shall be provided to such Assessed Property. It is the Town's intent to fully fund residential solid waste services, facilities, or programs from proceeds of the Solid Waste Assessments. Any costs not funded by the Solid Waste Assessments or costs related to Property on which Solid Waste 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 Solid Waste Assessment revenues.

B. 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 solid waste services, facilities, and programs in an amount not less than the Solid Waste Assessment imposed against such parcel, computed in the manner set forth in this Initial Assessment Resolution.

Section 4. Imposition and Computation of Solid Waste Assessments.

Solid Waste Assessments shall be imposed against all Assessed Parcels according to the applicable property size rate classification. Solid Waste Assessments shall be computed and imposed in the manner set forth in this Preliminary Assessment Resolution, more specifically as presented in the Report by New Community Strategies amended and revised per Council action dated September 12, 2011.

Section 5. Legislative Determination of Special Benefit and Fair Apportionment. It is hereby ascertained, determined, and declared that the solid waste services to be funded by the Solid Waste 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 Solid Waste 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 16-109 and 16-110 of the Code are hereby ratified and confirmed.

B. It is fair and reasonable to use the DOR Codes, Use Codes, number of Dwelling Units, and parcel size data maintained by the 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 and acreage for 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.

C. Where data available from the Property Appraiser was insufficient, the Town has verified and/or supplemented such data as needed 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.

D. Apportioning Solid Waste Assessed Costs among residential property based upon studies of demand for service and waste generation quantities by type of waste stream and by service areas within the Town is fair and reasonable and proportional to the special benefit received.

E. The value of Residential Property does not determine the scope of the required solid waste collection and disposal services. The Town has determined that the special benefit to Assessed Parcels and the demand for solid waste services varies by the type of waste stream. Household Waste has been determined to relate primarily to the number of Dwelling Units on Assessed Parcels. Bulk Waste has been

determined to relate primarily to the size of the parcel. Based upon studies conducted for the Town, the relative potential demand for solid waste services to residential properties is driven by the number of dwelling units for Household Waste and the size of the assessed parcel for Bulk Waste.

F. A Solid Waste Services Assessment Report (SWSAR) by New Community Strategies amended and revised per Council action dated September 12, 2011, analyzed waste generation by type of waste and incorporates findings of several studies of waste generation in the Town. Based on such studies, it has been determined that nearly half of the Town's waste stream results from Bulk Waste, which primarily consists of vegetative debris. Given the high rate of Bulk Waste generation in the Town, it is fair and reasonable to separately analyze the costs of and demand for solid waste services by the following types of waste: Household Waste and Bulk Waste.

G. Household Waste is generated relatively consistently on a per dwelling unit basis. Therefore, it is fair and reasonable to assess for costs related to Household Waste based on the number of Dwelling Units on each Assessed Parcel. Such per dwelling unit rates for Household Waste are fair and reasonable and do not exceed the special benefit to Assessed Parcels.

H. Bulk Waste, including but not limited to vegetative debris and livestock waste, generation rates are generally proportionate to the size of the parcel. Waste generation studies have concluded that areas of the town with larger lots generate substantially greater tonnage of Bulk Waste per parcel than areas of the Town with smaller parcels.

I. It is fair and reasonable to create assessment rate classes for Bulk Waste based on lot square footage ranges identified through analysis of solid waste generation and collection studies performed for the Town. It is fair and reasonable to allocate Bulk Waste assessed costs to each rate class in a manner that increases the share of costs on the assessed parcel as the parcel size increases. Therefore, the proposed Bulk Waste services assessment rates presented in the SWSAR Report are fair and reasonable and do not exceed the special benefit to Assessed Parcels.

Section 6. Determination of Solid Waste Assessed Costs;
Establishment of Initial Solid Waste Assessment Rates.

A. The Solid Waste Assessed Costs to be assessed and apportioned among benefitted parcels for Fiscal Year 2015-2016 commencing October 1, 2015, is the amount determined in the Solid Waste Assessment worksheet, attached as Attachment "A" to this Resolution. The approval of the Estimated Solid Waste Assessment Rate Schedule by the adoption of this Preliminary Assessment Resolution determines the amount of the Solid Waste Assessed Costs. The remainder, if any, of

such Fiscal Year budget for solid waste services, facilities, and programs shall be funded from available Town revenue other than Solid Waste Assessment proceeds.

