



THE CITY OF POSITIVE PROGRESSION

**CITY OF WEST PARK
SPECIAL ASSESSMENTS PUBLIC HEARING AGENDA
FOR PROPOSED FISCAL YEAR 2016~2017**

**WEDNESDAY, SEPTEMBER 14, 2016
6:00 P.M.**

**COMMISSION CHAMBER
1965 SOUTH STATE ROAD 7, WEST PARK, FL 33023**

NEXT MEETING DATES:

**SECOND BUDGET PUBLIC HEARING
Wednesday, September 21, 2016; 6:00 p.m.**

**REGULAR COMMISSION MEETING
Wednesday, September 21, 2016; 7:00 p.m.**

Website: www.cityofwestpark.org
Phone: 954-989-2688 Fax: 954-989-2684

**Mayor: Eric H. Jones
Vice Mayor: Rita Mack
Commissioner: Thomas Dorsett
Commissioner: Brian Johnson
Commissioner: Kristine Judeikis
City Manager: W. Ajibola Balogun
City Attorney: Burnadette Norris-Weeks
City Clerk: Alexandra Grant**

City of West Park Ordinance No. 2012-05 requires all lobbyists before engaging in any lobbying activities to register with the City Clerk and pay an annual fee of \$100.00 per **Resolution No. 2012-43**. This applies to all persons who are retained (whether paid or not) to represent a business entity or organization to influence “City” action. “City” action is broadly described to include the ranking and selection of professional consultants and virtually all legislative, quasi-judicial and administrative action.

1. **CALL TO ORDER**
2. **ROLL CALL**
3. **INVOCATION**
4. **PLEDGE OF ALLEGIANCE**
5. **OPPORTUNITY FOR THE PUBLIC TO ADDRESS THE COMMISSION**
6. **RESOLUTIONS - PUBLIC HEARING**
 1. AN ANNUAL ASSESSMENT RESOLUTION OF THE CITY OF WEST PARK, FLORIDA, RELATING TO THE PROVISION OF SOLID WASTE SERVICES FOR FISCAL YEAR 2016-2017, BEGINNING OCTOBER 1, 2016 THROUGH SEPTEMBER 30, 2017; ESTABLISHING THE RATE OF ASSESSMENT; IMPOSING SOLID WASTE SERVICE ASSESSMENTS AGAINST ASSESSED PROPERTY LOCATED WITHIN THE CITY OF WEST PARK, APPROVING THE ASSESSMENT ROLL FOR FISCAL YEAR 2016-2017; PROVIDING FOR AN EFFECTIVE DATE
Resolution 2016-94
 2. A RESOLUTION OF THE CITY OF WEST PARK, FLORIDA, ELECTING TO UTILIZE THE UNIFORM METHOD OF COLLECTING NON-AD VALOREM ASSESSMENTS PURSUANT TO SECTION 197.3632, FLORIDA STATUTES, FOR THE COLLECTION OF NUISANCE ABATEMENT SERVICES ASSESSMENTS; ADOPTING FINDINGS OF FACT; APPROVING THE RATE OF ASSESSMENT FOR EACH AFFECTED PROPERTY; APPROVING THE ASSESSMENT ROLL; PROVIDING AN EFFECTIVE DATE
Resolution 2016-95
 3. AN ANNUAL ASSESSMENT RESOLUTION OF THE CITY OF WEST PARK, FLORIDA, RELATING TO THE PROVISION OF FIRE PROTECTION SERVICES IN AND FOR FISCAL YEAR 2016-2017,

BEGINNING OCTOBER 1, 2016 THROUGH SEPTEMBER 30, 2017; ESTABLISHING THE RATE OF ASSESSMENT; IMPOSING FIRE PROTECTION SERVICE ASSESSMENTS AGAINST ASSESSED PROPERTY LOCATED WITHIN THE CITY OF WEST PARK, APPROVING THE ASSESSMENT ROLL FOR FISCAL YEAR 2016-2017; PROVIDING FOR AN EFFECTIVE DATE

Resolution 2016-96

4. A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF WEST PARK, FLORIDA, RELATING TO THE PROVISION OF WATER CONTROL AND DRAINAGE SERVICES, FACILITIES AND PROGRAMS WITHIN THE CITY OF WEST PARK; ESTABLISHING AND APPROVING THE RATE OF ASSESSMENT FOR THE TWIN LAKES WATER CONTROL DISTRICT TO BE IMPOSED DURING FISCAL YEAR 2016-2017, BEGINNING OCTOBER 1, 2016 THROUGH SEPTEMBER 30, 2017; PROVIDING AN EFFECTIVE DATE

Resolution 2016-97

7. FOR THE GOOD OF THE ORDER / COMMISSIONER COMMENTS

8. ADJOURNMENT

RULES OF PROCEDURE

WHO MAY SPEAK

Meetings of the City Commission are open to the public. They are not; however, public forums. Any resident who wishes to address the Commission on any subject within the scope of the Commission's authority may do so, providing it is accomplished in an orderly manner and in accordance with the procedures outlined below.

