

### Southwest Ranches Town Council REGULAR MEETING

Agenda of July 25, 2019

Southwest Ranches Council Chambers 7:00 PM Thursday 13400 Griffin Road Southwest Ranches, FL 33330

<u>Mayor</u>	Town Council	Town Administrator	Town Attorney
Doug McKay	Freddy Fisikelli	Andrew D. Berns	Keith M. Poliakoff, J.D.
<u>Vice Mayor</u>	Bob Hartmann	Town Financial	Assistant Town
Gary Jablonski	Denise Schroeder	<b>Administrator</b>	Administrator/Town Clerk
		Martin Sherwood, CPA CGFO	Russell C. Muniz, 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

#### **Resolutions**

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF 8. SOUTHWEST RANCHES, FLORIDA, APPROVING A PURCHASE ORDER IN THE AMOUNT OF TEN THOUSAND FIVE HUNDRED AND FIFTY DOLLARS AND ZERO CENTS (\$10,550.00) WITH DYKES CUSTOM BARNS AND FENCING TO REMOVE AND REPLACE THE EXISTING FENCE AT THE COUNTRY ESTATES FISHING HOLE PARK: AUTHORIZING THE MAYOR, TOWN ADMINISTRATOR, AND TOWN ATTORNEY TO ENTER INTO A PURCHASE ORDER: APPROVING A BUDGET AMENDMENT TO THE FISCAL YEAR 2018/2019 BUDGET FOR THE COUNTRY ESTATES PARK PERIMETER FENCING IMPROVEMENT PROJECT: AND PROVIDING AN EFFECTIVE DATE. {Tabled from June 27, 2019}

- A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF 9. 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 2020: 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. 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 PROTECTION FIRE 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 AN EXEMPTION FOR VETERAN'S SERVICE-CONNECTED TOTAL AND PERMANENT DISABILITY; AUTHORIZING A PUBLIC HEARING AND DIRECTING THE PROVISION OF NOTICE THEREOF; AND **PROVIDING AN EFFECTIVE DATE.**
- 11. 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; PROVIDING FOR AN EXEMPTION FOR VETERAN'S SERVICE-CONNECTED TOTAL AND PERMANENT DISABILITY; AUTHORIZING A PUBLIC HEARING AND DIRECTING THE PROVISION OF NOTICE THEREOF; AND PROVIDING AN EFFECTIVE DATE.
- 12. A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF SOUTHWEST RANCHES, FLORIDA, AUTHORIZING THE PURCHASE OF A FIRE STATION ALERTING SYSTEM FROM KEYLITE POWER AND LIGHTING CORP. IN THE AMOUNT OF EIGHTY-THREE THOUSAND TWENTY-FOUR DOLLARS AND SEVENTEEN CENTS (\$83,024.17); AND PROVIDING FOR AN EFFECTIVE DATE.

#### **Discussion**

13. Request for Direction on US 27 Employment Center Permitted Uses -Mayor McKay

#### 14. Approval of Minutes

a. April 25, 2019 Regular Meeting

#### 15. 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.



Town of Southwest Ranches 13400 Griffin Road Southwest Ranches, FL 33330-2628

(954) 434-0008 Town Hall (954) 434-1490 Fax Town Council Doug McKay, *Mayor* Gary Jablonski, *Vice Mayor* Freddy Fisikelli, *Council Member* Bob Hartmann, *Council Member* Denise Schroeder, *Council Member* 

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

#### COUNCIL MEMORANDUM

- TO: Honorable Mayor McKay and Town Council
- VIA: Andrew D. Berns, Town Administrator
- FROM: December Lauretano-Haines, PROS Manager
- **DATE:** 7/25/2019
- SUBJECT: Country Estates Park Perimeter Fencing Improvement

#### **Recommendation**

This Resolution approving an agreement with Dykes Custom Barns and Fencing for the Count Estates Park Perimeter Fencing Improvement Project is offered for your consideration an approval.

Unanimous Vote of the Town Council Required?

No

#### **Strategic Priorities**

- B. Enhanced Resource Management
- C. Reliable Public Safety
- D. Improved Infrastructure

#### **Background**

Country Estates Park is located at the intersection of Griffin Road and SW 190<sup>th</sup> Avenue in Southwest Ranches. The Town acquired the 16-acre former landscape nursery with grants from Broward County and Florida Communities Trust, and agreed to develop the site for outdoor public recreation.

Improvement of the park's appearance along Griffin Road is appropriate at this time. The existing high-security fence was installed long before the Town's acquisition and development of park improvements. Damaged in many places, this needs replacing. Removal and replacement

with fencing more suitable to recreational purposes will enhance the park significantly. The Town budgeted Ten Thousand, Seven Hundred Dollars (\$10,700) for the project in Fiscal Year 2017/2018, but proposals received significantly exceeded the budgeted amount. Therefore, the amount unspent was retained in the Capital Projects Assigned Fund Balance.

In Fiscal Year 2018/2019; the Town revised the project specifications, modifying the scope to achieve greater affordability as well as increased safety for users of the playground adjacent to the fence location and the neighboring Griffin Road Right of Way.

Four proposals were received.

Ace Fence Co.	\$14,272
All Pro Fence Builders	\$13,700
Samada Fence, Inc.	\$11,130
Dykes Custom Barns and	\$10,550
Fencing	

The project includes, removal and disposal of the existing chain link fence and razor wire, and installation of 640 linear feet of five foot (5') high, black, vinyl-coated chain link fence. After reviewing the proposals, it was determined that Dykes Custom Barns and Fencing was the lowest proposer. Staff is anticipating final completion within the month of July before current fiscal year end (September 30, 2019).

#### Fiscal Impact/Analysis

Ten Thousand, Seven Hundred Dollars (\$10,700) was available for improvements in Account # 301-5300-572- 63200 during FY 2018 of which \$10,700 was unspent and retained in the Capital Projects Fund assigned for Capital Projects Fund Balance.

Pursuant to the fact that the Capital Projects assigned fund balance at 9/30/2018 is \$84,417 staff recommends the full appropriation of \$10,550 to fund and complete this project. A budget amendment is required to increase the accounts as follows:

#### **Revenue Account:**

301-0000-399-39900	\$10,550	(Appropriated Fund Balance-	Governmental)
Total		\$10,550	

#### **Expenditure Account:**

301-5300-5	572-63200 \$1	0,550 (	Infrastructure –
Country Es	states/Fishing	Hole	Park)
	\$10,550	)	

Total

#### Staff Contact:

December Lauretano-Haines, Parks Recreation and Open Space Manager

#### ATTACHMENTS:

Description Memo Upload DateType6/11/2019Executive Summary

July 25, 2019 Regular Meeting

CE Park Fencing Res - TA Approved Dykes Proposal Samada Proposal All Pro Proposal Ace Proposal

6/21/2019	Resolution
6/11/2019	Backup Material
5/30/2019	Backup Material
5/30/2019	Backup Material
5/30/2019	Backup Material



Town of Southwest Ranches 13400 Griffin Road Southwest Ranches, FL 33330-2628

(954) 434-0008 Town Hall (954) 434-1490 Fax Town Council Doug McKay, Mayor Gary Jablonski, Vice Mayor Freddy Fisikelli, Council Member Bob Hartmann, Council Member Dee Schroeder, Council Member

Andrew D. Berns, Town Administrator Keith M. Poliakoff, JD, Town Attorney Russell Muñiz, Assistant Town Administrator Martin D. Sherwood, CPA, CGMA, CGFO, Town Financial Administrator

### COUNCIL MEMORANDUM

- TO: Honorable Mayor McKay and Town Council
- **THRU:** And rew D. Berns, Town Administrator
- **FROM:** December Lauretano-Haines Parks Recreation and Open Space Manager
- **DATE:** May 29, 2019

#### SUBJECT: Country Estates Park Perimeter Fencing Improvement Project

#### **Recommendation**

This Resolution approving an agreement with Dykes Cattle, LLC for the Country Estates Park Perimeter Fencing Improvement Project is offered for your consideration and approval.

#### **Strategic Priorities**

This item supports the following strategic priorities identified in the Town's adopted strategic plan.

#### **Strategic Priorities**

- B. Enhanced Resource Management
- C. Reliable Public Safety
- D. Improved Infrastructure

#### **Background**

Country Estates Park is located at the intersection of Griffin Road and SW 190<sup>th</sup> Avenue in Southwest Ranches. The Town acquired the 16-acre former landscape nursery with grants from Broward County and Florida Communities Trust, and agreed to develop the site for outdoor public recreation.

Improvement of the park's appearance along Griffin Road is appropriate at this time. The existing high-security fence was installed long before the Town's acquisition and development of park improvements. Damaged in many places, this needs replacing. Removal and replacement with fencing more suitable to recreational purposes will enhance the park significantly. The Town budgeted Ten Thousand, Seven Hundred Dollars (\$10,700) for the project in Fiscal Year 2017/2018, but proposals received significantly exceeded the budgeted amount. Therefore, the amount unspent was retained in the Capital Projects Assigned Fund Balance.

In Fiscal Year 2018/2019; the Town revised the project specifications, modifying the scope to achieve greater affordability as well as increased safety for users of the playground adjacent to the fence location and the neighboring Griffin Road Right of Way.

Four proposals were received.

Ace Fence Co.	\$14,272
All Pro Fence Builders	\$13,700
Samada Fence, Inc.	\$11,130
Dykes Cattle, LLC	\$10,550

The project includes, removal and disposal of the existing chain link fence and razor wire, and installation of 640 linear feet of five foot (5') high, black, vinyl-coated chain link fence.

After reviewing the proposals, it was determined that Dykes Cattle, LLC was the lowest responsive and responsible proposer. Staff is anticipating final completion within the month of July before current fiscal year end (September 30, 2019).

#### Fiscal Impact/Analysis

Revenue Account:

Ten Thousand, Seven Hundred Dollars (\$10,700) was available for improvements in Account # 301-5300-572- 63200 during FY 2018 of which \$10,700 was unspent and retained in the Capital Projects Fund assigned for Capital Projects Fund Balance.