B. The estimated Solid Waste Assessments specified in the Estimated Solid Waste Assessment Rate worksheet are hereby established to fund the specified Solid Waste Assessed Costs determined to be assessed in Fiscal Year 2015-2016 commencing on October 1, 2015.

C. The estimated Solid Waste Assessments established in this Preliminary Assessment Resolution for Fiscal Year 2015-2016 shall be the estimated assessment rates applied by the Town Administrator in the preparation of the preliminary Assessment Roll for the Fiscal Year commencing October 1, 2015, as provided in Section 7 of this Preliminary Assessment Resolution.

Section 7. Preliminary Assessment Roll. The Town Administrator is hereby directed to prepare, or cause to be prepared, a Preliminary Assessment Roll for the Fiscal Year commencing October 1, 2015, in the manner provided in the Code. The Assessment Roll shall include all Residential Assessed Parcels within the Assessment Rate Categories. The Town Administrator shall apportion the estimated Solid Waste Assessed Cost to be recovered through Solid Waste Assessments in the manner set forth in this Initial Assessment Resolution and the Report.

A. A copy of this Preliminary Assessment Resolution, documentation related to the estimated amount of the Solid Waste Assessed Cost to be recovered through the imposition of Solid Waste 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 Solid Waste Assessment for each parcel of property can be determined by the use of a computer terminal available to Town staff.

B. It is hereby ascertained, determined, and declared that the method of determining the Solid Waste Assessments for residential solid waste services as set forth in this Preliminary Assessment Resolution and the SWSAR report is represented in Attachment "A" and is a fair and reasonable method of apportioning the Solid Waste 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 6:00 p.m. on Tuesday, September 15, 2015, in the Council Chambers in Southwest Ranches Town Hall, 13400 Griffin Road, Southwest Ranches, Florida, at which time the Town Council will receive and consider any comments on the Solid Waste Assessments from the public and affected property owners and consider imposing Solid Waste 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 8 hereof in the manner and time provided in Section 16-143 of the Code. The notice shall be published no later than August 25, 2015.

Section 10. Notice by Mail. The Town Administrator shall also provide notice by first class mail to the Owner of each parcel of Assessed Property, as required by Section 16-144 of the Code. Such notices shall be mailed no later than August 25, 2015. The Town Administrator may direct that such notices be combined with the TRIM notices prepared and mailed by the Property Appraiser.

Section 11. Severability. If any word, phrase, clause, sentence, or section of this resolution is for any reason held unconstitutional or invalid, the invalidity thereof shall not affect the validity of any remaining portions of this Resolution.

Section 12. Application of Assessment Proceeds. Proceeds derived by the Town from the Solid Waste Assessments shall be deposited into the Solid Waste Assessment Fund and used for the provision of solid waste 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 solid waste services, facilities, and programs.

Section 13: Conflicts. All Resolutions or parts of Resolutions in conflict herewith be and the same are hereby repealed to the extent of the conflict.

Section 14: Severability. If any clause, section, or other part or application of this Resolution is held by any court of competent jurisdiction to be unconstitutional or invalid, in part or application, it shall not affect the validity of the remaining portions or applications of this Resolution.

Section 15. This Resolution shall take effect immediately upon its adoption.

[Signatures on Following Page]

PASSED AND ADOPTED by the Town Council of the Town of

Southwest Ranches, Florida, this 23rd day of July 2015, on a motion by _____

_____ and seconded by _____.

Nelson _____
Fisikelli _____
Breitkreuz _____
Jablonski _____
McKay _____

Ayes _____
Nays _____
Absent _____

Jeff Nelson, Mayor

ATTEST:

Russell Muniz, Assistant Town Administrator/Town Clerk

Approved as to Form and Correctness:

Keith Poliakoff, Town Attorney

112554919.1

Town of Southwest Ranches

Proposed FY 2015/2016

Solid Waste Assessment Worksheet

ATTACHMENT A

Sources:

SWS Contract
Broward County Property Appraiser
Munilytics Consultant Study

Description	Solid Waste & Recycling	Bulk Waste	Total Proposed FY 15/16
% Allocation Direct Expenses Only	66%	34%	

Direct Expenses:

Solid Waste Collection	\$ 291,199	\$ -	\$ 291,199
Recycling Collection	\$ 50,922	\$ -	\$ 50,922
Bulk Waste Collection	\$ -	\$ 109,466	\$ 109,466
Solid Waste Disposal	\$ 187,755	\$ -	\$ 187,755
Bulk Waste Disposal	\$ -	\$ 163,132	\$ 163,132
Sub-Total	\$ 529,875	272,598	\$ 802,473