SPEAKING ON ITEMS ON THE AGENDA

- **Consent Agenda Items** – These are items, which the Commission does not need to discuss individually, and which are voted on as a group. Any Commissioner who wishes to discuss any individual item on the consent agenda may request the Mayor to pull such item from the consent agenda. Those items pulled will be discussed and voted upon individually.
- **Regular Agenda Items** – These are items, which the Commission will discuss individually in the order listed on the agenda. By majority vote, the City Commission may permit any person to be heard on an item at a non-public hearing.
- **Public Hearing Items** – This portion of the agenda is to obtain input from the public on some ordinances, resolutions and zoning applications. The chair will permit any person to be heard on the item during formal public hearings.

SPEAKING ON SUBJECTS NOT ON THE AGENDA

Any resident may address the Commission on any items pertaining to City business during the Opportunity For The Public To Address the Commission portion of the agenda. Persons wishing to speak must sign in with the City Clerk before the start of the meeting.

ADDRESSING THE COMMISSION, MANNER & TIME

By majority vote the City Commission may invite citizen discussion on any agenda item. In every case where a citizen is recognized by the Mayor to discuss an agenda item, the citizen shall step to the podium/microphone, state his or her name and address for the benefit of the city clerk, identify any group or organization he or she represents and shall then succinctly state his or her position regarding the item before the city commission. Any question, which shall be related to the business of the City and deemed appropriate by the Mayor, shall be directed to the Mayor and the Mayor shall then re-direct the question to the appropriate Commissioner or City staff to answer the citizen question which shall be related to the business of the City.

All comments or questions of the public are to be directed to the Mayor as presiding officer only. There shall be no cross conversations or questions of any other persons. The length of time each individual may speak should be limited in the interest of order and conduct of the business at hand. Comments to the Commission by individual citizens shall be limited to two (2) minutes during the citizens request period. The City Clerk shall be charged with the responsibility of notifying each citizen thirty (30) seconds before said time shall elapse and when said time limit has expired.

APPEALS

If a person decides to appeal any decision made by the board, agency, or commission with respect to any matter considered at such meeting or hearing, he or she will need a record of the proceedings, and that, for such purpose, he or she may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based.

DECORUM

If a member of the audience becomes unruly, the Mayor has the right to require the person to leave the room. If a crowd becomes unruly, the mayor may recess or adjourn the meeting. Please turn off all cell phones and pagers.

CONTACT INFORMATION

If anyone has questions or comments about anything on the meeting agenda, please contact the City Administrator at 954-989-2688.

AMERICANS WITH DISABILITY ACT

In accordance with the Americans with Disability Act and Florida Statute 286.26, persons with disabilities needing special accommodation to participate in this proceeding should contact the City Clerk no later than three (3) days prior to the meeting at (954)-989-2688 for assistance.

RESOLUTION NO. 2016-94

AN ANNUAL ASSESSMENT RESOLUTION OF THE CITY OF WEST PARK, FLORIDA, RELATING TO THE PROVISION OF SOLID WASTE SERVICES FOR FISCAL YEAR 2016-2017, BEGINNING OCTOBER 1, 2016 THROUGH SEPTEMBER 30, 2017; ESTABLISHING THE RATE OF ASSESSMENT; IMPOSING SOLID WASTE SERVICE ASSESSMENTS AGAINST ASSESSED PROPERTY LOCATED WITHIN THE CITY OF WEST PARK, APPROVING THE ASSESSMENT ROLL FOR FISCAL YEAR 2016-2017; PROVIDING FOR AN EFFECTIVE DATE

WHEREAS, the imposition of a Solid Waste Service Assessment is an equitable and efficient method of allocating and apportioning Solid Waste costs amongst parcels of assessed property; and

WHEREAS, Chapter 30, Article III, Division 2 of the City of West Park's Code of Ordinances authorizes the imposition and collection of annual Solid Waste Service Assessments against certain Assessed Property within the City of West Park ("City"), using the tax bill collection method; and

WHEREAS, on August 1, 2007, the City Commission adopted Resolution No. 2007-44 (the "Initial Assessment Resolution"), containing a brief and general description of the Solid Waste services to be provided to Assessed Property; describing the method of apportioning the Solid Waste costs to compute the Solid Waste Service Assessment for Solid Waste and Recyclable Materials collection and disposal services, facilities or programs against Residential Property located within the Assessment Area; designating a rate of assessment and directing preparation of the Assessment Roll and provision of the notice required by Chapter 30, Article III, Division 2 of the City's Code of Ordinances; and

