



Southwest Ranches Town Council

FIRST BUDGET HEARING Agenda of September 12, 2019

Southwest Ranches Council Chambers
6:00 PM Thursday

13400 Griffin Road
Southwest Ranches, FL 33330

<u>Mayor</u>	<u>Town Council</u>	<u>Town Administrator</u>	<u>Town Attorney</u>
Doug McKay	Freddy Fisikelli	Andrew D. Berns	Keith M. Poliakoff, J.D.
<u>Vice Mayor</u>	Bob Hartmann	<u>Town Financial</u>	<u>Assistant Town</u>
Gary Jablonski	Denise Schroeder	<u>Administrator</u>	<u>Administrator/Town Clerk</u>
		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. **Administrator Comments**
4. **Presentation by Finance**

Millage Rate and Budget Hearing

Resolutions

5. **A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF SOUTHWEST RANCHES, FLORIDA, APPROVING THE FINAL FIRE SERVICES ASSESSMENT RELATING TO THE PROVISION OF FIRE PROTECTION SERVICES, FACILITIES AND PROGRAMS IN THE TOWN OF SOUTHWEST RANCHES, FLORIDA FOR FISCAL YEAR 2019-2020 COMMENCING OCTOBER 1, 2019; PROVIDING PURPOSE AND DEFINITIONS; PROVIDING FOR THE IMPOSITION AND COMPUTATION OF FIRE PROTECTION ASSESSMENTS; INCORPORATING THE FIRE PROTECTION ASSESSMENT REPORT; PROVIDING FOR LEGISLATIVE DETERMINATION OF SPECIAL BENEFIT AND FAIR APPORTIONMENT; ESTABLISHING THE RATE OF ASSESSMENT; DIRECTING THE PREPARATION OF A FINAL ASSESSMENT ROLL; PROVIDING FOR AN EXEMPTION FOR VETERANS SERVICE-CONNECTED TOTAL AND PERMANENT DISABILITY; AUTHORIZING A PUBLIC HEARING AND DIRECTING THE PROVISION OF NOTICE THEREOF; AND PROVIDING AN EFFECTIVE DATE.**
6. **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 FOR FY 2019-2020 COMMENCING OCTOBER 1,**

2019; PROVIDING AUTHORITY FOR SOLID WASTE SERVICES ASSESSMENTS; PROVIDING PURPOSE AND DEFINITIONS; PROVIDING FINDINGS; INCORPORATING THE SOLID WASTE SPECIAL ASSESSMENT METHODOLOGY REPORT; PROVIDING FOR AN EXEMPTION FOR VETERAN'S SERVICE-CONNECTED TOTAL AND PERMANENT DISABILITY; APPROVING THE ASSESSMENT ROLL; AND PROVIDING AN EFFECTIVE DATE.

Tentative Millage Rate Resolution

Tentative Millage Rate Resolution

7. A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF SOUTHWEST RANCHES, FLORIDA APPROVING AND ADOPTING THE TENTATIVE MILLAGE RATE FOR TAXATION OF REAL PROPERTY LYING WITHIN THE BOUNDARIES OF THE TOWN OF SOUTHWEST RANCHES FOR THE 2019-2020 FISCAL YEAR, COMMENCING OCTOBER 1, 2019 AND ENDING SEPTEMBER 30, 2020; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

Ordinance - 1st Reading

8. AN ORDINANCE OF THE TOWN OF SOUTHWEST RANCHES, FLORIDA, APPROVING THE BUDGET OF THE TOWN OF SOUTHWEST RANCHES FOR FISCAL YEAR 2019-2020, COMMENCING OCTOBER 1, 2019 AND ENDING SEPTEMBER 30, 2020; PROVIDING FOR A BUDGET BASIS; PROVIDING FOR EXPENDITURE OF FUNDS; PROVIDING FOR CARRYOVER OF FUNDS; PROVIDING FOR NOTICE; PROVIDING FOR SEVERABILITY; PROVIDING FOR CONFLICT; AND, PROVIDING FOR AN EFFECTIVE DATE.

9. 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
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Town Council
Doug McKay, Mayor
Freddy Fisikelli, Vice Mayor
Steve Breitreuz, Council Member
Gary Jablonski, 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: 9/12/2019
SUBJECT: FY 2019-2020 Final Fire Assessment Rates

Recommendation

To consider and adopt the recommended fire assessment rates for Fiscal Year 2019-2020 as identified in Exhibit A to the accompanying fire assessment resolution thereby funding fire protective services (not Fire-Rescue, ambulance services) for the coming year with an approximately two and four-tenths percent (2.4%) aggregate cost decrease. Further recommendation includes ratifying the annual special tax exemption for veteran's service-connected total and permanent disability incorporated herein.

Strategic Priorities

- A. Sound Governance
- C. Reliable Public Safety
- D. Improved Infrastructure

Background

Nearly all municipalities within Broward County utilize a provision in State of Florida Statute to at least partially fund fire operations which provide a benefit to property (and consequently to property owners) through a non-ad valorem assessment. The requirement that the assessments be fairly and equally apportioned is reflected in the existing rate structure and rates in accordance with an independent consultant study. An aggregate assessment decrease of approximately 2.4% is proposed for Fiscal Year 2019 – 2020 (FY 2020) which includes input received from Council during the August special budget meeting and is

necessary to balance the FY 2020 newly revised Proposed Budget. The newly revised proposed rate for prior year classified commercial properties increases from 0.39 to 0.90 cents per square foot building area but, overall, still provides for a decrease of 9.1% or 0.09 cents per building square feet as compared to the prior fiscal year rate of 0.99.

Residential properties, the largest resource using category, decreases \$20.14 this year. This decrease of \$1.68 monthly (approx.) means that the Town of Southwest Ranches remains at the highest published rate in Broward County.

