CITY OF CORAL SPRINGS, FLORIDA

BUDGET PUBLIC HEARING

AGENDA

Monday, September 13, 2010
5:15 PM

City Commission Chambers
9551 West Sample Road

Call to Order

I. Budget Public Hearing

a. Resolution #2010-038: Calendar Year 2011 Non-Ad Valorem Special Assessment Roll for Solid Waste Residential Collection Services:

Request to hold public hearing and adopt Resolution #2010-038, a resolution levying a Non-Ad Valorem Special Assessment for Solid Waste Residential Collection Services for properties lying within the municipal boundaries of the City of Coral Springs and direct City staff to take action to amend the Preliminary Assessment Roll approved on July 20, 2010. (REQUEST TO HOLD HEARING, ADOPT)

b. Resolution #2010-037: FY 2010 - 2011 Non-Ad Valorem Special Assessment Roll for Fire Services:

Request to hold hearing and adopt Resolution #2010-037, a resolution levying a Non-Ad Valorem Special Assessment for Fire Services for properties lying within the municipal boundaries of the City of Coral Springs and direct City staff to take action to amend the Preliminary Assessment Roll approved on July 20, 2010. (REQUEST TO HOLD HEARING, ADOPT)

c. Resolution #2010-035 and Ordinance #2010-112: First Reading:

1. Request to hold public hearing and approve first and final reading of Resolution #2010-035, a resolution of the City Commission of the City of Coral Springs establishing a Proposed Operating Millage Rate of $4.3559 to balance the budget for the General Fund for Fiscal Year 2010-2011; establishing a Proposed General Obligation Debt Millage Rate of $0.1763; establishing the Rolled-back Rate to be $4.3559; and establishing Tuesday, September 21, 2010 as the date that a Final Public Hearing will be held at 5:15 P.M. at the City of Coral Springs City Hall, 9551 West Sample Road, to consider the Fiscal Year 2010-2011 budget and Final Millage Rate; providing for an effective date. (REQUEST TO HOLD HEARING, APPROVE)

2. Request to hold public hearing and approve first reading of Ordinance #2010-112 of the City commission of the City of Coral Springs, Florida finalizing and adopting the Annual Operating Budget and Capital Improvement Program for Fiscal Year 2010-2011, that includes the budget for the General Fund, Water and Sewer, Fire, Coral Springs Charter School, Coral Springs Center for the Arts, Public Art, Debt Service, Health & Liability, Conference Center, Equipment Services and Capital Improvement Program Funds, and establish Second and Final Reading for Tuesday, September 21, 2010 at 5:15 P.M. (REQUEST TO HOLD HEARING, ADOPT, SET SECOND READING)

Meeting: September 13, 2010
Department: Financial Services
Initiated By: Susan Grant

DOC ID: 2009

City of Coral Springs
City Commission Meeting Agenda Item
Summary Sheet

SUBJECT: Resolution #2010-038: Calendar Year 2011 Non-Ad Valorem Special Assessment Roll for Solid Waste Residential Collection Services

PRIORITY: Policy - Financial Health & Economic Dev

REQUESTED ACTION: Request to hold public hearing and adopt Resolution #2010-038, a resolution levying a Non-Ad Valorem Special Assessment for Solid Waste Residential Collection Services for properties lying within the municipal boundaries of the City of Coral Springs and direct City staff to take action to amend the Preliminary Assessment Roll approved on July 20, 2010. (REQUEST TO HOLD HEARING, ADOPT)

PRIOR ACTION:

Adoption of Resolution 2010-027 approving the Preliminary Assessment Rates, the Preliminary Assessment Roll and setting the time and place for the public hearing on September 13, 2010 at 5:15 P.M. for final adoption of the Assessment Rates and Assessment Roll.

DESCRIPTION/BACKGROUND:

On July 20, 2010 the City Commission adopted Resolution 2010-027 approving the Preliminary Assessment Rate, the Preliminary Assessment Roll, and setting the time and place for this public hearing. First Class notice in conjunction with the Truth-In-Millage notification was mailed to all property owners notifying them of the special assessment that would be levied against their property. In addition to the First Class Notice, a published notice was advertised in the Sun-Sentinel on Friday, August 20, 2010, informing property owners of the special assessment and the time and place of the public hearing.

The Assessment Roll lists all property located within the City of Coral Springs by folio number, the legal description of the property and the amount of the assessment for Solid Waste Residential Collection Services for Calendar Year 2011. A copy of the Assessment Roll is available in the City Clerk's Office and will be brought to the public hearing on September 13, 2010.

State law requires that the City Commission hold a public hearing. The public hearing provides the opportunity to hear from individual property owners as to the propriety and advisability of providing the services and funding them with special assessments on property. Following the public hearing the City Commission will make the final decision on whether to levy the assessments. Afterwards, they will approve the Assessment Roll with any required amendments. State law requires that property owners have a right to appear at the hearing and to file written objections within 20 days of the Public Hearing Notice.