WHEREAS, the City Commission desires to continue an assessment program for Solid Waste within the City using the tax bill collection method for Fiscal Year 2016-2017, beginning on October 1, 2016 through September 30, 2017; and

WHEREAS, pursuant to Chapter 30, Article III, Division 2, Section 30-67 of the City's Code of Ordinances, after hearing comments and objections of all interested parties, the City is required to adopt an Annual Rate Resolution, with such amendments as the Commission deems appropriate; and

WHEREAS, the Assessment Roll was made available for inspection by the public, as required by Chapter 30, Article III, Division 2 of the City's Code of Ordinances and the applicable Florida Statutes; and;

WHEREAS, a public hearing will be held on Wednesday, September 14, 2016, and comments and objections of all interested persons will be heard regarding the solid waste service assessment rates for FY 2016-2017, as required by Chapter 30, Article III, Division 2 of the City's Code of Ordinances; and

WHEREAS, the City Commission of the City of West Park desires to adopt the Annual Rate Resolution for imposition of Solid Waste Service Assessments for Fiscal Year 2016-2017, beginning on October 1, 2016 through September 30, 2017.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF WEST PARK, FLORIDA, AS FOLLOWS:

Section 1. Adoption of Representations. The foregoing "Whereas" clauses are hereby ratified and confirmed as being true, and the same are hereby made a specific part of this Resolution.

Section 2. Authority. This resolution is adopted pursuant to Chapter 30, Article III, Division 2 of the City's Code of Ordinances; Resolution No. 2007-44; Article VIII, Section 2, Florida Constitution; Sections 166.021 and 166.041, Florida Statutes; and other applicable provisions of law.

Section 3. Definitions and Interpretation. This resolution contemplates the Annual Rate Resolution as defined in Chapter 30, Article III, Division 2, Section 30-25 of the City's Code of Ordinances. All capitalized terms in this resolution shall have the meanings defined in Section 30-25 of the City's Code of Ordinances and the Initial Assessment Resolution.

Section 4. Imposition of Solid Waste Service Assessments.

(A) The parcels of Assessed Property described in the Assessment Roll, which is hereby preliminarily approved, are hereby found to be specially benefited by the provision of Solid Waste services, described in the Initial Assessment Resolution, in the amount of the Solid Waste Service Assessment set forth in the Assessment Roll, a copy of which was available at the above referenced public hearing and is incorporated herein by reference. It is hereby ascertained, determined and declared that each parcel of Assessed Property within the Assessment Area will be benefited by the City's provision of Solid Waste services in an amount not less than the Solid Waste Service Assessment for such parcel, computed in the manner set forth in the Initial Assessment Resolution and this Resolution. Adoption of this Annual Rate Resolution constitutes a legislative determination that all parcels assessed derive a special benefit, as set forth in the Chapter 30, Article III, Division 2 of the City's Code of Ordinances and the Initial Assessment Resolution, from the Solid Waste services to be provided and a legislative determination that the Solid Waste Service Assessments are fairly and reasonably apportioned among the Residential Properties that receive the special benefit as set forth in the Initial Assessment Resolution.

(B) For Fiscal Year 2016-2017, beginning October 1, 2016 through September 30, 2017, the total Solid Waste Cost is determined to be \$1,846,352.87, which shall be allocated among all parcels of Assessed Property, based upon each parcel's classification as Residential Property and the number of Dwelling Units for such parcels.

(C) For Fiscal Year 2016-2017, beginning October 1, 2016 through September 30, 2017, a rate of assessment equal to \$399.73 for each Dwelling Unit, is hereby approved for the provision of Solid Waste Services. Solid Waste Service Assessments for Solid Waste services in the amounts set forth in the Assessment Roll, and if finally approved by the Commission, will be levied and imposed on all parcels of Assessed Property described in the Assessment Roll upon adoption of the Annual Assessment Resolution.

(D) It is hereby confirmed that the Assessment Roll, as incorporated by reference and made a part of this Annual Rate Resolution, has been prepared in accordance with the method of apportionment set forth in the Initial Assessment Resolution and the subsequent Preliminary Rate Resolution.

The Assessment Roll, as herein preliminarily approved, shall be delivered to the Broward County Finance and Administrative Services Department for collection using the tax bill collection method in the manner prescribed by Chapter 30, Article III, Division 2 of the City's Code of Ordinances. The Assessment Roll, as delivered to the Broward County Finance and Administrative Services Department and Broward County Property Appraiser's Office and shall be accompanied by a Certificate to Non-Ad Valorem Assessment Roll in substantially the form attached hereto as Appendix B.