A few arguments may be made to put this proposed rate into perspective:

1. All original proposed Fire Program Modifications and Capital Improvement Projects remain except a fire protection rate assessment methodology study (\$39,000-revised downward from \$50,000), will replace the volunteer fire apparatus replacement program to avoid an increase in the proposed rates or utilization of General Fund restricted fire control fund balance.
2. It is set against the backdrop of being the seventh lowest combined operating and debt millage rates (among 31 taxing authorities/municipalities) within Broward County. In other words, it appears that many municipalities are not fully transparent with their true cost of Fire protective services within their operating millage. Considered in the aggregate, SWR's Fire expenses and therefore rates are likely comparable to other municipalities.
3. While the Southwest Ranches' residential fire assessment decrease is 3.70%, twelve municipalities have recommended imposed increases. Three of these twelve percentage increases are in excess of double digits (Fort Lauderdale, Deerfield Beach, Coral Springs) for FY 2020.
4. The FY 2020 Town of Southwest Ranches residential fire assessment property category rate of \$523.51 is actually only \$81.00 higher than the FY 2012 rate of \$442.51 or approximately 2.3% greater annually over the past eight years.
5. Lastly, except for \$39,000 mentioned later, the rate continues to be assessed at almost 100% full cost recovery. This supports Southwest Ranches Town policy of fire control not largely subsidized by General Fund dollars as are some other Municipal fire assessment rates.

As of September 30, 2018, the audited restricted fire control fund balance was \$423,679. During FY 2019 approximately \$200,000 was transferred as restricted to complete the adopted Fire Rescue modular complex facility Capital Improvement Project. For FY 2020, it is proposed to utilize \$14,000 of this restricted fund balance to fund volunteer fire SCBA mask

fit certification equipment.

Subsequent recommendations for Town Council consideration regarding the use of these restricted funds will be ongoing. At present, it is recognized that a permanent Emergency Operations Center (EOC)/Fire facility is needed to better ensure fire protection response after a severe weather event. Funding for this project among others (like capital equipment investment/replacement) has not been identified.

Fiscal Impact/Analysis

Exhibit A to the proposed resolution identifies the property categories and unit of assessment for each category. Proposed rates for all property categories are lower from the current year's (FY 2018-2019) rates. The net dollar decrease of (\$53,395) within all property categories result primarily from anticipated allocable fire protection contractual increase of \$62,375 due to a negotiated and approved five (5) year Public Safety – Fire contract with the Town of Davie effective October 1, 2017 offset by a reduction in three components; 1. The installation of a fire station alerting system completed during the prior year (\$80,000), 2. Volunteer Fire Departmental operating and capital expenditures (\$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 fund a new fire protection rate assessment methodology study previously mentioned.

All of the above items have been discussed and are presented in the FY 19-20 Proposed Budget Book. Additionally, a special budget meeting held during August determined that newly identified commercial agricultural designated barns or buildings totaling approximately \$39,000 are not fire assessed.

The “% Effort Allocation” column represents the portion of total fire related expenses anticipated for each category of protected property. The “Amount” column represents the amount apportioned to each category based on the assessment need multiplied by the percent of effort allocated to each category. The total category amount is then divided by the number of total units within the category to arrive at the “per unit” rate. This rate is the one reflected in the “Total Proposed Rates FY 19/20” column. The proposed rate can be compared to the current year (FY 18/19) rate. Finally, the resulting difference for each category’s proposed rate to the current assessed rate is represented in the far-right column.

If not adopted, the assumption is that the costs covered by the Fire Protection Assessment (\$2,174,225) would remain necessary and come from the General Fund. The anticipated net

fiscal impact for the Town would be a reduction in General Fund revenue available for General Fund operations of approximately 17% (16.99%). Finally, the total dollar impact to the Town's General Fund from eleven (11) Broward County Property Appraiser qualified veteran service-connected total and permanent disabled (an increase from ten in the prior year) is \$5,759 (\$523.51 x 11 residents). This amount is revenue forgone but expresses a token of appreciation for years of service and sacrifice to this nation.

Staff Contact:

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

ATTACHMENTS:

Description	Upload Date	Type
Fire Assess Final 19-20-Reso - TA Approved	9/5/2019	Resolution
FY19-20 Fire assess worksheet-FINALrev-09122019-EXHIBIT A	8/28/2019	Resolution

RESOLUTION NO. 2019-xxx

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF SOUTHWEST RANCHES, FLORIDA, APPROVING THE FINAL FIRE SERVICES ASSESSMENT RELATING TO THE PROVISION OF FIRE PROTECTION SERVICES, FACILITIES AND PROGRAMS IN THE TOWN OF SOUTHWEST RANCHES, FLORIDA FOR FISCAL YEAR 2019-2020 COMMENCING OCTOBER 1, 2019; PROVIDING PURPOSE AND DEFINITIONS; PROVIDING FOR THE IMPOSITION AND COMPUTATION OF FIRE PROTECTION ASSESSMENTS; INCORPORATING THE FIRE PROTECTION ASSESSMENT REPORT; PROVIDING FOR LEGISLATIVE DETERMINATION OF SPECIAL BENEFIT AND FAIR APPORTIONMENT; ESTABLISHING THE RATE OF ASSESSMENT; DIRECTING THE PREPARATION OF A FINAL ASSESSMENT ROLL; PROVIDING FOR AN EXEMPTION FOR VETERANS 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 re-imposition of a Fire Services Assessment for fire services, facilities, and programs for Fiscal Year 2019-2020 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 re-imposition of Fire Assessments; and

WHEREAS, the Town Council imposed a Fire Assessment for the previous fiscal year (FY 2018-2019), and the re-imposition of a Fire Assessment for fire services, facilities, and programs each fiscal year is an equitable and efficient method of allocating and apportioning Fire Assessed Costs among parcels of Assessed Property; and

WHEREAS, the Town Council, 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 Disabled Veterans 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 re-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 Annual Rate Resolution so that the Town may re-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 final resolution is adopted pursuant to the provisions of Ordinance No. 2001-9, the Preliminary Assessment Resolutions (Resolution 2015-062), and sections 166.021 and 166.041, Florida Statutes, and other applicable provisions of law.