Other Expenses

Statutory Discount	42,956
Collections Cost	42,649
Townwide Personnel\Contractual Costs	185,828
Net Assets Available for Rate Stabilization	26,848
Total Solid Waste Assessment Expenses	\$ 1,100,754

Based On Consultant Study

Assessment	Lot Sq Ft. Range	Number of Units in Range	Solid Waste Cost Per Unit	Bulk Waste Cost Per Parcel	Total Proposed Rates FY 15/16	Total Assessed Rates FY 14/15	Difference: Increase
A	- 41,200	406	286.04	103.61	389.65	387.31	2.34
B	41,201 46,999	419	286.04	123.41	409.45	405.92	3.53
C	47,000 62,999	412	286.04	147.26	433.30	430.34	2.96
D	63,000 95,999	444	286.04	159.80	445.84	443.07	2.77
E	96,000 106,999	441	286.04	183.30	469.34	468.57	0.77
F	107,000 >107,000	419	286.04	223.97	510.01	500.21	9.80

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Town of Southwest Ranches

13400 Griffin Road
Southwest Ranches, FL 33330-2628

(954) 434-0008 Town Hall
(954) 434-1490 Fax

Town Council
Jeff Nelson, Mayor
Freddy Fisikelli, Vice Mayor
Steve Breitreuz, Council Member
Gary Jablonski, Council Member
Doug McKay, Council Member

Andrew D. Berns, MPA, Town Administrator
Keith M. Poliakoff, JD, Town Attorney
Russell C. Muniz, MBA, MPA, MMC, Assistant Town Administrator/Town Clerk
Martin D. Sherwood, CPA CGMA, CGFO, Town Financial Administrator

COUNCIL MEMORANDUM

TO: Honorable Mayor Nelson and Town Council

THRU: Andrew D. Berns, Town Administrator

FROM: Martin D. Sherwood, Town Financial Administrator

DATE: July 23, 2015

SUBJECT: FY 2015-2016 INITIAL FIRE ASSESSMENT RATES

Recommendation

It is recommended that the Town Council ratify the attached Resolution to set the initial Fire special assessment maximums in accordance with Attachment A and which includes ratification for an annual special tax exemption for disabled veterans.

Issue

This resolution is necessary in order to comply with Florida Statutes, to facilitate the preparation of the Truth in Millage (TRIM) Notices, and to authorize the Town Administrator and Town Financial Administrator to prepare, or cause to be prepared, a preliminary Assessment Roll for the 2015-2016 Fiscal Year.

Since the rates are a not-to-exceed rate, they can be lowered without additional transaction costs. Raising the rate later would require the expense of an additional first class mailing to all Southwest Ranches property owners. Without adoption of this (or similar) resolution no funding would be available to cover the expenses of fire protective services.

Background

Chapter 197.3632, Florida Statutes, and Town Ordinance No. 2001-09, requires the annual adoption of an Initial Fire Protection Assessment Resolution. Proceeds derived by the Town from the Fire Protection Assessment will be utilized for the provision of Fire Protective contractual services, planning, facilities, machinery, programs and volunteer fire activities. In the event there is any fund balance remaining at the end of the Fiscal Year, such balance shall be carried forward and used exclusively to fund the qualified expenditures above stated.

The approval of the Preliminary Fire Services Assessment Rate Schedule by the adoption of the Initial Assessment Resolution determines the amount of the Fire Services Assessed Costs to be advertised. This initial assessment rate is necessary in order to notify the Property Appraiser of the initial assessment rate and hearing schedule for purposes of the Truth in Millage (TRIM) notifications. The initial assessment rates being proposed are based on a consultant study utilizing operating costs, work volume (% effort) per property category and the number of assessable taxable units within each property type.

Proposed rates for all property categories are lower than the current year's (FY 2014-2015) rates. The decrease to cost within all categories results primarily from a significant reduction in Volunteer Fire Rescue expenditures (personnel, operating and capital) which more than offset the 4% annual contractual adjustment for the Town of Davie Fire Rescue contractual services as well as the proposed utilization of General Fund restricted Fire control fund balance (reserves) in the amount of \$106,500 requesting funding for one-time, Public Safety-Fire Rescue Modular facilities (\$100,000) and to partially fund the Volunteer Fire Pumper Vehicle debt service (\$6,500). All of these items have been discussed and are presented in the FY 2015-2016 Proposed Budget Book.