(E) Any shortfall in the expected Solid Waste Assessment proceeds due to any reduction or exemption from payment of the Solid Waste Assessments required by law or authorized by the City Commission shall be supplemented by any legally available funds, or combination of such funds, and shall not be paid for by proceeds or funds derived from the Solid Waste Assessments.

Section 5. Effective Date. This Annual Rate Resolution shall take effect immediately upon its final passage and adoption.

PASSED and **ADOPTED** this 14th day of September 2016.

Eric H. Jones, Jr., Mayor

ATTEST:

Alexandra Grant, City Clerk

APPROVED AS TO FORM AND
LEGAL SUFFICIENCY:

Burnadette Norris-Weeks, Esq.
City Attorney

Moved by: _____

Seconded by: _____

VOTE:

Commissioner Dorsett	_____ (Yes)	_____ (No)
Commissioner Johnson	_____ (Yes)	_____ (No)
Commissioner Judeikis	_____ (Yes)	_____ (No)
Vice-Mayor Mack	_____ (Yes)	_____ (No)
Mayor Jones	_____ (Yes)	_____ (No)

APPENDIX A
NON-AD VALOREM ASSESSMENT ROLL

**APPENDIX B
FORM OF CERTIFICATE TO
NON-AD VALOREM ASSESSMENT ROLL**

**CERTIFICATE
TO
NON-AD VALOREM ASSESSMENT ROLL**

I HEREBY CERTIFY that, I am the Mayor of the City of West Park, or authorized agent of the City of West Park, Florida (the "City"); as such I have satisfied myself that all property included or includable on the non-ad valorem assessment roll for Solid Waste Services (the "Non-Ad Valorem Assessment Roll") for the City is properly assessed so far as I have been able to ascertain; and that all required extensions on the above described roll to show the non-ad valorem assessments attributable to the property listed therein have been made pursuant to law.

I FURTHER CERTIFY that, in accordance with the Uniform Assessment Collection Act, this certificate and the herein described Non-Ad Valorem Assessment Roll will be delivered to the Broward County Property Appraiser's Office and the Broward County Finance and Administrative Services Department by September 15, 2016.

IN WITNESS WHEREOF, I have subscribed this certificate and directed the same to be delivered to the Broward County Property Appraiser's Office and the Broward County Finance and Administrative Services Department and made part of the above described Non-Ad Valorem Assessment Roll this ____ day of _____, 2016.

CITY OF WEST PARK, FLORIDA

By: _____
Eric H. Jones., Jr.
Mayor

**[to be delivered to Broward County Finance and Administrative Services Department
and Broward County Property Appraiser prior to September 15]**

RESOLUTION NO. 2016-95

A RESOLUTION OF THE CITY OF WEST PARK, FLORIDA, ELECTING TO UTILIZE THE UNIFORM METHOD OF COLLECTING NON-AD VALOREM ASSESSMENTS PURSUANT TO SECTION 197.3632, FLORIDA STATUTES, FOR THE COLLECTION OF NUISANCE ABATEMENT SERVICES ASSESSMENTS; ADOPTING FINDINGS OF FACT; APPROVING THE RATE OF ASSESSMENT FOR EACH AFFECTED PROPERTY; APPROVING THE ASSESSMENT ROLL; PROVIDING AN EFFECTIVE DATE

WHEREAS, the City of West Park ("City") has been confronted with the challenge of abandoned and unmaintained properties within the City; and

WHEREAS, the City has instituted a Nuisance Abatement Program to address certain property maintenance issues affecting these abandoned and unmaintained properties; and

WHEREAS, these property maintenance issues negatively affect the public health, safety, and welfare by enabling the deterioration of neighborhoods, facilitating opportunities for criminal activity, producing blight, and contributing to lower property values; and

WHEREAS, affected property owners and mortgagees were provided notice and an opportunity to be heard concerning conditions on their property which threatened the public health, safety, and welfare; and

WHEREAS, the owners or mortgagees have either abandoned properties or refused to address the issues that threaten the community; and

WHEREAS, in an effort to combat these negative effects on the City of West Park and its residents, the City has undertaken to improve various properties throughout the City by abating conditions deemed to be a nuisance, pursuant to its Nuisance Abatement Program; and

WHEREAS, the City Commission of the City of West Park ("City Commission") finds that properties so improved have specifically benefited from the City's actions in an amount equal to or greater than the costs incurred by the City in carrying out its Nuisance Abatement Program and greater in kind and degree than other properties located within the City; and