Pursuant to the fact that the Capital Projects assigned fund balance at 9/30/2018 is \$84,417 staff recommends the full appropriation of \$10,550 to fund and complete this project. A budget amendment is required to increase the accounts as follows:

Revenue Account.			
301-0000-399-39900	\$10,550	(Appropriated Fund Balance-	Governmental)
Total	\$10,550		
Expenditure Account:			
301-5300-572-63200	\$10,550	(Infrastructure – Country Es	tates/Fishing
		Hole Park)	
Total	\$10,550		
01-55 0 1 1			

#### Staff Contact:

December Lauretano-Haines, Parks Recreation and Open Space Manager

#### **RESOLUTION NO.** 2019-XXX

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF SOUTHWEST RANCHES, FLORIDA, APPROVING A PURCHASE ORDER IN THE AMOUNT OF TEN THOUSAND FIVE HUNDRED AND FIFTY DOLLARS AND ZERO CENTS (\$10,550.00) WITH DYKES CUSTOM BARNS AND FENCING TO REMOVE AND REPLACE THE EXISTING FENCE AT THE COUNTRY ESTATES FISHING HOLE PARK; AUTHORIZING THE MAYOR, TOWN ADMINISTRATOR, AND TOWN ATTORNEY TO ENTER INTO A PURCHASE ORDER; APPROVING A BUDGET AMENDMENT TO THE FISCAL YEAR 2018/2019 BUDGET FOR THE COUNTRY ESTATES PARK PERIMETER FENCING IMPROVEMENT PROJECT; AND PROVIDING AN EFFECTIVE DATE.

**WHEREAS,** the existing high-security fence at Country Estates Fishing Hole Park was installed prior to the Town's acquisition of the property; and

**WHEREAS,** the Town has developed park improvements including a picnic area, open space field, and playground at this park; and

**WHEREAS,** improvement of the park's appearance along Griffin Road by removal of the damaged existing security fence and replacement with fencing more suitable to recreational purposes is appropriate at this time; and

**WHEREAS,** the Town budgeted Ten Thousand, Seven Hundred Dollars and Zero Cents (\$10,700.00) for the Country Estates Park Perimeter Fencing Improvement Project in Fiscal Year 2017/2018 and was retained within the Capital Projects Fund Assigned Fund Balance; and

**WHEREAS,** proposals received in response to the Town's request significantly exceeded the budgeted amount in Fiscal Year 2017/2018 and the funding was retained in the Capital Projects Fund; and

**WHEREAS,** in Fiscal Year 2018/2019; the Town reviewed and revised the project specifications, modifying the type of fencing to achieve greater affordability as well as safety for users of the playground adjacent to the fence location; and

**WHEREAS,** the Town received four (4) proposals for this project, from Ace Fence Co. in the amount of Fourteen Thousand, Two Hundred and Seventy-Two Dollars and Zero Cents (\$14,272.00), All Pro Fence Builders in the amount of Thirteen Thousand, Seven Hundred Dollars and Zero Cents (\$13,700.00), Samada Fence, Inc. in the amount of Eleven Thousand, One Hundred and Thirty Dollars and Zero Cents

(\$11,130.00), and Dykes Custom Barns and Fencing in the amount of Ten Thousand, Five Hundred and Fifty Dollars and Zero Cents (\$10,550.00); and

**WHEREAS,** after reviewing the proposals, it was determined that Dykes Custom Barns and Fencing submitted the lowest responsive and responsible proposal meeting the specifications for the project; and

**WHEREAS**, the Town of Southwest Ranches desires to enter into a purchase order with Dykes Custom Barns and Fencing under the terms and conditions set forth hereinafter.

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

**Section 1.** The above-referenced recitals are true and correct and are incorporated herein by reference.

**Section 2.** The Town Council hereby approves a purchase order in the amount of Ten Thousand, Five Hundred and Fifty Dollars and Zero Cents (\$10,550.00) with Dykes Custom Barns and Fencing to complete the Country Estates Fishing Hole Park Griffin Road fence removal and replacement project, in accordance with their proposal attached hereto as Exhibit "A", which is incorporated herein by reference.

**Section 3.** The Town Council hereby authorizes the Mayor, Town Administrator and Town Attorney, to enter into a purchase order with Dykes Custom Barns and Fencing in substantially the same form as that attached hereto as Exhibit "A" and to make such modification, additions and or deletions which they deem necessary and proper to effectuate the intent of this Resolution.

**Section 4.** The Town Council hereby approves the necessary budget amendment for the Country Estates Park Perimeter Fencing Improvement project as follows: increasing Capital Projects Fund – Infrastructure – Country Estates Fishing Hole Park expenditure account (301-5300-572-63200) in the amount of Ten Thousand, Five Hundred and Fifty Dollars and Zero Cents (\$10,550.00).

**Section 5.** 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 <u>27<sup>th</sup></u> day of <u>June</u>, 2019, on a motion by

	an	d seconded by	
McKay Jablonski Fisikelli Hartmann Schroeder		Ayes Nays Absent	

Doug McKay, Mayor

ATTEST:

Russell Muñiz, Assistant Town Administrator/Town Clerk

Approved as to Form and Correctness:

Keith Poliakoff, J.D., Town Attorney

#### DYKES CATTLE, LLC

Custom Barns and Fencing

5745 Dykes Road Southwest Ranches, FL 33331 954-658-9975

**TO:** December Haines Town of Southwest Ranches 13400 Griffin Road Southwest Ranches, FL 33330 954-343-7452

### PROPOSAL

PROPOSAL # 100 6/6/19

#### SHIP TO:

December Haines Town of Southwest Ranches 13400 Griffin Road Southwest Ranches, FL

SALESPERSON	P.O. NUMBER	REQUISITIONER	SHIPPED VIA	F.O.B. POINT	TERMS
ЈD					50% in advance; 50% upon completio n

ITEM	QUANTITY	DESCRIPTION RATE	AMOUNT
Chain link fence	650'	Remove existing fence	\$10,550
		Dispose of the debris	
		Install new 60" fence	
		Black vinyl coated	
		9 ga. Wire and commercial hardware	
		SUBTOTAL	\$10,550
		SALES TAX	-
		SHIPPING & HANDLING	-
		TOTAL DUE	\$10,550

Make all checks payable to Dykes Cattle, LLC

#### THANK YOU FOR YOUR BUSINESS!

#### DYKES CATTLE, LLC

Custom Barns and Fencing

5745 Dykes Road Southwest Ranches, FL 33331 954-658-9975

**TO:** December Haines Town of Southwest Ranches 13400 Griffin Road Southwest Ranches, FL 33330 954-343-7452

### PROPOSAL

PROPOSAL # 100-A 6/6/19

#### SHIP TO:

December Haines Town of Southwest Ranches 13400 Griffin Road Southwest Ranches, FL

SALESPERSON	P.O. NUMBER	REQUISITIONER	SHIPPED VIA	F.O.B. POINT	TERMS
јр					50% in advance; 50% upon completio n

ITEM	QUANTITY	DESCRIPTION RATE	AMOUNT
Chain link fence	650'	Remove existing fence	\$20,300
		Dispose of the debris	
		Install new 60" fence	
		Black vinyl coated	
		9 ga. Wire and commercial hardware	
		High security wire (1" fabric)	
		SUBTOTAL	\$20,300
		SALES TAX	-
		SHIPPING & HANDLING	-
		TOTAL DUE	\$20,300

Make all checks payable to Dykes Cattle, LLC

#### THANK YOU FOR YOUR BUSINESS!

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Upon signing by purchaser, this become a binding contract

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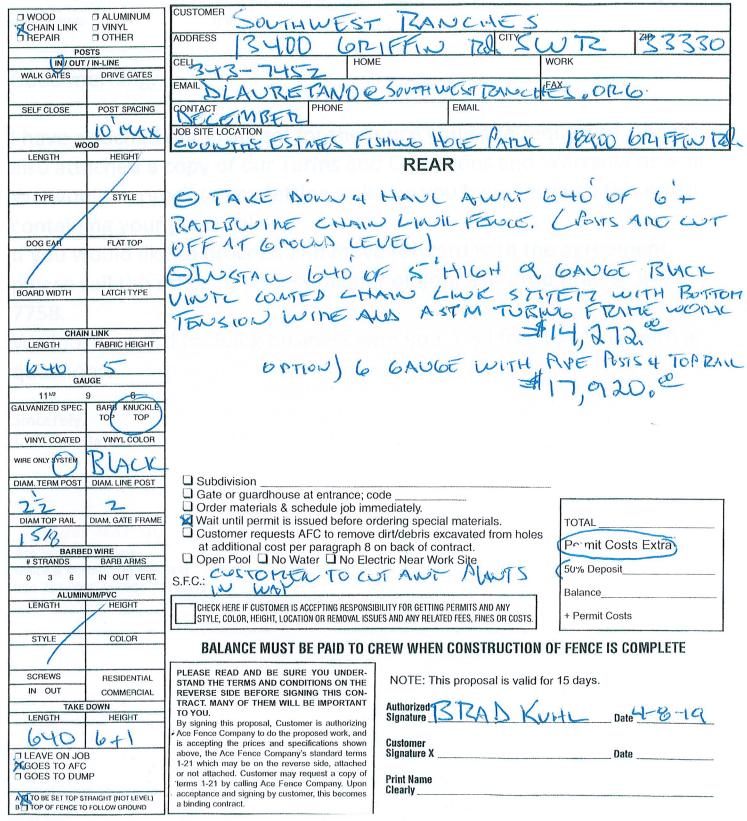
### **Proposal - Contract**

2773 N.W. 26th Street Fort Lauderdale, Florida 33311 (954) 733-0030 • (561) 790-1940 FAX (954) 731-8859 acefence1961.com

23715



LICENSES: Broward: 06-F-13256-X / Palm Beach: U-21216





Town of Southwest Ranches 13400 Griffin Road Southwest Ranches, FL 33330-2628

(954) 434-0008 Town Hall (954) 434-1490 Fax Town Council Doug McKay, *Mayor* Gary Jablonski, *Vice Mayor* Freddy Fisikelli, *Council Member* Bob Hartmann, *Council Member* Denise Schroeder, *Council Member* 

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

#### **COUNCIL MEMORANDUM**

- TO: Honorable Mayor McKay and Town Council
- VIA: Andrew D. Berns, Town Administrator
- FROM: Martin D. Sherwood, Town Financial Administrator
- **DATE:** 7/25/2019

SUBJECT: FY 2019-2020 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 2019 – 2020 at not higher than 4.6564 mills (\$4.6564 per \$1,000 in taxable value) also known as the "roll-back" rate.