Section 3. Purpose and Definitions. This Resolution constitutes the Final 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 re-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:

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

Section 4. Provision and funding of Fire Protection Services. Upon the imposition of a Fire Protection Assessment for fire protection services, facilities, or programs against Assessed Property located within the Town as determined by the Broward County Property Appraiser (BCPA) in conjunction with the Town's Fire Assessment Study, 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 Initial 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 as determined by the Broward County Property Appraiser in conjunction with the Town's Fire Assessment Study. Fire Protection Assessments shall be computed in the manner set forth in this Final Assessment Resolution, more specifically as presented in Exhibit "A" - Total Revised Proposed Rates FY 18/19 column 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 and the BCPA has the authority to impose the appropriate rate based on the use of the building or buildings regardless of the DOR Code assigned to the parcel. Where multiple buildings on a parcel have different uses, the Town and the BCPA shall impose the appropriate rate based on the use of each individual building. The Fire Protection Assessment imposed on the parcel shall be the total of the Fire Protection Assessments calculated for all buildings on the parcel, excluding for barns on Residential Property with an assessed Dwelling Unit or non-commercial barns on Vacant/Agricultural Property.

Section 6. Legislative Determination of Special Benefit and Fair Apportionment. The legislative determinations of special benefit and fair apportionment embodied in the Initial Assessment Resolution and Final Assessment Resolution are affirmed and incorporated herein by reference. Notwithstanding the aforementioned, the Town specifically recognizes the modifications made to Section 170.01 (4) Florida Statutes, and will not levy a special assessment for the provision of fire protection services on lands classified as agricultural lands under s. 193.461 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.

Section 7. Determination of Fire Protection Assessment costs; Establishment of Final 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, attached as Exhibit "A" - Total Proposed Rates FY 19/20 column. The approval of the Final Fire Protection Assessment Rate Schedules by the adoption of this Final Assessment Resolution determines the amount of the Fire Protection Assessed Costs. The remainder, if any, of such Fiscal Year budget for fire protection services, facilities, and programs shall be funded from available Town revenue other than Fire Protection Assessment proceeds.

B. The estimated Fire Protection Assessments specified in the Preliminary Fire Protection Assessment Rate Schedules as described in the Report are hereby established to fund the specified Fire Protection Assessed Costs determined to be assessed in Fiscal Year 2019-2020 commencing on October 1, 2019.

C. The estimated Fire Protection Assessments established in this Final Assessment Resolution for Fiscal Year 2019-2020 shall be the proposed assessment rates applied by the Town Administrator or Town Financial Administrator in the preparation of the Final Assessment Roll for the Fiscal Year commencing October 1, 2019, as provided in Section 7 of this Final Assessment Resolution.

Section 8. Final Assessment Roll.

A. The Town Administrator or Town Financial Administrator is hereby directed to prepare, or cause to be prepared, a Final 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 or Town Financial Administrator shall apportion the estimated Fire Protection Assessed Cost to be recovered through Fire Protection Assessments in the manner set forth in this Final Assessment Resolution and the Report.

B. A copy of this Final 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 Final 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 Final 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 Final Assessment Resolution and the attached as Exhibit "A" - Total

Proposed Rates FY 19/20 column is a fair and reasonable method of apportioning the Fire Protection Assessed Cost among parcels of Assessed Property located within the Town as determined by the Broward County Property Appraiser in conjunction with the Town's Fire Assessment Study.

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

Section 10. Confirmation of Public Hearing. The Town Council hereby confirms that a public hearing was held at 6:00 p.m. on September 12, 2019, at the Southwest Ranches Council Chambers, 13400 Griffin Road, Florida, 33330, at which time the Town Council received and considered comments on Fire Assessments from the public and affected property owners and considered imposing Fire Assessments for the Fiscal Year beginning October 1, 2019, and collecting such assessments on the same bill as ad valorem taxes.

Section 11. Notice by Publication. The Town Council confirms that a notice of the public hearing authorized by Section 10 hereof in the manner and time provided in Section 12-53 of the Code was published no later than Friday, August 23, 2019.

Section 12. Notice By Mail. The Town Council confirms, in the event circumstances described in the Ordinance so require, that the Town through the Broward County Property Appraiser has provided notice by mail to the Owner of each parcel of Assessed Property. Notices were mailed no later than Saturday, August, 24, 2019. The notices are in compliance with the provisions of section 200.069(10)(a), Florida Statutes, and are consistent with the requirements of the Uniform Assessment Collection Act and the Ordinance.

Section 13. Severability. If any clause, section or other part of this Resolution shall be held by any court of competent jurisdiction to be unconstitutional or invalid, such unconstitutional or invalid part shall be considered as eliminated and in no way affecting the validity of the other provisions of this Resolution.

Section 14. Application of Assessment Proceeds. Proceeds derived by the Town from the Fire Protection Assessments shall be deposited into the Restricted General Fund Fire Protection/Control Assessment Fund Balance Account and used for the provision of fire protection/control services, facilities, and programs. In the event there is any Fire Protection/Control Assessment fund balance remaining at the end of the Fiscal Year, such balance shall be carried forward and used only to fund fire protection/control services, facilities, programs or related emergencies/disaster declarations.