WHEREAS, some owners or mortgagees of the benefited properties have failed or refused to reimburse the City for the costs incurred by the City for the improvement; and

WHEREAS, the City Commission finds that it is fair and equitable to assess against each benefited property a non-ad valorem special assessment in an amount equal to the costs incurred in improving said property, less any amounts paid by the property owner to offset such costs; and

WHEREAS, the uniform method of collecting non-ad valorem assessments as authorized by Section 197.3632, Florida Statutes, provides for the collection of non-ad valorem assessments by including such assessments on the tax bills issued for the collection of non-ad valorem taxes; and

WHEREAS, the City Commission desires to utilize the uniform method of collecting non-ad valorem assessments to collect the Nuisance Abatement Services Assessments specified herein; and

WHEREAS, the City Commission City held a duly advertised public hearing on September 14, 2016, proof of publication of such hearing being attached hereto as Exhibit "C", to hear testimony and receive written objections from all interested persons prior to the adoption of this Resolution.

NOW THEREFORE, BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF WEST PARK, FLORIDA, AS FOLLOWS:

Section 1. Adoption of Representations. The foregoing "Whereas" clauses are hereby ratified and confirmed as being true, and the same are hereby made a specific part of this Resolution.

Section 2. Applicable Authority. This resolution is adopted pursuant to Chapter 166, Part I, Chapter 170, Section 170.201(1), and Chapter 197, Florida Statutes, and other applicable provisions of law.

Section 3. Findings. The foregoing findings are incorporated herein by reference and made a part hereof. Further, it is hereby ascertained, determined, and declared as set forth in Chapter 14, Article V of the City's Code of Ordinances, that the City Commission of the City of West Park has the authority under its home rule powers and other applicable Florida Statutes to impose Nuisance Abatement Services Assessments upon certain defined residential properties ("Assessed Property"), within the incorporated area of the City of West Park ("City"), as more fully described in Exhibit "A" attached hereto and incorporated by reference herein.

In addition, it is hereby ascertained, determined, and declared that each parcel of Assessed Property has been benefited by the City's provision of nuisance abatement services in an amount not less than the cost of such service by the City for each parcel

computed in the manner set forth in this Assessment Resolution based upon the following legislative determinations:

- (A) Nuisance abatement services provide a special benefit and possess a logical relationship to the use and enjoyment of property;
- (B) Nuisance abatement services benefit Assessed Property by providing reasonable, safe, and cost effective remediation of nuisance conditions on such property;
- (C) Nuisance abatement services benefit Assessed Property by protecting the value of the property, protecting the property from becoming the target of crime, and promoting the health, safety, and welfare of the owners and occupants of such property, if any, resulting from the delivery of such services in a reasonable and cost effective manner.
- (D) Nuisance abatement services assist in facilitating the eventual sale of property following foreclosure by promoting maintenance of the property, preventing vandalism of the property, and improving the appearance of the neighborhood.

Section 4. Assessments; Nuisance Abatement. Nuisance Abatement Services are provided to benefited properties after the property has been declared a nuisance pursuant to the City's Nuisance Abatement Program. Nuisance Abatement Services Assessments are imposed when the property owner fails to abate the conditions which give rise to the nuisance and as a result, the City abates the nuisance(s). Each assessment includes the actual cost incurred by the City for the work performed on the property in abating the nuisance condition(s), utilizing either an outside contractor or City forces; the cost of providing notice, including, but not limited to, the cost of postage and publication and/or service by a process server; and administrative/personnel costs. The Assessments set forth in Exhibit "A" attached hereto and incorporated herein are hereby approved and shall be collected utilizing the uniform method of collecting non-ad valorem assessments.

Section 5. Liens. Nuisance Abatement Services Assessments shall constitute a lien upon the Assessed Property equal in rank and dignity with the liens of all state, county, district or municipal taxes and other non-ad valorem assessments. Except as otherwise provided by law, such lien shall be superior in dignity to all other liens, titles and claims, until paid.

Section 6. Adoption of Assessment Roll; Transmittal. The City Commission of the City of West Park hereby adopts Exhibit "A" as the City's 2016-2017 non-ad valorem assessment roll for Nuisance Abatement Services to be forwarded to the Broward County Department of Finance and Administrative Services pursuant to Section 197.3632, Florida Statutes. The City Administrator or his designee is hereby authorized and designated to certify the non-ad valorem assessment roll adopted herein to the Broward County

Department of Finance and Administrative Services. The assessment roll, as delivered to the Broward County Department of Finance and Administrative Services, shall be accompanied by a Certificate of Non-Ad Valorem Assessment Roll in substantially the form attached hereto as Exhibit "B".