The final assessment hearing is scheduled for:

Tuesday, September 15, 2015 @ 6:00 PM

Southwest Ranches Town Hall

13400 Griffin Road

Southwest Ranches, FL 33330

Fiscal Impact

Total proposed Fire Services Assessment expenses are estimated at \$1,766,081. The proposed initial rate(s) reflect a net decrease in total assessment expenses of \$200,684 as compared to the prior years (FY 2014-2015) total adopted assessment expenses of \$1,966,765. This decrease provides for all the previously mentioned contractual, operational and capital expenditures as well as providing for the greatest financial liability while maintaining operational status quo for both the Davie Fire and Volunteer Fire components.

Finally, the Town of Southwest Ranches Resolution No. 2012-034 provides for the complete exemption of qualified disabled veterans from Fire Services Assessments. For FY 2015-2016, nine veterans have qualified for and claimed this exemption (an increase from eight in the prior year). The total dollar impact to the Towns General Fund from nine (9) Property Appraiser qualified disabled veterans are \$3,951 (\$439.02 x 9 residents).

Without adoption, funding for Townwide fire protection services would not be possible.

Staff Contact

Martin D. Sherwood, Town Financial Administrator

Richard Strum, Controller

RESOLUTION NO. _____

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF SOUTHWEST RANCHES, FLORIDA, APPROVING THE PRELIMINARY FIRE SERVICES ASSESSMENT RELATING TO THE PROVISION OF FIRE PROTECTION SERVICES, FACILITIES AND PROGRAMS IN THE TOWN OF SOUTHWEST RANCHES, FLORIDA; PROVIDING PURPOSE AND DEFINITIONS; PROVIDING FOR THE IMPOSITION AND COMPUTATION OF FIRE PROTECTION ASSESSMENTS; INCORPORATING THE FIRE PROTECTION ASSESSMENT REPORT; PROVIDING FOR LEGISLATIVE DETERMINATION OF SPECIAL BENEFIT AND FAIR APPORTIONMENT; ESTABLISHING THE RATE OF ASSESSMENT; DIRECTING THE PREPARATION OF A PRELIMINARY ASSESSMENT ROLL; PROVIDING FOR A DISABLED VETERANS EXEMPTION; AUTHORIZING A PUBLIC HEARING AND DIRECTING THE PROVISION OF NOTICE THEREOF; 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 Service Assessments for fire services, facilities, and programs against Assessed Property located within the Town; and

WHEREAS, pursuant to Ordinance 2001-09, the imposition of a Fire Services Assessment for fire services, facilities, and programs for Fiscal Year 2016 requires certain processes such as the preparation of the Preliminary Fire Services Assessment Roll; and

WHEREAS, annually, a Preliminary Fire Services Assessment 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 imposition of Fire Assessments; and

WHEREAS, the Town Council imposed a Fire Assessment for the previous fiscal year (FY 2015), and the 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, during the Fiscal Year 2013, made a policy decision and adopted Resolution 2012-034, regarding legally recognized disabled veterans who live on homesteaded properties titled in their name in the Town, and who have received a Disabled Veterans ad valorem tax exemption providing them with a 100% exemption for Fire Service Assessments and wish to provide for such exemption for the Fiscal Year 2016.

WHEREAS, the Town Council of the Town of Southwest Ranches, Florida, desires to impose a fire service assessment program within the Town using the tax bill collection method for the Fiscal Year beginning on October 1, 2015, and deems it to be in the best interests of the citizens and residents of the Town of Southwest Ranches to adopt this Preliminary Annual Rate Resolution so that the Town may impose Fire Assessments for Fiscal Year 2016.

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

Section 1: That the foregoing "WHEREAS" clauses are hereby ratified and confirmed as being true and correct and are hereby made a specific part of this Resolution.

Section 2. Authority. This resolution is adopted pursuant to the provisions of Ordinance No. 2001-9, the Preliminary Assessment Resolution (Resolution 2015 -) and sections 166.021 and 166.041, Florida Statutes, and other applicable provisions of law.