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

PASSED AND ADOPTED by the Town Council of the Town of Southwest Ranches,
Florida, this 12th day of September, 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, J.D., Town Attorney
35848722.1

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	General Fund Portion	Fire Assessment Portion
% Allocation per Consultant Study for FR Contractual Services Only		57.70%	42.30%

Direct Expenses:

Fire Rescue Contractual Service	\$ 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	26,372
Fire Assessment Cost Allocation of Townwide Personnel\Contractual Costs	196,793
Fire Protection/Control Contingency	78,000
General Fund Fire Control contribution	(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 - 363,054 SF	Per Sq.Ft. Bldg Area	15.0283%	326,749	0.90	0.99	(0.09)
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\Agricultural - 1,427 Acres	Per Acre	6.2488%	135,863	95.21	96.00	(0.79)
Total		100%	\$ 2,174,225			

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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: 9/12/2019
SUBJECT: FY 2019-2020 Final Solid Waste Assessment Rates

Recommendation

To establish solid, bulk waste and recycling collection rates for residential customers as identified in Exhibit A to the accompanying solid waste collection and disposal resolution. Further recommendation includes ratifying an annual special tax exemption for veteran's service-connected total and permanent disability incorporated herein.

Strategic Priorities

- A. Sound Governance
- B. Enhanced Resource Management

Background

To generate revenues sufficient for vendor payments for residential solid waste, recycling, and bulk waste collection and disposal, the Town assesses a "solid waste assessment." As all property owners within the Town benefit by the existence of this service, the costs of service provision are equitably shared. In the past, changes in service provider(s) with a below market priced five-year contract resulted in solid waste disposal/"tipping" fee decreases. Customers experienced up to an approximate thirty-five (35%) net decrease in costs during Fiscal Years 2013 through 2017. These rate reductions in the past resulted from the negotiation of a contract which has now expired. Accordingly, a competitive bid process was initiated and resulted in a new service contract with Waste Pro, Inc. causing increases of approximately 73% for FY 2017/2018 to come up to market rates. 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 permanently 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 decreased \$75,403 to \$1,813,747 from \$1,889,150 all while continuing to maintain a fully user-based operation.

Fiscal Impact/Analysis

The Town of Southwest Ranches provides solid waste, recycling, and bulk waste collection and disposal services to its residents through a new contractual agreement with the goal of providing regular and courteous services at a fair cost. Following the applicable State of Florida Statute concerning the equitable apportionment of assessments, Town staff, in collaboration with an independent consultant and the Broward County Property Appraiser, have identified assessment categories and rates based on approximate square footage of lots. It is recommended and proposed that the residential assessment rate for up to 41,200 in lot square footage would decrease from \$614.78 to \$593.01 annually (a savings of \$21.77 or approximately 3.5%) while the assessment rate for more than 106,999 of lot square footage would decrease from \$948.37 to \$879.74 annually (a savings of \$68.63 or approximately 7.2%) in FY 2020. Future year changes will depend upon the impact from mandated contractual consumer price and fuel indices adjustments, to remain a fully user based funded operation.

A summary table of the proposed rates and their relation to the current year is provided as “Exhibit A” to the accompanying resolution. There, one sees the total number of customers within each category and the anticipated change in rates. Also, contractual modifications including compliance targets to Solid/Bulk Waste service and operations are proposed for FY 2020. It shall be noted that the above proposed rates include the expenditure increases to the Town in the form of the mandated contractual consumer price and fuel indices adjustments. All the proposed assessment structure and rates were utilized to balance the Solid Waste Fund contained with the proposed budget document transmitted in July of this year in the grand total amount of \$1,813,747 as previously mentioned. Adoption of the proposed rate structure is sufficient to fund the identified services in Fiscal Year 2019–2020.

Finally, starting initially with FY 2017/2018 the Town of Southwest Ranches has continued to

provide for a 50% exemption from Solid Waste assessments for 100% service-connected qualified disabled veterans pursuant to a unanimous vote of Town Council. For FY 2019-2020, eleven veterans have qualified 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 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	Type
SW Assessment-FINAL 2019-2020 Reso - TA Approved	9/5/2019	Resolution
RESO FY20 FINAL SW Assess-FINAL-09122019-EXHIBIT A	8/28/2019	Resolution

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RESOLUTION NO. 2019-

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 FOR FY 2019-2020 COMMENCING OCTOBER 1, 2019; PROVIDING AUTHORITY FOR SOLID WASTE SERVICES ASSESSMENTS; PROVIDING PURPOSE AND DEFINITIONS; PROVIDING FINDINGS; INCORPORATING THE SOLID WASTE SPECIAL ASSESSMENT METHODOLOGY REPORT; PROVIDING FOR AN EXEMPTION FOR VETERAN'S SERVICE-CONNECTED TOTAL AND PERMANENT DISABILITY; APPROVING THE ASSESSMENT ROLL; AND PROVIDING AN EFFECTIVE DATE.

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

WHEREAS, the adoption of solid waste assessment rates resulting from the Town Council's policy direction requires the annual adoption of an Initial 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 Resolution No. 2017-058 approved on September 13, 2017, 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.

Section 2. Purpose and Definitions. This resolution constitutes the Final Assessment Resolution as defined in the Ordinance (codified as Sections 16-108 through 16-173 in the Town of Southwest Ranches Code of Ordinances, hereinafter "Code"). All capitalized words and terms not otherwise defined herein shall have the

meanings set forth in the Ordinance. Unless the context indicates otherwise, words imparting the singular number include the plural number, and vice versa. As used in this resolution, the following terms shall have the following meanings, unless the context hereof otherwise requires:

"Assessed Parcel" means those parcels with one or more Dwelling Units which are specially benefitted by the provision of solid waste collection and disposal services and which are subject to the Solid Waste Assessments authorized by this Initial Resolution.

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

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

"DOR Code" means a property land use code established in Rule 12D-8.008, Florida Administrative Code, assigned by the Property Appraiser to Parcels within the Town. Additionally, the Broward County Property Appraiser assigns property Use Codes to parcels and structures. DOR Codes and associated Use Code descriptions are used in the development of the Solid Waste Assessments set forth in this Resolution and in preparation of the Assessment Roll. Where the use of a parcel indicates a use or combination of usage different from the DOR Code assigned to the parcel, the Town has the authority to impose a rate or combination of rates based on the use regardless of the DOR Code assigned to the parcel.