Section 7. Effective Date. This Assessment Resolution shall be effective immediately upon its passage and adoption.

PASSED and ADOPTED this 14th day of September 2016.

Eric H. Jones, Jr., Mayor

ATTEST:

Alexandra Grant, City Clerk

APPROVED AS TO FORM AND
LEGAL SUFFICIENCY:

Burnadette Norris-Weeks, Esq.
City Attorney

Moved by: _____

Seconded by: _____

VOTE:

Commissioner Dorsett	_____ (Yes)	_____ (No)
Commissioner Johnson	_____ (Yes)	_____ (No)
Commissioner Judeikis	_____ (Yes)	_____ (No)
Vice-Mayor Mack	_____ (Yes)	_____ (No)
Mayor Jones	_____ (Yes)	_____ (No)

EXHIBIT "A"
NUISANCE ABATEMENT ASSESSMENT ROLL

EXHIBIT "B"
CERTIFICATE OF NON-AD VALOREM ASSESSMENT ROLL

EXHIBIT "C"
PROOF OF PUBLICATION

RESOLUTION NO. 2016-96

AN ANNUAL ASSESSMENT RESOLUTION OF THE CITY OF WEST PARK, FLORIDA, RELATING TO THE PROVISION OF FIRE PROTECTION SERVICES IN AND FOR FISCAL YEAR 2016-2017, BEGINNING OCTOBER 1, 2016 THROUGH SEPTEMBER 30, 2017; ESTABLISHING THE RATE OF ASSESSMENT; IMPOSING FIRE PROTECTION SERVICE ASSESSMENTS AGAINST ASSESSED PROPERTY LOCATED WITHIN THE CITY OF WEST PARK, APPROVING THE ASSESSMENT ROLL FOR FISCAL YEAR 2016-2017; PROVIDING FOR AN EFFECTIVE DATE

WHEREAS, the imposition of a Fire Protection Service Assessment is an equitable and efficient method of allocating and apportioning Fire Protection Costs among parcels of Assessed Property; and

WHEREAS, Chapter 16, Article II, Division 2 of the City of West Park's Code of Ordinances authorizes the imposition and collection of annual Fire Protection Service Assessments against certain Assessed Property within the City, using the tax bill collection method; and

WHEREAS, on August 1, 2007, the City Commission adopted Resolution No. 2007-45 (the "Initial Assessment Resolution"), which contained a brief and general description of the Fire Protection services to be provided to Assessed Property; describing the method of apportioning the Fire Protection Costs to compute the Fire Protection Service Assessment for Fire Protection services against Residential Property located within the Assessment Area; designating a rate of assessment and directing preparation of the Assessment Roll and provision of the notice required by the Chapter 16, Article II, Division 2 of the City of West Park's Code of Ordinances; and

WHEREAS, the City Commission desires to continue an assessment program for Fire Protection within the City of West Park ("City") using the tax bill collection method for Fiscal Year 2016-2017, beginning on October 1, 2016 through September 30, 2017; and

WHEREAS, pursuant to Chapter 16, Article II, Division 2, Section 16-57 of the City's Code of Ordinances, the City is required to adopt an Annual Rate Resolution, with such amendments as the Commission deems appropriate, after hearing comments and objections of all interested parties; and

WHEREAS, the Assessment Roll has been made available for inspection by the public, as required by Chapter 16, Article II, Division 2 of the City's Code of Ordinances and the applicable Florida Statutes; and;

WHEREAS, a public hearing will be held on September 14, 2016, and comments and objections of all interested persons will be heard regarding the Fire Protection service assessment rates for FY 2016-2017, as required by the terms of the relevant Ordinance; and

WHEREAS, the City Commission of the City of West Park desires to adopt the Annual Rate Resolution for imposition of Fire Protection Service Assessments for Fiscal Year 2016-2017, beginning on October 1, 2016 through September 30, 2017.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF WEST PARK, FLORIDA, AS FOLLOWS:

Section 1. Adoption of Representations. The foregoing "Whereas" clauses are hereby ratified and confirmed as being true, and the same are hereby made a specific part of this Resolution.

Section 2. Authority. This resolution is adopted pursuant to Chapter 16, Article II, Division 2 of the City's Code of Ordinances; Resolution No. 2007-44; Article VIII, Section 2, Florida Constitution; Sections 166.021 and 166.041, Florida Statutes; and other applicable provisions of law.

Section 3. Definitions and Interpretation. This resolution constitutes the Final Assessment Resolution as defined in Chapter 16, Article II, Division 1, Section 16-19 of the City's Code of Ordinances. All capitalized terms in this resolution shall have the meanings defined in Section 16-19 of the City's Code of Ordinances and the Initial Assessment Resolution.