Unanimous Vote of the Town Council Required?

No

#### **Strategic Priorities**

- A. Sound Governance
- B. Enhanced Resource Management
- C. Reliable Public Safety
- D. Improved Infrastructure
- E. Cultivate a Vibrant Community

#### **Background**

The Town of Southwest Ranches received the 2019 Certification of Taxable Value from the Broward County Property Appraiser by July 1, 2019. 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 2019-2020 budget to the Property Appraiser, Tax Collector and Florida Department of Revenue is Friday, August 2, 2019.

The current proposed rate is equal to the roll-back millage rate and can be established by ratification of 3 out of 5 Council members. This rate comprises the Town of Southwest Ranches regular operating rate (4.2125) plus the impact from the Transportation Surface Drainage Ongoing Rehabilitation (TSDOR-.4439 mills) committed capital project resulting in a net change of \$0 in total per \$250,000 in taxable property value. Accordingly, the proposed roll-back rate also means the Town will receive no additional revenue from property taxes in FY 2020 as compared to the prior year.

It should be noted that individual properties of comparable market value likely have different taxable values depending upon several 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. However, property owners whose taxable values has not changed, will experience a 3.75% reduction in the property taxes at this proposed – "roll-back" rate.

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 operational improvements and, ultimately, are expected to raise market values throughout the Town. In addition to TSDOR, a couple of these capital improvements include continued funding for "Drainage Improvements" and "Frontier Trails Park". Another budgetary item of note is the transfer of funds to pay the normal amortization of borrowed funds/Debt previously obtained for public purpose land/PROS acquisition and capital projects as well as for the unanticipated, short-term financing necessary under our emergency line of credit due to Hurricane Irma. Finally, it shall be noted that no utilization in unassigned General Fund fund balance at September 30, 2020 is \$3,614,365 which represents slightly over 28% of the FY 19-20 proposed total General Fund expenditures and transfers. A Government Finance Officers Association (GFOA) "best practice" recommends the maintenance of unassigned General Fund fund balance of 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:

Thursday September 12, 2019 @ 6:00 PM Town of Southwest Ranches 13400 Griffin Road Southwest Ranches, FL 33330

#### Fiscal Impact/Analysis

Establishing a preliminary Budget millage rate that requires a majority vote (3 out of 5 members and also known as the Town of Southwest Ranches regular operating + TSDOR - see Exhibit A) with total resulting net revenues of \$6,549,694 will enable the Town Council to evaluate all management's proposed budgeted FY 2019-2020 operating, capital improvement and program modification recommendations (15 funded and 23 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

#### ATTACHMENTS:

Description	Upload Date	Туре
Proposed 19-20 Millage_Rate-TA Approved	7/17/2019	Resolution
RESO FY 2020 Proposed Preliminary Millage Rate-07252019- Exhibit A	7/15/2019	Resolution

#### **RESOLUTION NO. 2019-XXX**

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 2020; 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, 2019 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 2018 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 4.6564 mills, which is \$4.6564 dollars per \$1,000 of assessed property within the Town of Southwest Ranches for the 2019-2020 fiscal year.

**Section 3.** That the current year rolled-back rate, computed pursuant to 200.065 Florida Statutes, is \$4.6564 dollars per \$1,000.

**Section 4.** That the proposed operating millage rate is greater than the rolledback rate by 0%.

**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: Thursday, September 12, 2019 Time: 6:00 PM Place: Southwest Ranches Council Chambers 13400 Griffin Road Southwest Ranches, Florida 33330

Date: Thursday, September 26, 2019 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 <u>25<sup>th</sup></u> day of <u>July</u>, 2019, on a motion by

\_\_\_\_\_ and seconded by \_\_\_\_\_\_.

McKay \_\_\_\_\_ Jablonski \_\_\_\_\_ Fisikelli \_\_\_\_\_ Hartmann \_\_\_\_\_ Schroeder \_\_\_\_\_ Ayes \_\_\_\_\_ Nays \_\_\_\_\_ Absent \_\_\_\_\_

Doug McKay, Mayor

ATTEST:

Russell Muniz, Assistant Town Administrator/Town Clerk

Approved as to Form and Correctness:

Keith M. Poliakoff, Esq., Town Attorney

35633858.1

#### **EXHIBIT A**

		-	ums and Related essment Informa			
Millage Name	Votes Required	Maximum Millage	Total Resulting Net Revenues	Net Revenue Change (from prior year adopted rate funding level)	FY 2020 levy increase per \$250,000 of taxable value	
FY 2019-2020 Proposed Rate (Town of SWR Operating 4.2125 + TSDOR .4439 Rates) Current Year Roll-Back Rate	3	4.6564	\$6,549,694	(\$245,733)	\$0 *	
Maximum Majority Vote	3	4.8143	\$6,771,796	(\$23,631)	\$39	
FY 2018-2019 Adopted Rate (Town of SWR Operating 4.4969 + TSDOR .3342 Rates)	4	4.8311	\$6,795,427	(\$20,001)	\$44	
Maximum Super Majority Rate	4	5.2957	\$7,448,934	\$653,507	\$160	
Unanimous (Maximum)	5	10.0000	\$14,066,004	\$7,270,577	\$1,336	

**Note:** \* Property owners without a change in net taxable value will receive a real cash reduction of 3.75% in their Town of Southwest Ranches portion of their tax bill due to the proposed reduction in the millage rate from 4.8311 to 4.6564.



Town of Southwest Ranches 13400 Griffin Road Southwest Ranches, FL 33330-2628

(954) 434-0008 Town Hall (954) 434-1490 Fax Town Council Doug McKay, *Mayor* Gary Jablonski, *Vice Mayor* Freddy Fisikelli, *Council Member* Bob Hartmann, *Council Member* Denise Schroeder, *Council Member* 

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

#### **COUNCIL MEMORANDUM**

- TO: Honorable Mayor McKay and Town Council
- VIA: Andrew D. Berns, Town Administrator
- **FROM:** Martin Sherwood, Town Financial Administrator
- **DATE:** 7/25/2019

SUBJECT: FY 2019-2020 Proposed 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 Exhibit A and which includes ratification for an annual special 100% tax exemption for 100% service-connected disabled veterans.

#### Unanimous Vote of the Town Council Required?

No

#### **Strategic Priorities**

- A. Sound Governance
- C. Reliable Public Safety

#### **Background**

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 2019-2020 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.

Chapter 197.3632, Florida Statutes, and Town Ordinance No. 2001-09, requires the annu

adoption of an Initial Fire Protection Assessment Resolution. Proceeds derived by the Town fro the Fire Protection Assessment will be utilized for the provision of Fire Protective contractu services, planning, facilities, machinery, programs and volunteer fire activities. In the event there any fund balance remaining at the end of the Fiscal Year, such balance shall be carried forward a used exclusively to fund the qualified expenditures above stated.

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

Proposed rates for property categories are <u>lower</u> from the current year's (FY 2018-2019) rate: The net dollar decrease of (\$53,395) within all property categories result primarily from anticipate allocable fire protection contractual increase of \$62,375 due to a negotiated and approved five ( year Public Safety – Fire contract with the Town of Davie effective October 1, 2017 offset by reduction in three components; 1. The installation of a fire station alerting system completed durin the prior year (\$80,000), 2. Volunteer Fire Departmental operating and capital expenditure (\$24,369), and 3. Other direct expenses (\$11,401). The proposed budget also funds;

- a. A capital Improvement relating to a continued provision for Fire Wells replacement and installation.
- b. Significant program modifications related to the Volunteer Fire Rescue operations to improve the quality of safety equipment for personnel (i.e. SCBA mask fit certification equipment & Bunker Gear) as well as continue with a provision for the replacement of a Volunteer Fire Apparatus.

All of the above items have been discussed and are presented in the FY 19-20 Proposed Budg Book.

#### The final Fire assessment hearing is scheduled for:

Thursday, September 12, 2018 @ 6:00 PM Southwest Ranches Town Hall, 13400 Griffin Road, Southwest Ranches, FL 33330

#### Fiscal Impact/Analysis

Total proposed Fire Services Assessment expenses are estimated at \$2,174,225 per Exhibit A. As previously mentioned, the proposed initial rate(s) reflect a net decrease in total assessment expenses of (\$53,395) as compared to the prior years (FY 2018-2019) total adopted assessment expenses of \$2,227,620. This decrease also provides for all the above contractual, operating and capital expenditures as well as an annual provision for a new Town and a new Volunteer Fire vehicle while also providing the greatest financial liability and maintaining operational status quo residents expect and desire from both the Davie Fire Rescue and Southwest Ranches Volunteer Fire Rescue components.

Finally, the Town of Southwest Ranches Resolution No. 2012-034 initially provided for the comple

exemption of 100% service-connected qualified disabled veterans from Fire Services Assessmer pursuant to a unanimous vote on June 23, 2011. For FY 2019-2020, eleven veterans have qualific for and claimed this exemption (an increase from 10 in the prior year). The total dollar impact to the Towns General Fund from eleven (11) Property Appraiser 100% service-connected qualific disabled veterans is \$5,758.61 (\$523.51 x 11 residents). Additionally, it shall also be noted that the general fund millage impact of imposed FS 170.01 (4) pertaining to a full Fire Assessme exemption for vacant agricultural property is \$62,838.60 (#660 acres x \$95.21).