"Dwelling Unit", as it relates to the Solid Waste Assessment which, may differ from the definition contained within the Town's Land Development Code, 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 as determined by the Broward County Property Appraiser, in conjunction with the Town's Solid Waste Assessment Study. 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 as determined by the Broward County Property Appraiser in conjunction with the Town's Solid Waste Assessment Study. 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, and as may be modified in the Final Resolution adopted herein. Combination Commercial or Non-residential uses with single family residential uses are subject to the assessments authorized by this Final 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 Non-residential Properties shall be billed directly for services by the Town's Solid Waste Provider.

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.

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 Final Assessment Resolution.

Section 4. Imposition and Computation of Solid Waste Assessments.

Solid Waste Assessments shall be imposed against all Assessed Parcels according to the applicable property size rate classification as determined by the Broward County Property Appraiser in conjunction with the Town's Solid Waste Assessment Study. Solid Waste Assessments shall be computed and imposed in the manner set forth in this Final Assessment Resolution, more specifically as presented in the Report by New Community Strategies amended and revised per Council action dated September 12, 2011.

Section 5. Legislative Determination of Special Benefit and Fair Apportionment. It is hereby ascertained, determined, and declared that the solid waste services to be funded by the Solid Waste Assessments provide special benefit to the Assessed Property based upon the following legislative determinations.

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 Broward County Property Appraiser in the apportionment methodology because: (1) the Tax Roll database employing the use of such property use codes is the most comprehensive, accurate, and reliable information readily available to determine the property use 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 Broward County 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 Broward County 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 a large portion 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 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.

Section 6. Determination of Solid Waste Assessed Costs; Establishment of Final Solid Waste Assessment Rates. 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 Final Assessment Resolution determines the amount of the Solid Waste Assessed Costs.

A. 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.

B. The estimated Solid Waste Assessments established in this Final Assessment Resolution for Fiscal Year 2019-2020 shall be the estimated assessment rates applied by the Town Administrator or Town Financial Administrator in the preparation of the Final Assessment Roll for the Fiscal Year commencing October 1, 2019, as provided in Section 7 of this Final Assessment Resolution.

Section 7. Final Assessment Roll. The Town Administrator or Town Financial Administrator is hereby directed to prepare, or cause to be prepared, a Final 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 or Town Financial Administrator shall apportion the estimated Solid Waste Assessed Cost to be recovered through Solid Waste Assessments in the manner set forth in this Final Assessment Resolution and the Report.

A. A copy of this Final 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 Final Assessment Resolution and the SWSAR report is as 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.

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

Section 9. Confirming a Final Public Hearing. The Town Council hereby confirms that a final public hearing was held at 6:00 p.m. on September 12, 2019, at the Southwest Ranches Council Chambers, 13400 Griffin Road, Southwest Ranches, Florida, 33330, at which time the Town Council received and considered comments on the Solid Waste Service Assessments from the public and affected property owners. Accordingly, the Town Council, at the final public hearing, considered the imposition of a Non-Advalorem Solid Waste Services Assessments and collection of such assessments on the same bill as ad valorem taxes by adoption of this Final Assessment Resolution.

Section 10. Notice by Publication. The Town Council confirms that a notice of the public hearing authorized by Section 9 hereof in the manner and time provided in Section 12-53 of the Code was published on Thursday, August 22, 2019.

Section 11. Notice By Mail. The Town Council confirms, in the event circumstances described in the Ordinance so require, that the Town through the Broward County Property Appraiser has provided notice by mail to the Owner of each parcel of Assessed Property. Notices were mailed on Friday August 16, 2019. The notices are in compliance with the provisions of section 200.069(10)(a), Florida Statutes, and are consistent with the requirements of the Uniform Assessment Collection Act and the Ordinance.

Section 12. Severability. If any word, phrase, clause, sentence, or section of this resolution is for any reason held unconstitutional or invalid, the invalidity thereof shall not affect the validity of any remaining portions of this Resolution.

Section 13. 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, programs and related emergencies. In the event there is any change in net position remaining at the end of the Fiscal Year, such balance shall be carried forward and used only to fund solid waste services, facilities, programs and related emergencies.

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.

Section 15. 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.

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

Ranches, Florida, this 12th day of September, 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, J.D., Town Attorney
35848119.1

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**Town of Southwest Ranches
Proposed FY 2019/2020
Solid Waste Assessment Worksheet**

EXHIBIT A

Sources:

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

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

Statutory Discount	\$ 88,909
Collections Cost and Other	\$ 55,178
Townwide Personnel/Contractual Costs	\$ 251,160
Total Solid Waste Assessment Expenses	\$ 1,813,747

Based On Consultant Study

Assessment	Lot Sq Ft. Range	Number of Units in Range	Solid Waste Cost Per Unit	Bulk Waste Cost Per Unit	Total Proposed Rates FY 19/20	Total Assessed Rates FY 18/19	Difference: (Decrease)
A	- 41,200	406	\$ 324.33	\$ 268.68	\$ 593.01	\$ 614.78	\$ (21.77)
B	41,201 46,999	428	\$ 324.33	\$ 314.55	\$ 638.88	\$ 666.13	\$ (27.25)
C	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
Freddy Fisikelli, Vice Mayor
Steve Breitzkreuz, Council Member
Gary Jablonski, 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: 9/12/2019
SUBJECT: FY 2019-2020 Tentative Millage Rate

Recommendation

To conduct the statutorily required public hearing and to adopt a tentative millage rate resolution of 4.6564 mills equal to the roll-back rate (representing the Town of Southwest Ranches' Operating rate of 4.2125 and .4439 mills for Transportation Surface Drainage Ongoing Rehabilitation) for Fiscal Year 2019 – 2020 and establish a final public hearing date of Thursday, September 26, 2019.