Section 4. Imposition of Fire Protection Assessments.

(A) The parcels of Assessed Property described in the Assessment Roll, which is hereby approved, are hereby found to be specially benefited by the provision of the fire protection services described or referenced in the Initial Assessment Resolution, in the amount of the Fire Protection Assessment set forth in the Assessment Roll, a copy of which was present or available for inspection at the above referenced public hearing and is incorporated herein by reference. It is hereby ascertained, determined and declared that each parcel of Assessed Property within the City will be specially benefited by the City's provision of fire protection services in an amount not less than the Fire Protection Assessment for such parcel, computed in the manner set forth in the Initial Assessment Resolution. Adoption of the Final Assessment Resolution constitutes a legislative

determination that all parcels assessed derive a special benefit in a manner consistent with the legislative declarations, determinations and findings as set forth in the relevant Ordinance, the Initial Assessment Resolution, and this Final Assessment Resolution from the fire protection services to be provided and a legislative determination that the Fire Protection Assessments are fairly and reasonably apportioned among the properties that receive the special benefit as set forth in the Initial Assessment Resolution.

(B) The method for computing Fire Protection Assessments described and referenced in the Initial Assessment Resolution is hereby approved. The Parcel Apportionment methodology described in Appendix G of the Initial Assessment Resolution and adopted in Section 7 of the Initial Assessment Resolution is hereby approved.

(C) For Fiscal Year 2016-2017, beginning on October 1, 2016 through September 30, 2017, the total estimated Fire Protection Cost is determined to be \$2,054,457.90. The Fire Protection Assessments to be assessed and apportioned among benefited parcels pursuant to the Cost Apportionment and Parcel Apportionment to generate the estimated Fire Protection Assessed Cost for FY 2016-2017, are hereby established as follows:

Residential Property Use Categories	Rate Per Dwelling Unit
Residential	\$381.00
Non-Residential Property Use Categories	Per Square Foot Rates (w/ 115,800 square foot cap)
Commercial	\$0.24
Office	\$0.24
Warehouse/Industrial	\$0.10
Institutional	\$0.96

(D) The above rates of assessment is subject to final commission approval for Fire Protection Assessments for fire protection services in the amounts set forth in the Assessment Roll, to be levied and imposed on all parcels of Assessed Property described in such Assessment Roll for Fiscal Year 2016-2017, beginning on October 1, 2016 through September 30, 2017.

(E) Institutional Property whose use is exempt from ad valorem taxation under Florida law provide facilities and uses to the ownership, occupants, membership as well as the public in general that otherwise might be requested or required to be provided by the City and such property uses serve a legitimate public purpose and provide a public benefit. Therefore, it is fair and reasonable not to impose Fire Protection Assessments upon such parcels of Institutional Property whose use is wholly exempt from ad valorem taxation under Florida law. Accordingly, no Fire Protection Assessment shall be imposed upon a parcel of Institutional Property whose use is wholly exempt from ad valorem taxation under Florida law.

(F) Any shortfall in the expected Fire Protection Assessment proceeds due to any reduction or exemption from payment of the Fire Protection Assessments required by law or authorized by the City Commission shall be supplemented by any legally available funds, or combination of such funds, and shall not be paid for by proceeds or funds derived from the Fire Protection Assessments.

(G) The Assessment Roll, together with the correction of any errors or omissions as provided for Chapter 16, Article II, Division 2 of the City's Code of Ordinances, shall be delivered to the Broward County Property Appraiser's Office and the Broward County Finance and Administrative Services Department for collection using the tax bill collection method in the manner prescribed by the applicable sections of City's Code of Ordinances. The Assessment Roll, as delivered to the Broward County Broward County Property Appraiser's Office and the Broward County Finance and Administrative Services Department, shall be accompanied by a Certificate to Non-Ad Valorem Assessment Roll in substantially the form attached hereto as Appendix B.

Section 5. Effective Date. This Annual Rate Resolution shall take effect immediately upon its final passage and adoption.

PASSED and ADOPTED this 14th day of September 2016.