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

#### Staff Contact:

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

#### ATTACHMENTS:

Description Proposed Initial Fire Assessment Rates- - TA Approved Exhibit "A"

Upload Date	Туре
7/17/2019	Resolution
7/13/2019	Exhibit

#### **RESOLUTION NO. 2019-**

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** AND COMPUTATION OF IMPOSITION FIRE PROTECTION INCORPORATING **ASSESSMENTS**; THE FIRE PROTECTION ASSESSMENT **REPORT;** PROVIDING FOR LEGISLATIVE DETERMINATION OF SPECIAL BENEFIT AND FAIR APPORTIONMENT; ESTABLISHING THE RATE OF ASSESSMENT; OF DIRECTING THE PREPARATION Α PRELIMINARY ASSESSMENT ROLL; PROVIDING FOR AN EXEMPTION FOR VETERAN'S SERVICE-CONNECTED TOTAL AND PERMANENT **DISABILITY: 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 2020 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 2019), 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 an initial 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 Veteran's Service-Connected Total and Permanent Disability ad valorem tax exemption providing them with a 100% exemption for Fire Service Assessments pursuant

to a June 23, 2011 unanimous vote and wish to provide for such exemption for the Fiscal Year 2020.

**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, 2019, 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 2020.

# 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 2018-062) and sections 166.021 and 166.041, Florida Statutes, and other applicable provisions of law.

<u>Section 3</u>. 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, 2019. 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:

<u>Section 4.</u> 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 Exhibit "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 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.

<u>Section 6.</u> 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 including the provisions of FS 170.01 (4); Notwithstanding any other provision of law, a municipality may not levy special assessments for the provision of fire protection services on lands classified as agricultural lands under FS. <u>193.461</u> as may be amended from time to time, unless the land contains a residential dwelling or nonresidential farm building, with the exception of an agricultural pole barn, provided the nonresidential farm building exceeds a just value of \$10,000. Such special assessments must be based solely on the special benefit accruing to that portion of the land consisting of the residential dwelling and curtilage, and qualifying nonresidential farm buildings. As used in this subsection, the term "agricultural pole barn" means a nonresidential farm building in which 70 percent or more of the perimeter walls are permanently open and allow free ingress and egress.

#### <u>Section 7</u>. 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 2019-2020, is the amount determined in the Estimated Fire Protection Assessment Rate Schedule as described in the Report, attached as Exhibit "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.

July 25, 2019 Regular Meeting

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 2019-2020 commencing on October 1, 2019.

C. The estimated Fire Protection Assessments established in this Preliminary Assessment Resolution for Fiscal Year 2019-2020 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, 2019, 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, 2019, 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 Exhibit "A" is a fair and reasonable method of apportioning the Fire Protection Assessed Cost among parcels of Assessed Property located within the Town.

<u>Section 9.</u> Recognized Disabled Veterans Exemption. Legally recognized Disabled Veterans, who live on homesteaded properties titled in their name within the Town, who have received a veteran's service-connected total and permanent disability 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 Thursday, September 12, 2019 in the Council Chambers in Southwest Ranches Town Hall, 13400 Griffin Road, Southwest Ranches,

July 25, 2019 Regular Meeting

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 Friday August 23, 2019.

**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 Saturday August 24, 2019. The Town Administrator may direct that such notice be combined with the TRIM notices prepared and mailed by the Broward County 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.

<u>Section 14.</u> 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.

[Signatures on Following Page]

# PASSED AND ADOPTED by the Town Council of the Town of Southwest Ranches,

Florida, this 25th day of July, 2019, on a motion by \_\_\_\_\_

and seconded by \_\_\_\_\_\_.

McKay Jablonski Fisikelli Hartmann Schroeder		Ayes Nays Absent	
--	--	------------------------	--

Doug McKay, Mayor

ATTEST:

Russell Muñiz, Assistant Town Administrator/Town Clerk

Approved as to Form and Correctness:

Keith Poliakoff, Town Attorney

#### Town of Southwest Ranches Proposed FY 2019/2020 Fire Assessment Worksheet

### EXHIBIT A

#### Sources:

Fire Administration Department Volunteer Fire Service Department

Volunteer Fire Fund

Expenditures	Total FY 2019-2020 Proposed	Ge	eneral Fund Portion	As	Fire ssessment Portion
% Allocation per Consultant Study for FR Contractual Services Only			57.70%		42.30%
Direct Expenses:					
Fire Rescue Contractual Service	\$ 3,474,318	\$	2,004,681	\$	1,469,637
Operating Expenses	286,807		N/A		286,807
Non-Operating Debt	29,485		N/A		29,485
Capital Outlay	46,808		14,000		32,808
Sub-Total	\$ 3,837,418	\$	2,018,681	\$	1,818,737
Other Expenses					
Publication & Notification Costs					1,407
Statutory Discount					91,917
Collections Cost Fire Assessment Cost Allocation of To		26,372			
Personnel\Contractual Costs		196,793			
Fire Protection/Control Contingency		39,000			
Total Fire Assessment Expenses				\$	2,174,225

#### **Based On Consultant Study**

Property Category	Assess Unit Type	% Effort Allocation	Amount	Total Proposed Rates FY 19/20	Total Assessed Rates FY 18/19	Difference: (Decrease)
Residential - 2612 Units	Per Dwelling Unit	62.8912%	1,367,396	523.51	543.65	(20.14)
Commercial - 836,399 SF	Per Sq.Ft. Bldg Area	15.0283%	326,749	0.39	0.99	(0.60)
Indust/Warehouse - 130,604 SF	Per Sq.Ft. Bldg Area	9.5818%	208,330	1.60	1.84	(0.24)
Institutional - 551,029 SF	Per Sq.Ft. Bldg Area	6.2499%	135,887	0.25	0.29	(0.04)
Vacant\Non-Agricul1,427 Acres	Per Acre	6.2488%	135,863	95.21	96.00	(0.79)
Total	-	100% \$	2,174,225			

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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 Doug McKay, *Mayor* Gary Jablonski, *Vice Mayor* Freddy Fisikelli, *Council Member* Bob Hartmann, *Council Member* Denise Schroeder, *Council Member* 

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

# COUNCIL MEMORANDUM

- **TO:** Honorable Mayor McKay and Town Council
- VIA: Andrew D. Berns, Town Administrator
- **FROM:** Martin D. Sherwood, Town Financial Administrator
- **DATE:** 7/25/2019

SUBJECT: FY 2019-2020 Proposed Initial Solid Waste Assessment Rates

# **Recommendation**

It is recommended that the Town Council ratify the attached Resolution to set the initial Solid Wast special assessment maximums in accordance with Exhibit A and which includes ratification for an annual special 50% tax exemption for 100% service-connected disabled veterans.

# Unanimous Vote of the Town Council Required?

No

# **Strategic Priorities**

- A. Sound Governance
- B. Enhanced Resource Management
- E. Cultivate a Vibrant Community

# **Background**

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 2020 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.

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 So 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 event the Fiscal Year, such balance shall be carried forward and used exclusively to fund the qualific 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 Cos 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 (TRIN notifications. The initial assessment rates being proposed are reduced from the prior year all based on a consultant study utilizing tranches of minimums/maximums based on lot square footage ranging from \$593.01 to \$879.74 for residential (not commercial) properties.

For the period from FY 2013 through FY 2017, the Town of Southwest Ranches benefitted from a below market priced five-year contract negotiated for solid and bulk waste collection, recycling and disposal services which had an overall rate decrease of approximately 35% and of which savings were directly passed through to community members. As an alternative to losing solid waste collection services, a competitive bid process was initiated and ultimately, the Towns new service provider – Waste Pro, Inc was awarded a contract which called for an initial increase of approximately 73% for FY 2017/2018 to come up to market values. This significant percentage increase was initially subsidized by the Town. While there have been significant increases to users over the past two years, they have been historically "smoothed" and conservatively estimated pending an initial year "true-up" as a matter of Town Council equity in policy.

For FY 2019/2020, we proudly propose a decrease in all residential categories averaging 5.4%, depending on parcel lot size square footage. This occurred due to successful Management and Legal negotiations obtaining a <u>permanently</u> reduced bulk disposal maximum generation factor from 4.67 to 3.73 tons per unit per year, which was partially offset by annual collection element contract adjustments. Contract adjustments include: 1) an increase based on the Miami/Fort Lauderdale consumer price index and 2) an increase in the year-to-year fuel adjustment indices. The annual dollar range of decrease is \$21.77 to \$68.63 depending on parcel lot size square footage. Total proposed solid waste assessment expenses have deceased \$75,403 to \$1,813,747 from \$1,889,150 all while continuing to maintain a fully user-based operation.

### The final assessment hearing is scheduled for:

Thursday September 12, 2019 at 6:00 PM Southwest Ranches Town Hall 13400 Griffin Road Southwest Ranches, FL 33330

### **Fiscal Impact/Analysis**

For FY 2020 and pursuant to Exhibit A attached, it is recommended and proposed that t residential assessment rate for up to 41,200 in lot square footage would decrease from \$614.78 \$593.01 annually (a savings of \$21.77 or 3.5%) while the assessment rate for more than 106,999 lot square footage would decrease from \$948.37 to \$879.74 annually (a savings of \$68.63 7.2%). Future year changes will depend upon the impact from mandated contractual consumer pri and fuel indices adjustments.

Finally, starting initially with FY 2017/2018 the Town of Southwest Ranches has continued to provi for a 50% exemption from Solid Waste assessments for 100% service-connected qualified disable veterans pursuant to a unanimous vote of Town Council. For FY 2019-2020, eleven veterans ha qualified for and claimed this exemption (an increase from 10 in the prior year). The total dol impact to the Towns General Fund from eleven (11) Property Appraiser 100% service-connect qualified disabled veterans is approximately \$3,261.56 (50% of \$6,523.11).