Section 3. Purpose and Definitions. This Resolution constitutes the Preliminary Fire Services Assessment Resolution as defined in the Ordinance (codified as Sections 12-19 through 12-85 in the Town of Southwest Ranches Code of Ordinances), which imposes Fire Assessments for the Fiscal Year beginning October 1, 2015. 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:

Section 4. 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. 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 Preliminary Assessment Resolution.

Section 5. 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 Preliminary Assessment Resolution, more specifically as presented in Attachment "A" which utilizes the Assessment methodology in the Fire Assessment (Willdan) Report dated September 12, 2011 and approved by Council on September 12, 2011. 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 6. Legislative Determination of Special Benefit and Fair Apportionment. The legislative determinations of special benefit and fair apportionment embodied in the Preliminary Assessment Resolution are affirmed and incorporated herein by reference.

Section 7. Determination of Fire Protection Assessment costs; Establishment of Preliminary 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 2015-2016, is the amount determined in the Estimated Fire Protection Assessment Rate Schedule as described in the Report, attached as Attachment "A". The approval of the Preliminary Fire Protection Assessment Rate Schedules by the adoption of this Preliminary 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 Preliminary 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 2015-2016 commencing on October 1, 2015.

C. The estimated Fire Protection Assessments established in this Preliminary Assessment Resolution for Fiscal Year 2015-2016 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, 2015, as provided in Section 7 of this Preliminary Assessment Resolution.

Section 8. 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, 2015, 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 Preliminary 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 Preliminary Assessment Resolution and the Report attached as Attachment "A" is a fair and reasonable method of apportioning the Fire Protection Assessed Cost among parcels of Assessed Property located within the Town.

Section 9. Recognized Disabled Veterans Exemption. Legally recognized Disabled Veterans, who live on homesteaded properties titled in their name within the Town, who have received a disabled veteran's ad valorem tax exemption, shall be exempt from the collection of the Fire Assessment. The Town shall buy down this 100% exemption with non-assessment funds.

Section 10. Authorization of Public Hearing. There is hereby established a public hearing to be held at 6:00 p.m. on Tuesday, September 15, 2015 in the Council Chambers in Southwest Ranches Town Hall, 13400 Griffin Road, 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 11. 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 25, 2015.

Section 12. 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 25, 2015. The Town Administrator may direct that such notice be combined with the TRIM notices prepared and mailed by the Property Appraiser.

Section 13. 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 14. 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 15. Effective Date. This Resolution shall take effect immediately upon its adoption.

PASSED AND ADOPTED by the Town Council of the Town of Southwest Ranches, Florida, this 23rd day of July, 2015, on a motion by _____

and seconded by _____.

Nelson _____
Fisikelli _____
Breitkreuz _____
Jablonski _____
McKay _____

Ayes _____
Nays _____
Absent _____

Jeff Nelson, Mayor

ATTEST:

Russell Muñiz, Assistant Town Administrator/Town Clerk

Approved as to Form and Correctness:

Keith Poliakoff, Town Attorney

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Town of Southwest Ranches
Proposed FY 2015/2016
Fire Assessment Worksheet

ATTACHMENT A

Sources:

Fire Administration Department
 Volunteer Fire Service Department
 Volunteer Fire Fund

Expenditures	Total FY 2015-2016 Proposed	General Fund Portion	Fire Assessment Portion
% Allocation per Consultant Study for FR Contractual Services Only		57.70%	42.30%

Direct Expenses:

Fire Rescue Contractual Service	\$ 2,686,174	\$ 1,549,922	\$ 1,136,252
Personnel Expenses	34,695	N/A	34,695
Operating Expenses	241,561	N/A	241,561
Non-Operating Debt	25,500	N/A	25,500
Capital Outlay	45,881	N/A	45,881
Sub-Total	\$ 3,033,811	\$ 1,549,922	\$ 1,483,889

Other Expenses

Publication & Notification Costs	5,000
Statutory Discount	75,928
Collections Cost	29,678
Fire Assessment Cost Allocation of Townwide Personnel/Contractual Costs	171,586
Total Fire Assessment Expenses	\$ 1,766,081