Eric H. Jones, Jr., Mayor

ATTEST:

Alexandra Grant, City Clerk

APPROVED AS TO FORM AND
LEGAL SUFFICIENCY:

Burnadette Norris-Weeks, Esq.
City Attorney

Moved by: _____

Seconded by: _____

VOTE:

Commissioner Dorsett	_____ (Yes)	_____ (No)
Commissioner Johnson	_____ (Yes)	_____ (No)
Commissioner Judeikis	_____ (Yes)	_____ (No)
Vice-Mayor Mack	_____ (Yes)	_____ (No)
Mayor Jones	_____ (Yes)	_____ (No)

APPENDIX A

NON-AD VALOREM ASSESSMENT ROLL

Residential Property Use Categories	Rate Per Dwelling Unit
Residential	\$381.00
Non-Residential Property Use Categories	Per Square Foot Rates (w/ 115,800 square foot cap)
Commercial	\$0.24
Office	\$0.24
Warehouse/Industrial	\$0.10
Institutional	\$0.96

APPENDIX B

**FORM OF CERTIFICATE TO
NON-AD VALOREM ASSESSMENT ROLL**

**CERTIFICATE
TO
NON-AD VALOREM ASSESSMENT ROLL**

I HEREBY CERTIFY that, I am the Mayor of the City of West Park, or authorized agent of the City of West Park, Florida (the "City"); as such I have satisfied myself that all property included or includable on the non-ad valorem assessment roll for fire protection services (the "Non-Ad Valorem Assessment Roll") for the City is properly assessed so far as I have been able to ascertain; and that all required extensions on the above described roll to show the non-ad valorem assessments attributable to the property listed therein have been made pursuant to law.

I FURTHER CERTIFY that, in accordance with the Uniform Assessment Collection Act, this certificate and the herein described Non-Ad Valorem Assessment Roll will be delivered to the Broward County Finance and Administrative Services Department and the Broward County Property Appraiser by September 15, 2016.

IN WITNESS WHEREOF, I have subscribed this certificate and directed the same to be delivered to the aforementioned entities and made part of the above described Non-Ad Valorem Assessment Roll this ____ day of _____, 2016.

CITY OF WEST PARK, FLORIDA

By: _____
Eric H. Jones., Jr., Mayor

**[to be delivered to Broward County Finance and Administrative Services Department
and Broward County Property Appraiser prior to September 15]**

RESOLUTION NO. 2016-97

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF WEST PARK, FLORIDA, RELATING TO THE PROVISION OF WATER CONTROL AND DRAINAGE SERVICES, FACILITIES AND PROGRAMS WITHIN THE CITY OF WEST PARK; ESTABLISHING AND APPROVING THE RATE OF ASSESSMENT FOR THE TWIN LAKES WATER CONTROL DISTRICT TO BE IMPOSED DURING FISCAL YEAR 2016-2017, BEGINNING OCTOBER 1, 2016 THROUGH SEPTEMBER 30, 2017; PROVIDING AN EFFECTIVE DATE

WHEREAS, the Twin Lakes Water Control District is a dependent special district established to provide for the maintenance and improvement of the lakes through the spraying of herbicides in order to control aquatic vegetation; and

WHEREAS, on July 5, 2006, the City of West Park ("City") adopted Resolution 2006-53, which provided for the implementation of a special assessment roll for those properties within the Twin Lakes Water Control District; and

WHEREAS, the assessment amount for the Twin Lakes Water Control District has remained unchanged since prior to the incorporation of the City; and

WHEREAS, the City Commission of the City of West Park ("City Commission") desires to approve and continue the special assessments of the Twin Lakes Water Control District for the Fiscal Year 2016-2017, beginning October 1, 2016 through September 30, 2017, using the tax bill collection method levied and consistent with the assessments for previous years.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF WEST PARK, FLORIDA:

Section 1. Adoption of Representations. The foregoing "Whereas" paragraphs are hereby ratified and confirmed as being true and the same are hereby made a specific part of this Resolution.

Section 2. Assessment Rates for Twin Lakes Water Control District. The total amount assessed for the Twin Lakes Water Control District for the Fiscal Year 2016-2017, beginning October 1, 2016 through September 30, 2017 shall be Eight Thousand Six Hundred Eighty Dollars (\$8,680.00). The City Commission of the City of West Park hereby establishes and approves the special assessments for the Twin Lakes Water Control District at Forty Dollars (\$40.00) per each parcel/unit for Fiscal Year 2016-2017.

Section 3. Effective Date. This Resolution shall take effect immediately upon its passage and adoption.

PASSED and **ADOPTED** this 14th day of September 2016.

Eric H. Jones, Jr., Mayor

ATTEST:

Alexandra Grant, City Clerk

**APPROVED AS TO FORM AND
LEGAL SUFFICIENCY:**

Burnadette Norris-Weeks, Esq.
City Attorney

Moved by: _____

Seconded by: _____

VOTE:

Commissioner Dorsett	_____ (Yes)	_____ (No)
Commissioner Johnson	_____ (Yes)	_____ (No)
Commissioner Judeikis	_____ (Yes)	_____ (No)
Vice-Mayor Mack	_____ (Yes)	_____ (No)
Mayor Jones	_____ (Yes)	_____ (No)