### Staff Contact:

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

## ATTACHMENTS:

Description	Upload Date	Туре
Proposed Initial Solid Waste Assessment Rates-TA Approved		Resolution
RESO FY 2020 Initial SW Assess-FINAL-07252019-EXHIBIT	7/15/2019	Resolution

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#### **RESOLUTION NO. 2019-XXX**

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; PROVIDING FOR AN EXEMPTION FOR VETERAN'S SERVICE-CONNECTED TOTAL AND PERMANENT **DISABILITY;** 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 a 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;

**WHEREAS,** the Town Council, during the Fiscal Year 2018, made an initial policy decision, 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 50% exemption for Solid Waste and Bulk Waste Assessments pursuant to R-2017-058 approved on September 13, 2017 via unanimous vote and wish to provide for such exemption for the Fiscal Year 2020.

**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.

<u>Section 2</u>. 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, Use Codes or Usage indicating more than just singlefamily residential uses and that may 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. Combination Commercial or Non-residential uses with single-family residential uses are subject to the Assessments authorized by this Initial Resolution they shall be billed directly for services by the Town's Solid Waste Provider.

**"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. Where the use of a parcel indicates a use different from the DOR Code assigned to the parcel, the Town has the authority to impose a rate based on the use regardless of the DOR Code assigned to the parcel.

**"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 Exhibit "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. Combination Commercial or Non-residential uses with single family residential uses are subject to the Assessments authorized by this Initial Resolution in addition they shall be billed directly for services by the Town's Solid Waste Provider.

**"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. As such, Commercial or Nonresidential Properties shall be billed directly for services by the Town's Solid Waste Provider, such parcels are not subject to the Assessments authorized by this Initial Resolution.

#### Section 3. Provision and Funding of Solid Waste Services.

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.

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.

<u>Section 4.</u> 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.

<u>Section 5.</u> 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.

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.

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. 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.

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.

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.

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.

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.

Bulk Waste, including but not limited to vegetative debris and solely residential 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. 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.

#### <u>Section 6.</u> 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 2019-2020 commencing October 1, 2019, is the amount determined in the Solid Waste Assessment worksheet, attached as Exhibit "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 2019-2020 commencing on October 1, 2019.

C. The estimated Solid Waste Assessments established in this Preliminary Assessment Resolution for Fiscal Year 2019-2020 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, 2019, 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, 2019, 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 Exhibit "A" and is a fair and reasonable method of apportioning the Solid Waste Assessed Cost among parcels of Assessed Property located within the Town.

<u>Section 8.</u> Recognized Disabled Veterans Exemption. Legally recognized Disabled Veterans, who live on homesteaded properties titled in their name within the Town, who have received a veteran's service-connected total and permanent disability ad valorem tax exemption, shall be partially exempt from the collection of the Fire Assessment. The Town shall buy down this 50% exemption with non-assessment funds.

<u>Section 9.</u> Authorization of Public Hearing. There is hereby established a public hearing to be held at 6:00 p.m. on Thursday, September 12, 2019, 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 10.** 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 Friday August 23, 2019.

**Section 11.** 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 Saturday August 24, 2019. The Town Administrator may direct that such notices be combined with the TRIM notices prepared and mailed by the Property Appraiser.

<u>Section 12.</u> 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.

<u>Section 13.</u> 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 Townwide solid waste services, facilities, and programs.

**Section 14**: **Conflicts.** All Resolutions or parts of Resolutions in conflict herewith be and the same are hereby repealed to the extent of the conflict.

<u>Section 15:</u> 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 16.** 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 <u>25th</u> day of <u>July</u>, <u>2019</u>, on a motion by

\_\_\_\_\_ and seconded by \_\_\_\_\_\_.

McKay \_\_\_\_\_ Jablonski \_\_\_\_\_ Fisikelli \_\_\_\_\_ Hartmann \_\_\_\_\_ Schroeder \_\_\_\_\_ Ayes \_\_\_\_\_ Nays \_\_\_\_\_ Absent \_\_\_\_\_

Doug McKay, Mayor

ATTEST:

Russell Muniz, 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 2019/2020 Solid Waste Assessment Worksheet

#### EXHIBIT A

WastePro of Florida, Inc Contract Broward County Property Appraiser Munilytics Consultant Study

Sources:

Warmy too Consultant Olday							
Description	Solid Waste & Recycling			Bulk Waste	Total Proposed FY 19/20		
% Allocation Direct Expenses Only		47%		53%			
Direct Expenses:							
Solid Waste Collection	\$	409,369	\$	-	\$	409,369	
Recycling Collection	\$	105,767	\$	-	\$	105,767	
Bulk Waste Collection	\$	-	\$	376,875	\$	376,875	
Solid Waste Disposal	\$	146,891	\$	-	\$	146,891	
Bulk Waste Disposal	\$	-	\$	379,598	\$	379,598	
Sub-Total Cost of Service	\$	662,027	\$	756,473	\$ :	1,418,500	
Other Expenses							
					\$	00 000	
Statutory Discount						88,909	
Collections Cost and Other					\$	55,178	
Townwide Personnel\Contractual Costs					\$	251,160	
Total Solid Waste Assessment Expenses					<u>Ş</u> :	1,813,747	

#### **Based On Consultant Study**

Assessment	Lot Sq I	Ft. Range	Number of Units in Range	So	lid Waste Cost Per Unit	Bu	Ik Waste Cost Per Unit	Total oposed Rates Y 19/20	As	Total ssessed Rates Y 18/19	Difference: Decrease)
Α	-	41,200	406	\$	324.33	\$	268.68	\$ 593.01	\$	614.78	\$ (21.77)
В	41,201	46,999	428	\$	324.33	\$	314.55	\$ 638.88	\$	666.13	\$ (27.25)
С	47,000	62,999	417	\$	324.33	\$	379.00	\$ 703.32	\$	737.29	\$ (33.97)
D	63,000	95,999	452	\$	324.33	\$	406.52	\$ 730.84	\$	772.98	\$ (42.14)
E	96,000	106,999	467	\$	324.33	\$	448.84	\$ 773.17	\$	824.88	\$ (51.71)
F	107,000	>107,000	440	\$	324.33	\$	555.41	\$ 879.74	\$	948.37	\$ (68.63)

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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 Doug McKay, *Mayor* Gary Jablonski, *Vice Mayor* Freddy Fisikelli, *Council Member* Bob Hartmann, *Council Member* Denise Schroeder, *Council Member* 

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

# COUNCIL MEMORANDUM

- TO: Honorable Mayor McKay and Town Council
- VIA: Andrew D. Berns, Town Administrator
- **FROM:** Chief Lee Bennett
- **DATE:** 7/25/2019
- **SUBJECT:** Authorizing the purchase of a Fire Station Alerting System from Keylite Power & Lighting Corp.

# **Recommendation**

To place this item on the agenda for Council consideration and approval for the purchase of a Fire Station Alerting System in the amount of \$83,024.17.

Unanimous Vote of the Town Council Required?

No

# **Strategic Priorities**

- A. Sound Governance
- C. Reliable Public Safety

# **Background**

Fire Stations alerting systems are a mandatory part of the Broward County Emergency Communication System and a critical and necessary component for operations. During FY 2019 Broward County upgraded its emergency communication system and therefore, the current system in Station 112/82 located at 17220 Griffin Road is not compatible with the new Broward County communication system.

The Town desires to piggyback the Broward County and Keylite Power & Lighting Corp contract (RFP R1426611P1) to purchase a new alerting system for the Fire Station. The new alerting system will cost Eighty-Three Thousand Twenty-Four Dollars and Seventeen Cents

(\$83,024.17). This includes Eighty-One Thousand, Four Hundred and Seventy Dollars and Twenty-Nine Cents (\$81,470.29) for the installation and set-up. Additionally, One Thousand, Five Hundred and Fifty-Three Dollars and Eighty-Eight Cents (\$1,553.88) for "Standard Support" maintenance (upgraded from "Basic Support") for one year through FY 2020 (see Exhibit "A"). This system will allow reliable and dependable station-wide alerts which is in the best interest of the Town.

## Fiscal Impact/Analysis

The Fire Alerting System does not require a budget amendment. Although \$80,000 was budgeted in FY 2018-2019 and the system cost \$83, 024.17, the difference of \$3,024.17 will be absorbed in the current budget through other line items within the Volunteer Fire department.

# Staff Contact:

Lee Bennett, Volunteer Fire Department Chief Darren Bock, Volunteer Fire Department Captain Martin Sherwood, Town Financial Administrator Mara Semper, Procurement and Budget Officer

### ATTACHMENTS:

Description Resolution - Alerting System - TA Approved Exhibit "A" Upload DateType7/17/2019Resolution7/16/2019Exhibit

#### RESOLUTION NO. 2019 -\_\_\_\_

#### A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF SOUTHWEST RANCHES, FLORIDA, AUTHORIZING THE PURCHASE OF A FIRE STATION ALERTING SYSTEM FROM KEYLITE POWER AND LIGHTING CORP. IN THE AMOUNT OF EIGHTY-THREE THOUSAND TWENTY-FOUR DOLLARS AND SEVENTEEN CENTS (\$83,024.17); AND PROVIDING FOR AN EFFECTIVE DATE.