Based On Consultant Study

Property Category	Assess Unit Type	% Effort Allocation	Amount	Total Proposed Rates FY 15/16	Total Assessed Rates FY 14/15	Difference: (Decrease)
Residential - 2530 Units	Per Dwelling Unit	62.8912%	1,110,709	439.02	474.36	(35.34)
Commercial - 330,749 SF	Per Sq.Ft. Bldg Area	15.0283%	265,412	0.80	0.86	(0.06)
Indust/Warehouse - 118,168 SF	Per Sq.Ft. Bldg Area	9.5818%	169,222	1.43	1.54	(0.11)
Institutional - 476,409 SF	Per Sq.Ft. Bldg Area	6.2499%	110,378	0.23	0.25	(0.02)
Vacant/Agricultural - 1,492 Acre	Per Acre	6.2488%	110,359	73.97	79.43	(5.46)
Total		100%	\$ 1,766,081			

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REGULAR MEETING MINUTES OF THE TOWN COUNCIL
Southwest Ranches, Florida

Thursday 7:00 PM

June 25, 2015

13400 Griffin Road

Present:

Vice Mayor Freddy Fisikelli
Council Member Steve Breitkreuz
Council Member Gary Jablonski
Council Member Doug McKay

Andrew Berns, Town Administrator
Keith Poliakoff, Town Attorney
Martin Sherwood, Town Financial Administrator
Russell Muñiz, Assistant Town Administrator

Regular Meeting of the Town Council of Southwest Ranches was held at 13400 Griffin Road in the Southwest Ranches Council Chambers. The meeting, having been properly noticed, was called to order by Vice Mayor Fisikelli at 7:03 PM. Mayor Nelson was absent. Attendance was noted by roll call and was followed by the Pledge of Allegiance.

The following motion was made by Council Member Breitkreuz, seconded by Council Member Jablonski and passed by 4-0 roll call vote. The vote was as follows: Council Members Breitkreuz, Jablonski, McKay, and Vice Mayor Fisikelli voting Yes.

MOTION: TO EXCUSE MAYOR NELSON.

Representative Richard Stark attended and provided an update on the recent legislative session.

3. Presentation – SEAB Student Scholarships – Kathy Sullivan, Chair

The following motion was made by Council Member McKay, seconded by Council Member Jablonski and passed by 4-0 roll call vote. The vote was as follows: Council Members Breitkreuz, Jablonski, McKay, and Vice Mayor Fisikelli voting Yes.

MOTION: TO ACCEPT THE RECOMMENDATION OF THE SCHOOLS EDUCATION ADVISORY BOARD (SEAB) FOR SCHOLARSHIP RECIPIENTS.

4. Presentation – Kevin Hart, South Broward Drainage District

Kevin Hart, District Director of the South Broward Drainage District displayed a PowerPoint presentation that illustrated current and future projects that would impact the Town.

5. Public Comment – The following members of the public addressed the Town Council:
Newell Hollingsworth, Debbie Green, and Bob Hartmann.

6. Board Reports

Bob Hartmann, Chair of the Drainage and Infrastructure Advisory Board thanked Kevin Hart and the South Broward Drainage District for their efforts in assisting the Town with drainage projects.

Aster Knight, Chair of the Aster Knight Parks Foundation, spoke of a classic car show fundraiser that he was working on which would occur at the Rolling Oaks Barn. He indicated he would provide further information in the future.

7. Council Member Comments

Council Member Breitzkreuz spoke about the scheduled Grand Opening of Country Estates Park on Saturday June 27, 2015 and indicated he was looking forward to it. He spoke about the recent community meetings regarding TSDOR, and advised that paving should begin in November or December. He spoke about the Governor's veto of line items in the budget that would have funded various traffic improvement projects in Town. Responding to comments from the public he indicated that there was nothing new in the works regarding the Corrections Corporation of America (CCA), but they had requested to renew their plat which the Town agreed to renew.

Council Member McKay spoke about the Metropolitan Planning Organization (MPO) meeting on July 9th at which the proposed Park and Ride project would be discussed. He spoke about the Town's opposition to this project and encouraged all interested parties to attend.

Council Member Jablonski reminded everyone about the Rolling Oaks July 4th celebration that would be held at the Rolling Oaks Barn and encouraged everyone to attend. He asked that everyone be mindful of pets in the Town as fireworks are set off.

Vice Mayor Fisikelli spoke about the possible widening of Griffin Road discussed at the MPO meeting he previously attended.

8. Legal Comments

Town Attorney Poliakoff clarified that CCA was seeking to renew their plat with Broward County. The Town has no involvement with the renewal. Should they choose to move forward, the only regulatory involvement the Town would have is in the issuance of the building permit. He clarified that CCA already has an approved site plan, and an approved plat. He further clarified that the only other possible scenario requiring Town involvement is if CCA had a deal with a Federal entity to develop the project, the Town would have to be the contracting party.