Strategic Priorities

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

Background

To generate revenues sufficient for the financing of municipal government operations, municipalities are permitted to establish a millage rate which, when applied to the taxable valuation of properties, creates a taxable levy against real and personal property within the Town. This item provides for the adoption of a tentative millage rate, to equal the roll-back rate which corresponds to the preliminary rate adopted on July 25th, 2019 to assist with

funding the Fiscal Year 2019 – 2020 budget and would facilitate policy direction received from Council during our special budget meeting held on August 20, 2019.

Fiscal Impact/Analysis

In July 2019, the Town Administrator and Town Financial Administrator transmitted a proposed budget document as required by the Town Charter. That document proposed a millage rate of 4.6564 mills and identified (on page 12) the effect that adoption of other rates was projected to have upon Town revenues. During August, the special budget meeting identified no items which impact the tentative total combined millage rate.

Overall, the millage rate for the Town of Southwest Ranches has been among the lowest in all of Broward County. The above SWR FY 2020 tentative millage rate places SWR as the seventh lowest rate of 31 (including the Transportation Surface Drainage Ongoing Rehabilitation TSDOR millage component) in all of Broward County for the combined operating and debt millage. This ranking is a favorable improvement of one notch from eighth lowest rate (also of 31) for the current FY 2019, and now coincides with the historical rate ranking for FY's 2018, 2017 and 2016.

Pursuant to the aforementioned and the Exhibit A attached, a majority vote (3 of 5 Council members) by Florida Statute, is required. The proposed tentative not-to-exceed rate (operating plus TSDOR of 4.6564 mills) represents a combined zero dollar (no increase or decrease) in the SWR portion of the total tax bill on \$250,000 taxable value as well as a zero-percentage change from the roll-back rate. Additionally, the SWR portion of the total tax bill would approximate less than 26% with the majority of the general fund operating portion (approx. 53%) dedicated to total public safety operations.

Staff Contact:

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

ATTACHMENTS:

Description	Upload Date	Type
Tentative Millage 19-20-Reso - TA Approved	9/5/2019	Resolution
SWR FY19-20 Tentative Millage maxs-FINAL-4.6564-09122019-EXHIBIT A	8/28/2019	Exhibit

RESOLUTION NO. 2019-xxx

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF SOUTHWEST RANCHES, FLORIDA APPROVING AND ADOPTING THE TENTATIVE MILLAGE RATE FOR TAXATION OF REAL PROPERTY LYING WITHIN THE BOUNDARIES OF THE TOWN OF SOUTHWEST RANCHES FOR THE 2019-2020 FISCAL YEAR, COMMENCING OCTOBER 1, 2019 AND ENDING SEPTEMBER 30, 2020; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the Town of Southwest Ranches, Florida is a municipality located in Broward County, Florida; and

WHEREAS, pursuant to Section 200.065 (4)(E)(1), Florida Statutes, the Town Council is obliged to adopt its tentative millage rate prior to adoption of its tentative budget; and

WHEREAS, the gross taxable value for operating purposes not exempt from taxation within Broward County has been certified by the County Property Appraiser to the Town of Southwest Ranches as \$1,480,632,023.

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

Section 1: The Fiscal Year 2019-2020 tentative operating millage rate for Town of Southwest Ranches is 4.6564 mills which is equal to the rolled-back rate of 4.6564 therefore representing a 0.00% percentage change from the roll-back rate.

Section 2: The Town Council shall adopt a final millage rate at the Town Council meeting scheduled for Thursday, September 26, 2019, at 6:00 PM, at which meeting the final budget for the 2019-2020 Fiscal Year will be considered and approved.

Section 3: Severability. If any one or more provisions of this Resolution shall be held contrary to any express provision of law or contrary to the policy of express law, though not expressly prohibited or against public policy, or shall for any reason whatsoever be held invalid, then such provision shall be null and void and shall be separate from the remaining provisions, and shall in no way affect the validity of all other provisions of this Resolution.

Section 4: Effective Date. This Resolution shall take effect immediately upon its adoption.

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

Ranches, Florida, this 12th day of September, 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 M. Poliakoff, J.D., Town Attorney
35848034.1

EXHIBIT A

Fiscal Year 2020 Millage Maximums and Related Information (Based on Certified Assessment Information)					
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	\$0	\$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.

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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: 9/12/2019
SUBJECT: FY 2019-2020 Budget Adoption

Recommendation

It is recommended that the first required public hearing be held and that Council approve the required first reading to adopt the Fiscal Year 2019 – 2020 budget, summarized as Exhibit A to the accompanying Ordinance.

Strategic Priorities

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

Background

Each municipality within the State of Florida is required by State Statute to adopt a balanced budget through a statutorily prescribed deadline and process of two public hearings and in advance of the effective date of the budget. This item provides for the first public hearing on the Town of Southwest Ranches proposed Fiscal Year 2019 – 2020 budget and for adoption of the budget for that year. A second hearing is required and has been scheduled for Thursday, September 26, 2019 @ 6pm.

Fiscal Impact/Analysis

The Town of Southwest Ranches budget process began in February and has included revisions resulting from external projections (insurance, State of Florida revenues, and contractual and cost estimates/changes) and from discussions / budget workshops with Town Advisory Boards and the Town Council. In July, staff presented a balanced proposed budget as required by the Town Charter. All subsequent revisions are reflected within the budget proposed for consideration tonight.

Exhibit A to the accompanying ordinance presents the Fiscal Year 2019 – 2020 Town of Southwest Ranches Proposed Budget as revised, in summary form. The summary reflects the fund aggregate revenues and expenditures for each fund as provided to the Town Council in July 2019, as revised pursuant to further direction received from Town Council during the August 2019 special budget meeting but requires no change to either the operating or TSDOR millage rates. The adoption of this revised summary limits Town expenditures to the appropriations for each fund and provides implicit support for the detailed spending plan presented by Staff.