**WHEREAS**, Fire Stations alerting systems are a mandatory part of the Broward County Emergency Communication System and a critical and necessary component for operations; and

**WHEREAS**, Broward County upgraded its emergency communication system during FY 2019; and

**WHEREAS,** the current system in Station 112/82 located at 17220 Griffin Road is not compatible with the new Broward County communication system; and

**WHEREAS,** the Town desires to piggyback the Broward County and Keylite Power & Lighting Corp contract (RFP R1426611P1) to purchase a new alerting system for the Fire Station; and

**WHEREAS,** the new alerting system will cost Eighty-Three Thousand Twenty-Four Dollars and Seventeen Cents (\$83,024.17). This includes Eighty-One Thousand, Four Hundred and Seventy Dollars and Twenty-Nine Cents (\$81,470.29) for the installation and set-up. Additionally, One Thousand, Five Hundred and Fifty-Three Dollars and Eighty-Eight Cents (\$1,553.88) for "Standard Support" maintenance (upgraded from "Basic Support") for one year through FY 2020 (see Exhibit "A"); and

**WHEREAS,** The Town budgeted Eighty Thousand Dollars and Zero Cents (\$80,000) in FY 2018-2019 for the alerting system. However, a budget amendment will not be required for the difference of Three Thousand, Twenty-Four Dollars and Seventeen Cents (\$83,024.17 - \$80,000 = \$3,024.17) as this amount will be absorbed in the current budget through other line items within the Volunteer Fire department; and

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

**SECTION 1.** The foregoing recitals are true and correct and are incorporated herein by reference.

35578791.1

**SECTION 2.** The Town Council hereby authorizes the Town Administrator to execute a Purchase Order with Keylight Power & Lighting Corp. in the amount of Eighty-Three Thousand Twenty-Four Dollars and Seventeen Cents (\$83,024.17) for the alerting system, and to sign any and all documents, which are necessary and proper to effectuate the intent of this Resolution.

**SECTION 3.** This Resolution shall be effective immediately upon its adoption.

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

Florida, this day of,, on a motion by								
	, seconded by							
McKay Jablonski Fisikelli Hartmann Schroeder	AyesNaysAbsentAbstaining							
ATTEST:	Doug McKay, Mayor							

Russell Muñiz, Assistant Town Administrator/Town Clerk

Approved as to legal Form and Correctness

Keith M. Poliakoff, Esq., Town Attorney



Keylite	Power	&	Lighting	Corp.
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12312 SW 117th Court Miami, FL 33186

PH: 305-232-9910 Fax: 305-397-1510

#### Quote prepared by:

				POWER & LIGHTING CORP. Start Strong - Finish Strong			han Frankli	n, 954-275-8854 nunications.com
ltem	Unit	Mfr	Qty	Description	Part No.	List Price	Broward Contract Price	Contract Price Extended
STAT		ENSES						
SL1	Ea	USDD	1	G2 VOICEALERT - Single Station License. One-Time/Perpetual (unless furthur USDD modification is needed)	VA	\$1,030.00	\$927.00	\$927.00
SL2	Ea/Yr	USDD	24	G2 MOBILE FSAS APP - Single Device License. Up to 24 Licenses-Per-ATX are offered at \$0.00 cost each as long as system is currently under warranty or elected recurring annual support coverage.	G2-APP-DLI	\$108.00	\$0.00	\$0.00
STAT		NTROLL	.ER					
SC1	Kit	USDD	1	G2 ATX STATION CONTROLLER - Power/Signal/Control up to 8 peripheral Remote Options. 4 Unique Amps/Zones available.	ATX	\$21,750.00	\$19,575.00	\$19,575.00
SC2	Kit	USDD	0	ATX EXPANSION KIT - Allows ability to Power/Signal/Control up to 12 more peripheral Remote options per EXP.	EXP	\$7,325.00	\$6,592.50	\$0.00
SC3	Kit	USDD	0	Rack Mount Ears for APX or EXP	ATX-E	\$54.00	\$48.60	\$0.00
SC4	Kit	USDD	0	Base Plate for APX or EXP	ATX-P	\$54.00	\$48.60	
SC5	Ea	USDD	1	ATX UPS, Standard	UPS-STD	\$923.00	\$830.70	\$830.70
SC6	Ea	USDD	1	Shelf/Bracket, Wall-Mount for UPS	UPS-WMB	\$57.00	\$51.30	\$51.30
	ION PE	RIPHER/	ALS					
SP1a	Ea	Atlas	0	Audio Amplifier, External, Standard	AMP	\$987.00	\$888.30	
SP1b	Ea	Atlas	0	Shelf, Under Table or Wall Mount, for 1U 1/2 Rack	AMP-S	\$66.00	\$59.40	
SP2	Ea	USDD	0	G2 Color Indicator Remote - Up to 8 unique colors	CIR	\$725.00	\$652.50	\$0.00
SP3a	Ea	USDD	0	G2 HDTV REMOTE / STATION Module (TV & Electrical Outlet by Others). Note C.E.C HDMI control subject to Television ability	TVR	\$975.00	\$877.50	\$0.00
SP3b	Ea	USDD	0	Flat Panel Monitor / Smart HDTV	FP-43	\$1,377.57	\$1,239.81	\$0.00
SP3c	Ea	USDD	0	Flant Panel / TV Mount-Universal 23-46" Tilt	FPM-U	\$107.00	\$96.30	\$0.00
SP4	Ea	USDD	0	G2 I/O REMOTE w/ 8 In & 8 Out	IOR	\$1,275.00	\$1,147.50	\$0.00
SP5	Ea	USDD	1	Push Button, Standard (Black)	PB-B	\$110.00	\$99.00	\$99.00
SP6	Ea	USDD	1	Push Button, Emergency (Red)	PB-R	\$110.00	\$99.00	
SP7b	Ea	USDD	0	G2 MESSAGE REMOTE 2 Module (2017 Version 2)	MR2	\$1,275.00	\$1,147.50	
SP8	Ea	USDD	0	G2 MESSAGE REMOTE Module	MR1	\$1,167.00	\$1,050.30	\$0.00
SP9a	Ea	USDD	2	G2 MESSAGE SIGN, Digital LED (STANDARD GammaSign / 24" Active Screen Width)	MS-G2-S	\$1,050.00	\$945.00	\$1,890.00
SP9b	Ea	USDD	0	G2 MESSAGE SIGN, Digital LED (EXTENDED GammaSign / 36" Active Screen Width)	MS-G2-E	\$1,575.00	\$1,417.50	\$0.00
SP9c	Ea	USDD	0	MS-G Adapter Plate, SINGLE. VESA 100, joins (1) MS-GS (or-E) to any standard mount with VESA 100 hole patterns (mount not included)	MS-AP-S	\$38.00	\$34.20	\$0.00
SP9c1	Ea	USDD	0	MS-G Adapter Plate, DOUBLE, VESA 100, joins (2) MSG -S (or-E) to any standard mount with VESA 100 hole patterns (mount not included)	MS-AP-D	\$49.00	\$44.10	\$0.00
SP9d	Ea	USDD	0	MS-G Hanger Kit. Hangs single or double (back-to-back) Message Signs (Gamma Version) from Ceiling. Includes both suspended ceiling T-Bar Scissor Clips and Hard-Pan Flange Mounts.	MS-HK	\$73.00	\$65.70	\$0.00
SP10a		USDD	0	MESSAGE SIGN, Digital LED (BetaBrite - LEGACY Replacement 24" Screen Width)	MS-B	\$360.00	\$324.00	
SP10b	Ea	USDD	0	MS Adapter Plate, VESA 100	MS-ADPT-V100	\$60.00 \$27.00	\$54.00	
LID100				INAL LA L'Angua (main) iain hua MCa			m n n n n n	