9. Administration Comments

Town Administrator Berns spoke about the preparation for the Country Estates Grand Opening ceremony. He spoke about the Governor's vetos in the last legislative session, and how it affected Town projects. He reminded Council that he would be going on vacation post meeting. Lastly, he indicated he would be distributing a memo that provided a status update on the Town's

irrigation system since it was turned over from Luke's Landscaping to Prestige Property Maintenance.

- 10. Resolution** – A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF SOUTHWEST RANCHES, FLORIDA, APPROVING A COMPREHENSIVE PROPOSAL FOR TOWN-WIDE TREE TRIMMING BY PRESTIGE PROPERTY MAINTENANCE; AND PROVIDING AN EFFECTIVE DATE.

The following motion was made by Council Member McKay, seconded by Council Member Breitkreuz and passed by 4-0 roll call vote. The vote was as follows: Council Members Breitkreuz, Jablonski, McKay, and Vice Mayor Fisikelli voting Yes.

MOTION: TO APPROVE THE RESOLUTION.

- 11. Resolution** – A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF SOUTHWEST RANCHES, FLORIDA, APPROVING THE FIRST MODIFICATION TO THE TOWN'S NEW AGREEMENT WITH C.A.P. GOVERNMENT, INC. FOR PLANS REVIEW AND BUILDING INSPECTION SERVICES, TO EXTEND THE CONTRACT FOR AN ADDITIONAL THREE YEAR TERM AND CLARIFYING THE TOWN'S FEE FOR PROJECTS VALUED IN EXCESS OF \$25,000,000; DIRECTING THE APPROPRIATE TOWN OFFICIALS TO EXECUTE THE FIRST MODIFICATION TO THE AGREEMENT; AND PROVIDING FOR AN EFFECTIVE DATE.

The following motion was made by Council Member McKay, seconded by Council Member Breitkreuz and passed by 4-0 roll call vote. The vote was as follows: Council Members Breitkreuz, Jablonski, McKay, and Vice Mayor Fisikelli voting Yes.

MOTION: TO APPROVE THE RESOLUTION.

- 12. Approval of Minutes**
a. **May 28, 2015, Regular Town Council Meeting**

The following motion was made by Council Member McKay, seconded by Council Member Jablonski and passed by 4-0 roll call vote. The vote was as follows: Council Members Breitkreuz, Jablonski, McKay, and Vice Mayor Fisikelli voting Yes.

MOTION: TO APPROVE THE MINUTES.

13. Adjournment – Meeting was adjourned at 8:22 p.m.

Respectfully submitted:

Russell Muñiz, MMC, Assistant Town Administrator/Town Clerk

*Adopted by the Town Council on
this 23rd day of July, 2015.*

Jeff Nelson, Mayor

PURSUANT TO FLORIDA STATUTES 286.0105, THE TOWN HEREBY ADVISES THE PUBLIC THAT IF A PERSON DECIDES TO APPEAL ANY DECISION MADE BY THIS COUNCIL WITH RESPECT TO ANY MATTER CONSIDERED AT ITS MEETING OR HEARING, HE OR SHE WILL NEED A RECORD OF THE PROCEEDINGS, AND THAT FOR SUCH PURPOSE, THE AFFECTED PERSON MAY NEED TO ENSURE THAT VERBATIM RECORD OF THE PROCEEDING IS MADE, WHICH RECORD INCLUDES THE TESTIMONY AND EVIDENCE UPON WHICH THE APPEAL IS TO BE BASED THIS NOTICE DOES NOT CONSTITUTE CONSENT BY THE TOWN FOR THE INTRODUCTION OR ADMISSION OF OTHERWISE INADMISSIBLE OR IRRELEVANT EVIDENCE, NOR DOES IT AUTHORIZE CHALLENGES OR APPEALS NOT OTHERWISE ALLOWED BY LAW.

Comprehensive Plan Advisory Board

Name	Appointing Council Member	Staff Liaison	Council Liaison
Vacant	Mayor Nelson	Emily McCord Aceti	Council Member Breitkreuz
Bob Hartmann	Vice Mayor Freddy Fisikelli		
Newell Holingsworth	Council Member Breitkreuz		
Ken Cimmetta	Council Member Jablonski		
George Morris	Council Member McKay		