Technically, it does not limit the allocation of the appropriated resources, but it does place a limit on the Town's total appropriations. Fortunately, there seems to be general consensus that the FY 19 / 20 detailed Proposed Budget as revised, meets Town Council objectives without overly burdening taxpayers or any other interested party. The Budget which is represented by the Summary seeks to balance progress and governmental spending. It also reflects Town Council funding priorities and direction received through September 12, 2019.

What it Includes:

The budget proposed for consideration tonight is balanced at the Town of Southwest Ranches' operating millage rate of 4.2125 mils plus .4439 mils for an on-going project which will make improvements and is committed to roadways Townwide (4.6564 mils in total). The budget includes millage funding for the sixth year of the Transportation Surface Drainage Ongoing Rehabilitation (TSDOR) project at \$624,267.

Additional capital improvements which are funded include: Town Hall Complex Safety, Drainage and Mitigation Improvements (\$215,039), further improvements at Frontier Trails Conservation area improvements (\$60,000), Fire Wells Replacement/Installation (\$30,000), and continued funding for Drainage Improvement projects (\$618,490).

Beyond the capital improvements, there are ten new or modified programs (Program Modifications) funded within the tentative budget. These include: Information Technology replacement program (\$10,500), Town Hall improved security and re-painting (\$6,000 & \$17,000, respectively), Council Chambers Camera (\$10,000), Website redesign and ADA compliance (\$17,500), Townwide Vehicle replacement program (\$17,500), and Town 20th

Anniversary Celebration (\$20,000). The budget includes funding for a variety of replacement programs related to Fire Protective Services. The Fire Protective Services replacement programs which are funded include: bunker gear (\$2,808), self-contained breathing apparatus (SCBA) mask fit certification equipment (\$14,000), and the Fire Protection Rate Assessment Study (\$39,000).

The proposed budget, maintains (and in some instances, improves) the high levels of service the residents of The Town of Southwest Ranches desire and have come to expect as well as revisits the existing 2011 Fire Assessment rate methodology to insure continued adherence to Florida Statutes and an equitable full cost recovery.

Finally, the impact from Hurricane Irma on September 10, 2017 required the Town to activate its emergency line of credit to assist in paying for mostly debris clean-up costs totaling in excess of \$4.3 million dollars. Appropriately, more than \$120,000 has been budgeted, in accordance with existing debt service covenants, to fund anticipated interest expense incurred until the Town is pro-rata reimbursed by Federal (FEMA) and State (FDEM) authorities.

Final Notes on Fiscal Impact:

Adoption of this budget has anticipated impact on the General Fund unassigned Fund Balance of approximately \$39,000 due to the August 20th Council exemption of newly assessed commercial agriculture barns. The General Fund restricted Building and Fire Control Fund Balances are impacted in the amount of \$20,000 and \$14,000 for GIS Technician Services and SCBA Mask fit certification equipment, respectively. The Capital Project Fund committed Fund Balance is reduced \$23,039 for Town Hall Complex Safety, Drainage and Mitigation Improvements while the Transportation Fund restricted Fund Balance will decrease by \$693,115 due to utilization of the TSDOR carryover balance (\$375,834), Drainage Improvements (\$149,000) and \$168,281 utilized to cover a portion of the normal fund operating deficit. Accordingly, all the aforementioned changes are attributable for utilization to fund desired capital projects and program modifications.

Modifications to the proposed budget at this point may be made. Increases to appropriations after this hearing would result in significant costs to re-advertise. If a final budget is not approved by October 1, 2019, the Town of Southwest Ranches is bound by Florida law to continue with an extension of the prior year's budget on a monthly basis until such time as a final budget is properly advertised, goes through a public hearing process and is approved.

Staff Contact:

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

ATTACHMENTS:

Description	Upload Date	Type
Proposed FY 19-20 Budget Ord -1st read-TA Approved	9/5/2019	Ordinance
FY19-20 Budget Summary-FINAL-09122019-EXHIBIT A	8/28/2019	Resolution

ORDINANCE NO. 2019-XXX

AN ORDINANCE OF THE TOWN OF SOUTHWEST RANCHES, FLORIDA, APPROVING THE BUDGET OF THE TOWN OF SOUTHWEST RANCHES FOR FISCAL YEAR 2019-2020, COMMENCING OCTOBER 1, 2019 AND ENDING SEPTEMBER 30, 2020; PROVIDING FOR A BUDGET BASIS; PROVIDING FOR EXPENDITURE OF FUNDS; PROVIDING FOR CARRYOVER OF FUNDS; PROVIDING FOR NOTICE; PROVIDING FOR SEVERABILITY; PROVIDING FOR CONFLICT; AND, PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the Town of Southwest Ranches is a municipality located in Broward County, Florida; and

WHEREAS, a public hearing was held on the tentative millage and budget on Thursday, September 12, 2019 at 6:00 P.M.; and

WHEREAS, a Public Hearing on the Town of Southwest Ranches' final budget for Fiscal Year 2019-2020 will be held at 6:00 P.M. on Thursday, September 26, 2019, at the Southwest Ranches Council Chambers, 13400 Griffin Road, Southwest Ranches, Florida, 33330; and

WHEREAS, the amount available from taxation and other revenues equals the total appropriations for expenditures and fund balance/reserves.

NOW, THEREFORE, BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF SOUTHWEST RANCHES, FLORIDA THAT THE FOLLOWING ORDINANCE IS CREATED IN ACCORDANCE WITH THE TOWN CHARTER:

Section 1: Budget Adoptions. The Town of Southwest Ranches budget for Fiscal Year 2019-2020, a copy of which is attached hereto and incorporated herein by reference as Exhibit "A," is hereby approved and adopted and shall become effective at the beginning of the 2019-2020 Fiscal Year, and the Town's funds may be expended commencing October 1, 2019 and ending September 30, 2020.