**KEYLITE** 

#### **Broward Fire Station Alerting System**

SW Ranches Fire Rescue Station 82

6/26/2019

USDD

USDD

USDD

0

0

0

MS Tie-Straps (pair) - join two MSs

MS Mount - Articulating, Long reach

G2 ROOM REMOTE Module / 2917 version 2

SP10c

SP11

SP12a

Ea

Ea

Ea

\$24.30

\$258.30

\$1,822.50

\$27.00

\$287.00

\$2,025.00

MS-ADPT-STRP

MS-MNT-ART-L

RR2

\$0.00

\$0.00

\$0.00

SP12c	Ea	USDD	0	RR2 Adapter Plate, for Retrogit in RR1 Wall Cavity	RR2-AP	\$46.00	\$41.40	 \$0.00
SP12d	Ea	USDD	0	RR2 Surface Mount Back Box, for SURFACE MOUNT (hard wall) installation. Three (3) 3/4" conduit knock-outs.	RR2-BB	\$175.00	\$157.50	\$0.00
SP13a	Ea	USDD	0	G2 ROOM REMOTE 1 Module (Legacy/End of Life)	RR1	\$1,830.00	\$1,647.00	\$0.00
SP13b	Ea	USDD	0	RR Trim Plate, for Flush-Mount	RR1-TP	\$46.00	\$41.40	\$0.00
SP13c	Ea	USDD	0	RR Back-Straps, for solid-wall flush-mounting	RR-BS	\$27.00	\$24.30	\$0.00
SP14	Ea	USDD	0	G2 SIGN REMOTE Module	SR	\$583.00	\$524.70	\$0.00
SP15	Ea	USDD	11	G2 LED SPEAKER - Flush Mount, 70v	SPK-LED-FM	\$325.00	\$292.50	\$3,217.50
SP16	Ea	USDD	0	G2 LED SPEAKER - Surface Mount (MB), 70v	SPK-LED-SM	\$325.00	\$292.50	\$0.00
SP17	Ea	Bogn	2	Speaker - Standard, Flush Mount, 70v (S86)	SPK-STD-FM	\$85.00	\$76.50	\$153.00
SP18	Ea	Bogn	1	Speaker - Standard, Surface Mount (MB), 70v	SPK-STD-SM	\$85.00	\$76.50	\$76.50
SP19	Ea	Bogn	1	Speaker-APP/Weatherized (A2T), Surface, 70v	SPK-W-SM	\$310.00	\$279.00	\$279.00
SP20	Ea	TIC	0	Transformer, 80hm to 70V, External	XFMR	\$53.00	\$47.70	\$0.00
SP21	Ea	USDD	0	G2 Strobe Light / Red LED	STR	\$550.00	\$495.00	\$0.00
SP22	Ea	USDD	0	Miscellaneous	MISC	\$0.00	List Price -10%	\$0.00
COMN	IUNICA	ATIONS P	ERIP	HERALS				
CP1	Ea	GE	1	MDS Orbit Data radio, installed	KL-OR	\$2,241.53	\$2,017.38	\$2,017.38
CP2	Ea	GE	0	MDS Orbit Data radio with LTE, installed	KL-ORL	\$2,900.53	\$2,610.48	\$0.00
CP3	Ea	GE	1	MDS Data radio network management, installed	KL-NM	\$122.22	\$110.00	\$110.00
CP4	Ea	MOT	0	Motorola APX-1500 P25 radio with power-supply	KL-APX1500	\$4,345.00	\$3,910.50	\$0.00
CP5	Ea	MOT	1	Motorola APX-4500 Smartzone/P25 radio with power-supply	KL-APX4500	\$4,848.00	\$4,363.20	\$4,363.20
CP6	Ea	MOT	1	Radio Cable, voice, installed	KL-RC	\$51.33	\$46.20	\$46.20
CP7	Ea	TBD	0	WAN router firewall, installed	KL-RF	\$1,793.00	\$1,613.70	\$0.00
CP8	Ea	ASST	2	Yagi antenna, installaed	KL-YA	\$1,527.78	\$1,375.00	\$2,750.00
CP9	Ea	CB	1	FireNet Subscriber Module, installed.	FNSM-1	\$2,777.78	\$2,500.00	\$2,500.00
CP10	Ea	KL	0	Radio enclosure, ventilated	KL-RE1	\$2,000.00	\$1,800.00	\$0.00
CP11	Ea	KL	0	Extended sign mount, fabrication	KL-MM1	\$953.33	\$858.00	\$0.00
CP12	Ea	KL	1	External antenna mount kit	KL-EM1	\$1,780.00	\$1,602.00	\$1,602.00
0T A TI								
SS1	Ea Ea	STEM SE		ES Station Installation	ST-INST		\$24,884.13	 \$24,884.13
001	La			Station Remediation (Removal and Disposal of Legacy	01-1101		φ2 <del>4</del> ,004.13	φ24,004.10
SS2	Ea	USDD	1	Equipment Not currently Assumed or Included, nor is any related Remediation to Paint, Drywall, etc.)	ST-INST1			
SS3	Ea	USDD	1	Station Configuration & Start-Up	ST-SU		\$2,137.67	\$2,137.67
SS4	Ea	KL	1	Station Project Management	ST-PM2		\$2,228.09	\$2,228.09
SS5	Ea	USDD	1	Station Engineering / Design Services	ST-ES		\$455.50	\$455.50
SS6	Ea	USDD	1	Station Documentation	ST-DM		\$55.86	\$55.86
SS7a	Ea	USDD	0	Station Training - User/Technician. On-Site @ Station. 1 Hour, 1 Visit. (3 Units/Hours suggested to cover 3 shifts)	TRA-UT-O	\$3,655.34	\$3,289.81	\$0.00
SS7b	Ea	USDD	0	Station Training - User/Technician / Remote Refresh (2 Hours / Train-The-Trainer)	TRA-UT-R	\$725.03	\$652.53	\$0.00
SS10	Ea	KL	1	Early deployment	KL-ED1	\$2,777.78	\$2,500.00	\$2,500.00
					Equi	•	vices Subtotal	72,848.04
							it Processing	1,250.00
					Si		aled drawings	2,400.00
						7% Flori	da Sales Tax	-
							Shipping	1,092.72
							Contingency	\$ 3,879.54
					1			

**Terms and Conditions** 

2

TOTAL \$ 81,470.29

- 1 This offer is subject to the terms and and conditions of the System and Services Agreement between Broward County and Keylite Power & Lighting Corp (RFP R1426611P1).
- 2 Includes One Year Basic Support warranty.
- 3 Monthly maintenance quote based on annual payments in advance.
- 4 All permit fees and related third-party field inspection expenses will be charged to Customer at cost with no markup.
- 5 Pricing assumes standard low voltage permit only.
- 6 Payment terms: 50% with order, 40% upon installation completion, 10% upon beneficial use, or permit close out, whichever occurs first.
- 7 Pricing valid for 45 days from date of quote. Price verification required thereafter.
- 8 Contingency funds included for additional costs. At completion of installation, unused contingency funds can be applied to maintenance costs or additional equipment, and are refundable if requested by Customer.
- 9 Customer End User Authorized Agreement (EUAA) and Service Agreement (SA) must be executed before equipment can ship from USDD.
- 10 Seller reserves the right to increase the price of goods and services pursuant to RFP R1426611P1, if initial payment is not received per 6 above.
- 11 Excludes sales tax.
- 12 Credit card payments will include a 3% additional fee at the time of sale.
- 13 Overdue invoices charged 1.5% per month.
- 14 Excludes cost of permits to AHJ; all permit fees required by AHJ will be passed on to Customer at additional cost without mark up.
- 15 Pricing assumes Customer is a Broward County Fire Agency. Any third party procurements may require additional costs.
- 16 Excludes construction drawings if required for new buildings.
- 17 No warranty or maintenance services included for any external customer provided equipment or components

SW Ranches Fire Rescue Station 82 Support Plan Options		
Maintenance Options	List Price Monthly	Contract Price Monthly
Option A: Premium Support	\$1,010.03	\$776.95
Includes 24/7/365 1 hour telephone support		
Includes Next Business Day priority shipping from factory replacement, field replacements		
Includes 24/7/365 2 hours onsite response, +4 hours uptime guarantee		
Includes all active parts and equipment supplied to repair or replace.		
Includes all station wiring, connectors.		
Includes batteries		
Includes annual on-site test and optimization.		
Includes software maintenance.		
Includes onsite software upgrades as necessary		
Includes annual remedial training class if necessary		
includes annual engineering review		
Includes 24 licenses G2 Mobile FSAS application (iPhone or Android)		
Includes priority restoration service, external antenna wind		
Option B: Standard Support	\$673.35	\$517.96
Includes 24/7/365 1 hour telephone support		
Includes Next Business Day priority shipping from factory replacement, field replacements		
Includes 24/7/365 2 hours onsite response, +4 hours uptime guarantee		
Includes all parts and active equipment supplied to repair or replace.		
Includes software maintenance.		
Includes onsite software upgrades as necessary		
Includes 24 licenses G2 Mobile FSAS application (iPhone or Android)		
Option C: Basic Support	\$505.01	\$388.47
Includes 24/7/365 1 hour telephone support		
Includes Next Business Day priority shipping from factory replacement, field replacements		
Includes remote software maintenance, upgrades		
Includes 24 licenses G2 Mobile FSAS application (iPhone or Android)		
On-site field labor rates per contract (\$105 per hour year 1, CPI annual escalator) plus return mileage for onsite work		

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#### **REGULAR MEETING MINUTES OF THE TOWN COUNCIL** Southwest Ranches, Florida

Thursday 7:00 PM	April 25, 2019	13400 Griffin Road
Present:	Andrey	w Berns, Town Administrator
Mayor Doug McKay	Russell Muñiz, Assistant To	wn Administrator/Town Clerk
Vice Mayor Gary Jablonski	Martin D. Sherwood,	Town Financial Administrator
Council Member Freddy Fisikelli	K	eith Poliakoff, Town Attorney
Council Member Bob Hartmann		

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 Mayor McKay at 7:04 PM. Attendance was noted by roll call and was followed by the Pledge of Allegiance.

#### 3. Arbor Day Proclamation and SEAB Student Art Exhibition

The proclamation was read into the record and presented.

#### <u>Quasi-Judicial</u>

Council Member Denise Schroeder

**4.** A RESOLUTION AND FINAL ORDER OF THE TOWN COUNCIL OF THE TOWN OF SOUTHWEST RANCHES, FLORIDA, APPROVING APPLICATION NO. SP-70-18 BY NEW HORIZON UNITED METHODIST CHURCH, INC. TO AMEND ITS EXISTING SITE PLAN TO CONSTRUCT A MISSION BUILDING; AUTHORIZING THE MAYOR, TOWN ADMINISTRATOR, AND TOWN ATTORNEY TO EXECUTE ANY AND ALL DOCUMENTS NECESSARY TO EFFECTUATE THE INTENT OF THIS RESOLUTION; AND PROVIDING AN EFFECTIVE DATE.

The following motion was made by Vice Mayor Jablonski, seconded by Council Member Schroeder, and passed by a 5-0 roll call vote. The vote was as follows: Council Members Schroeder, Hartmann, Fisikelli, Vice Mayor Jablonski, and Mayor McKay voting Yes.

# MOTION: TO APPROVE SUBJECT TO STAFF RECOMMENDATIONS AND THE FOLLOWING STIPULATIONS AGREED TO BY THE APPLICANT 1) BUILDING WILL NOT BE RENTED OUT; 2) BUILDING WILL NOT BE UTILIZED FOR A SCHOOL; 3) ALL FEEDING ACTIVITIES WILL OCCUR OFF-SITE.

**5.** A RESOLUTION AND FINAL ORDER OF THE TOWN COUNCIL OF THE TOWN OF SOUTHWEST RANCHES, FLORIDA, APPROVING APPLICATION NO. SP-71-18 BY THE SIKH SOCIETY OF FLORIDA, INC. TO AMEND ITS EXISTING SITE PLAN TO ADD AN ADDITIONAL 2,287 SQUARE FEET OF BUILDING AREA TO THE EXISTING FACILITY; AUTHORIZING THE MAYOR, TOWN ADMINISTRATOR, AND TOWN ATTORNEY TO EXECUTE ANY AND ALL DOCUMENTS NECESSARY TO EFFECTUATE THE INTENT OF THIS RESOLUTION; AND PROVIDING AN EFFECTIVE DATE.

The following motion was made by Council Member Schroeder, seconded by Mayor McKay, and passed by a 5-0 roll call vote. The vote was as follows: Council Members Schroeder, Hartmann, Fisikelli, Vice Mayor Jablonski, and Mayor McKay voting Yes.

# MOTION: TO APPROVE SUBJECT TO STAFF CONDITIONS AND DEDICATION OF THE ADDITIONAL RIGHT-OF-WAY AGREED TO BY THE APPLICANT.

**6.** A RESOLUTION AND FINAL ORDER OF THE TOWN COUNCIL OF THE TOWN OF SOUTHWEST RANCHES, FLORIDA, RE-APPROVING THE EXPIRED TERRA RANCHES SITE PLAN; AUTHORIZING THE MAYOR, TOWN ADMINISTRATOR, AND TOWN ATTORNEY TO EXECUTE ANY AND ALL DOCUMENTS NECESSARY TO EFFECTUATE THE INTENT OF THIS RESOLUTION; AND PROVIDING AN EFFECTIVE DATE THEREFOR.

The following motion was made by Council Member Schroeder, seconded by Mayor McKay, and passed by a 5-0 roll call vote. The vote was as follows: Council Members Schroeder, Hartmann, Fisikelli, Vice Mayor Jablonski, and Mayor McKay voting Yes.

# MOTION: TO TABLE THE ITEM TO MAY 23, 2019

**7.** A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF SOUTHWEST RANCHES, FLORIDA, RELEASING A DECLARATION OF RESTRICTIVE COVENANTS BY TERRA RANCHES INVESTMENTS, LLC ADVISING POTENTIAL PURCHASERS OF LOTS WITHIN THE TERRA RANCHES PLAT OF AN ADJACENT AIRSTRIP; AUTHORIZING THE MAYOR, TOWN ADMINISTRATOR, AND TOWN ATTORNEY TO EXECUTE ANY AND ALL DOCUMENTS NECESSARY TO EFFECTUATE THE INTENT OF THIS RESOLUTION; AND PROVIDING AN EFFECTIVE DATE THEREFOR.

# ITEM WAS WITHDRAWN BY APPLICANT

**8.** A RESOLUTION AND FINAL ORDER OF THE TOWN COUNCIL OF THE TOWN OF SOUTHWEST RANCHES, FLORIDA, APPROVING APPLICATION NO. SP-67-18 TO AMEND THE MENORAH GARDENS SITE PLAN FOR CONSTRUCTION OF AN EIGHTH MAUSOLEUM; AUTHORIZING THE MAYOR, TOWN ADMINISTRATOR, AND TOWN ATTORNEY TO EXECUTE ANY AND ALL DOCUMENTS NECESSARY TO EFFECTUATE THE INTENT OF THIS RESOLUTION; AND PROVIDING AN EFFECTIVE DATE.

The following motion was made by Council Member Schroeder, seconded by Vice Mayor Jablonski, and passed by a 5-0 roll call vote. The vote was as follows: Council Members Schroeder, Hartmann, Fisikelli, Vice Mayor Jablonski, and Mayor McKay voting Yes.

# MOTION: TO APPROVE RESOLUTION.

# 9. Public Comment

The following members of the public addressed the Town Council: Mike Hanley, Jim Laskey, Newell Hollingsworth, Bob McFarlane, Eldita Garcia, and David Kuczenski.

#### **10. Board Reports**

Mary Gay Chaples, representing the Southwest Ranches Historical Society indicated that three long term residents were selected to be recognized by the Society. They are Don Maines, Ken Cimetta, and Melissa Gleissner. On behalf of the Historical Society, she requested that the recipients be recognized at a ceremony immediately preceding a future Town Council meeting. The Society wished to present each of the recipients with a plaque during the ceremony. She indicated that the Society would pay for the food. Town Council offered their support for this recognition and presentation.

Chris Brownlow, representing the School and Education Advisory Board, advised that the Board would be reviewing the applications received for the scholarship at the next meeting.

#### **11.** Council Member Comments

Vice Mayor Jablonski advised of upcoming events including the Hazardous Waste Event on July 13<sup>th</sup>. He reminded everyone that photo contest pictures must be submitted by August 15<sup>th</sup>. He advised that Bingo at the Barn will be held on May 4<sup>th</sup>. He indicated that Horse Awareness signs with flashing yellow lights were being erected by the County and acknowledged comments made during Public Comment that associated street striping should be requested as well. He indicated that two other election complaints have been filed against him by someone who has been removed from her position on an advisory board who also happened to be against the Charter Amendment he supported requiring a unanimous vote on land use changes and sale or leases of Town owned property.

Council Member Hartmann spoke about a recent meeting held with FDOT District Secretary O'Reilly and members of the Metropolitan Planning Organization (MPO) regarding the proposed Park n' Ride on Griffin and I-75. He felt the meeting was productive and the Town would not have to worry about this project for the foreseeable future. During the meeting other improvements to I-75 were discussed that should benefit Town residents, but he voiced concerns about any improvements that may be planned for the Griffin Road interchange. FDOT also indicated that additional lighting at Griffin Road and US 27 by the Truck stop was planned. He expressed concern with asking the County for striping along with the horse crossing flashing lights becomes motorists may slow or stop thinking it is a school crossing. He was concerned with 5G technology and its rapid implementation. He wanted the Town to look into what Hallandale Beach is doing to slow the tide. Lastly, approaching budget season he challenged the Administration to limit next year's budget to its current levels and try to provide some tax relief to residents who have experienced increases over the last several years.

Council Member Fisikelli offered no comments.

Mayor McKay spoke about the FAA plans to change the flight path. The dilemma is the altitude of 4,000 feet as it will negatively affect our residents. He indicated that the effort to fight this path change will require a united front from residents and all communities affected. He thanked residents for their assistance with various volunteer projects around the Town.

Council Member Schroeder apologized for not attending Council Member's Freddy Fisikelli's birthday celebration, but wished him a very Happy Birthday.

#### **12. Legal Comments**

Town Attorney Keith Poliakoff congratulated Madison Sullivan who won the Bobcat of Excellence Award from West Broward High School. He also mentioned that with the legislative session coming to an end, he was hopeful that the Town's projects would be included in the final budget. He also spoke of a resident who wished to sue the Town solely because the Town's planning consultant made a recommendation to fix the right-of-way and make a formal ROW dedication. In court, the Court decided against the plaintiff but as a result of the legal decision, the item would need to come before the Town on May 9th as a Quasi-Judicial item.

Mayor McKay asked if there was any developments in the litigation with Pembroke Pines. Town Attorney Poliakoff advised there was an oral argument between CCA and Pembroke Pines weeks earlier. He was not sure what the outcome would be, but felt that CCA would prevail.

#### **13.** Administration Comments

Town Administrator Berns offered no comments.

#### **Resolutions**

**14.** A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF SOUTHWEST RANCHES, FLORIDA, APPROVING THE 2019 AMENDMENTS TO THE TWO (2) INTERLOCAL AGREEMENTS WITH BROWARD COUNTY PROVIDING FOR THE DIVISION AND DISTRIBUTION OF THE PROCEEDS OF THE BROWARD COUNTY FIFTH-CENT LOCAL OPTION GAS TAX, AND THE ADDITIONAL THIRD-CENT LOCAL OPTION GAS TAX; AUTHORIZING THE MAYOR, TOWN ADMINISTRATOR AND TOWN ATTORNEY TO EXECUTE SAID AGREEMENTS; AND PROVIDING AN EFFECTIVE DATE.

The following motion was made by Council Member Schroeder, and seconded by Vice Mayor Jablonski, and passed by a 5-0 roll call vote. The vote was as follows: Council Members Schroeder, Hartmann, Fisikelli, Vice Mayor Jablonski, and Mayor McKay voting Yes.

### MOTION: TO APPROVE THE RESOLUTION.

15. A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF SOUTHWEST RANCHES, FLORIDA REAFFIRMING THE TOWN'S OPPOSITION TO THE OIL DRILLING PERMIT APPLICATION SUBMITTED BY KANTER REAL ESTATE LLC, A FLORIDA FOR PROFIT LIMITED LIABILITY CORPORATION, TO THE FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION SEEKING DRILLING RIGHTS ON PROPERTY LOCATED IN THE OIL FLORIDA EVERGLADES, APPROXIMATELY FIVE MILES WEST OF the WESTERNMOST BOUNDARY OF THE SOUTH BROWARD DRAINAGE DISTRICT'S JURISDICTIONAL LIMITS IN CLOSE PROXIMITY TO THE L-67A LEVEE CANAL, AND SUPPORTING EFFORTS OF THE SOUTH BROWARD DRAINAGE DISTRICT OPPOSING EXTREME WELL STIMULATION, HYDRAULIC FRACTURING, ACID FRACTURING, AND ANY FORM OF EXTREME WELL STIMULATION FOR PURPOSES OF OIL EXTRACTION IN THE FLORIDA EVERGLADES; AND PROVIDING FOR AN EFFECTIVE DATE.

The following motion was made by Vice Mayor Jablonski, and seconded by Council Member Schroeder, and passed by a 5-0 roll call vote. The vote was as follows: Council Members Schroeder, Hartmann, Fisikelli, Vice Mayor Jablonski, and Mayor McKay voting Yes.

#### **MOTION: TO APPROVE RESOLUTION.**

#### **16.** Appointments

#### a. **BLOC Appointment – {ITEM TABLED FROM APRIL 11, 2019}**

The following motion was made by Vice Mayor Jablonski and seconded by Council Member Hartmann, and passed by a 5-0 roll call vote. The vote was as follows: Council Members Schroeder, Hartmann, Vice Mayor Jablonski, and Mayor McKay voting Yes.

#### MOTION: TO APPOINT MAYOR MCKAY AS DIRECTOR AND COUNCIL MEMBER SCHROEDER AS ALTERNATE.

# b. Comprehensive Planning Advisory Board – At Large {ITEM TABLED FROM APRIL 11, 2019}

The following motion was made by Council Member Schroeder and seconded by Mayor McKay, and passed by a 5-0 roll call vote. The vote was as follows: Council Members Schroeder, Hartmann, Fisikelli, Vice Mayor Jablonski, and Mayor McKay voting Yes.

### MOTION: TO APPOINT JIM ALLBRITTON.

#### 17. Adjournment - Meeting was adjourned at 9:32 P.M.

Respectfully submitted:

Russell Muñiz, Assistant Town Administrator/Town Clerk

Adopted by the Town Council on this day of <u>July 25, 2019.</u>

Doug McKay, 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.