Section 2: Budget Basis. The proposed expenditures in the budget are as shown in the budget and by reference made a part hereof. The budget is based upon the gross taxable value of real and personal property of \$1,480,632,023

Section 3: Expenditure of Funds. No funds of the Town shall be expended except pursuant to duly approved appropriations or for the payment of bonds, notes, or other indebtedness duly authorized by the Council and only from such funds so authorized.

Section 4: Carryover of Funds. Funds of the Town's current Fiscal Year 2018-2019 adopted budget as well as budget amendments pursuant to subsequent resolutions as indicated in Section 5 of this Ordinance not expended during Fiscal Year 2018-2019 may be used and expended during subsequent fiscal years.

Section 5: Amendments. The Town of Southwest Ranches budget for the Fiscal Year 2019-2020, may be amended, if required, by a Resolution of the Town Council.

Section 6: Notice. The Town Clerk or designee is directed to forward certified copies of this Ordinance to the Broward County Property Appraiser, the Broward County Revenue Collector and the Florida Department of Revenue.

Section 7: Severability. If any one or more of the provisions of this Ordinance shall be held contrary to any express provision of law or contrary to the policy of express law, though not expressly prohibited or against public policy, or shall for any reason whatsoever be held invalid, then such provision shall be null and void and shall be separate from the remaining provisions, and shall in no way affect the validity of all other provisions of this Ordinance.

Section 8: Conflict. That all Sections or parts of Sections of the Code of Ordinances or parts of Ordinances, and all Resolutions, or parts of Resolution, in conflict are hereby repealed to the extent of such conflict.

Section 9: Effective Date. This Ordinance shall be effective immediately upon its adoption.

PASSED ON FIRST READING this 12th day of September, 2019 on a motion made by _____ and seconded by _____.

PASSED AND ADOPTED ON SECOND READING this ____ day of _____, 2019, on a motion made by _____ and seconded by _____.

McKay _____
Jablonski _____
Fisikelli _____
Hartmann _____
Schroeder _____

Ayes _____
Nays _____
Absent _____

[Signatures on Following Page]

Doug McKay, Mayor

ATTEST:

Russell Muñiz, Assistant Town Administrator/Town Clerk

Approved as to Form and Correctness:

Keith M. Poliakoff, J.D., Town Attorney
35848161.1

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BUDGET SUMMARY

Town of Southwest Ranches, Florida - Fiscal Year 2019 - 2020

THE PROPOSED OPERATING BUDGET EXPENDITURES OF THE TOWN OF SOUTHWEST RANCHES ARE 2.5% MORE THAN LAST YEARS TOTAL OPERATING EXPENDITURES

General Fund 4.6564
Voted Debt 0.0000
First Public Hearing: Exhibit A
 Thursday, September 12, 2019 @ 6:00pm

ESTIMATED REVENUES:	CAPITAL			VOLUNTEER		DEBT		TOTAL	
	GENERAL FUND	PROJECTS FUND	TRANSPORTATION FUND	FIRE FUND	SERVICE FUND	SOLID WASTE FUND	ALL FUNDS		
TAXES:									
Ad Valorem Taxes	6,549,694	0	0	0	0	0	6,549,694		
Ad Valorem Taxes	0	0	0	0	0	0	0		
Franchise/Utility Taxes	1,869,399	0	0	0	0	0	1,869,399		
Sales & Use Taxes	634,684	0	0	0	0	0	634,684		
Permits/Licenses/Inspections	856,984	0	0	0	0	0	856,984		
Intergovernmental	0	180,000	547,943	0	0	0	727,943		
Charges for Services	128,100	0	0	0	0	1,678,660	1,806,760		
Fines & Forfeitures	243,600	0	0	0	0	0	243,600		
Loan Proceeds	0	0	0	0	0	0	0		
Special Fire Assessment	1,982,403	0	0	0	0	0	1,982,403		
Miscellaneous Revenues	206,969	0	5,000	10,000	0	8,625	230,594		
TOTAL SOURCES	12,471,833	180,000	552,943	10,000	0	1,687,285	14,902,061		
Interfund Transfers - In	251,160	72,000	862,267	192,506	1,028,791	120,379	2,527,103		
Fund Balance/Reserves/Net Assets	73,000	23,039	693,115	0	0	0	789,154		
TOTAL REVENUES, TRANSFERS & BALANCES	12,795,993	275,039	2,108,325	202,506	1,028,791	1,807,664	18,218,318		

EXPENDITURES/EXPENSES								
General Government	2,094,583	0	0	0	0	0	2,094,583	
Law Enforcement	2,919,093	0	0	0	0	0	2,919,093	
Fire Rescue Services	3,915,418	0	0	202,506	0	0	4,117,924	
Community Services (Planning, Zoning & Engineering)	411,462	0	0	0	0	0	411,462	
Physical Environment (Permits/Code/Roads/Solid Waste/TH)	721,516	215,039	2,108,325	0	0	1,430,500	4,475,380	
Parks, Recreation and Open Space	415,969	60,000	0	0	0	0	475,969	
Debt Service	0	0	0	0	908,412	120,379	1,028,791	
Contingency	162,388	0	0	0	0	5,625	168,013	
TOTAL EXPENDITURES/EXPENSES	10,640,429	275,039	2,108,325	202,506	908,412	1,556,504	15,691,215	
Interfund Transfers - Out	2,155,564	0	0	0	120,379	251,160	2,527,103	
Fund Balance/Reserves/Net Assets	0	0	0	0	0	0	0	
TOTAL APPROPRIATED EXPENDITURES TRANSFERS, RESERVES & BALANCES	12,795,993	275,039	2,108,325	202,506	1,028,791	1,807,664	18,218,318	

THE TENTATIVE, ADOPTED, AND/OR FINAL BUDGETS ARE ON FILE IN THE TOWN CLERK'S OFFICE (13400 GRIFFIN ROAD, SOUTHWEST RANCHES, FL 33330-2628) AS A PUBLIC RECORD.