City of Coral Springs
Commission Meeting Agenda Item
Summary Sheet
Meeting: September 13, 2010

Subject: Resolution #2010-038: Calendar Year 2011 Non-Ad Valorem Special Assessment Roll for Solid Waste Residential Collection Services

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COPIES: Michael S. Levinson, City Manager
Ellen Liston, Deputy City Manager
Erdal Donmez, Deputy City Manager
Peter M. J. Richardson, City Clerk
Sam Goren, City Attorney
Rhoda Glasco-Foderingham, Assistant City Attorney
Richard Michaud, Director of Public Works
Kim Moskowitz, City Controller
Robert Goehrig, Budget & Strategic Planning Manager
Forrest Lehman, Special Assessment Coordinator

ATTACHMENTS:

- Solid Waste Resolution 2010-038 (PDF)

CITY OF CORAL SPRINGS, FLORIDA

No. 2010-038

ANNUAL ASSESSMENT RESOLUTION
(Solid Waste Collection Services)

ADOPTED SEPTEMBER 13, 2010

Attachment: Solid Waste Resolution 2010-038 (2009 : Solid Waste Non-Ad Val Resolution #2010-038)

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Attachment: Solid Waste Resolution 2010-038 (2009 : Solid Waste Non-Ad Val Resolution #2010-038)

RESOLUTION NO. 2010-038

A RESOLUTION OF THE CITY OF CORAL SPRINGS, FLORIDA, RELATING TO THE PROVISION OF SOLID WASTE COLLECTION SERVICES, IN THE CITY OF CORAL SPRINGS, FLORIDA; APPROVING THE ASSESSMENT RATE FOR SOLID WASTE COLLECTION SERVICES; IMPOSING A SOLID WASTE COLLECTION ASSESSMENT AGAINST ASSESSED PROPERTY LOCATED WITHIN THE CITY OF CORAL SPRINGS FOR THE CALENDAR YEAR BEGINNING ON JANUARY 1, 2011; APPROVING THE ASSESSMENT ROLL; PROVIDING FOR SEVERABILITY; PROVIDING FOR CONFLICTS; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City Commission of Coral Springs, Florida, has enacted Ordinance No. 2002-109, as codified in Section 2-114.1, City Code of Ordinances, which authorized the imposition of a Solid Waste Collection Assessment, pursuant to the procedures of Chapter 2, Article VI, of the City's Code of Ordinances (collectively, "the Ordinance") for the provision of Solid Waste Collection Services for single-family residential properties and certain multi-family residential properties that receive residential solid waste collection services within the City, and provided for findings of special benefit and the method of apportionment of the Solid Waste Collection Assessment; and

WHEREAS, the imposition of a Solid Waste Collection Assessment for Solid Waste Collection Services for each Calendar Year is an equitable and efficient method of allocating and apportioning Solid Waste Collection Assessed Costs among parcels of Assessed Property; and,

WHEREAS, the City Commission desires to impose a Solid Waste Collection Assessment within the City for the Calendar Year beginning on January 1, 2011 using the tax bill collection method; and

Attachment: Solid Waste Resolution 2010-038 (2009 : Solid Waste Non-Ad Val Resolution #2010-038)

WHEREAS, the City Commission, on July 20, 2010, adopted Resolution No. 2010-027 (the "2010 Preliminary Assessment Resolution"), referencing the Solid Waste Collection Services to be provided to Assessed Property, describing the method of apportioning the Solid Waste Collection Assessed Cost to compute the Solid Waste Collection Assessment for Solid Waste Collection Services against Assessed Property, estimating a rate of assessment, and directing the preparation of the Assessment Roll and provision of the notice to the affected landowners; and

WHEREAS, in order to impose the Solid Waste Collection Special Assessment for the Calendar Year beginning January 1, 2011, the Ordinance requires the City Commission to adopt an Annual Rate Resolution, during its budget adoption process for each Fiscal Year, which establishes the rate of assessment and approves the Assessment Roll for the upcoming Calendar Year, with such amendments as the City Commission deems appropriate, after hearing comments and objections of all interested parties; and

WHEREAS, the updated Assessment Roll has heretofore been made available for inspection by the public, as required by the Ordinance and Resolutions; and

WHEREAS, notice of a public hearing has been published and mailed, which provides notice to all interested persons of an opportunity to be heard; and

WHEREAS, a public hearing was held on September 13, 2010, and comments and objections of all interested parties have been heard and considered;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF CORAL SPRINGS, FLORIDA:

SECTION 1. The aforementioned "WHEREAS" clauses are hereby ratified as true and correct and incorporated herein.

Attachment: Solid Waste Resolution 2010-038 (2009 : Solid Waste Non-Ad Val Resolution #2010-038)

SECTION 2. AUTHORITY. This Resolution is adopted pursuant to the provisions of the Ordinance, the 2010 Preliminary Assessment Resolution, sections 166.021 and 166.041, Florida Statutes, and other applicable provisions of law.

SECTION 3. DEFINITIONS AND INTERPRETATION. This Resolution constitutes the Annual Assessment Resolution as defined in the Ordinance. All capitalized terms in this Resolution shall have the meanings defined in the Ordinance and the 2010 Preliminary Assessment Resolution.

SECTION 4. IMPOSITION OF SOLID WASTE COLLECTION ASSESSMENT.

(A) The parcels of Assessed Property described in the Assessment Roll, as updated and which is hereby approved, are hereby found to be specially benefited by the provision of the Solid Waste Collection Services described in the 2010 Preliminary Assessment Resolution, in the amount of the Solid Waste Collection 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 specifically benefited by the City's provision of Solid Waste Collection, facilities and programs in an amount not less than the Solid Waste Collection Assessment of such parcel, computed in the manner set forth in the 2010 Preliminary Assessment Resolution. Adoption of this Annual Assessment Resolution constitutes a legislative determination that all assessed parcels derive a special benefit, as set forth in the Ordinance and the 2010 Preliminary Assessment Resolution, from the Solid Waste Collection Services to be provided, and a legislative determination that the Solid Waste Collection Assessments are

Attachment: Solid Waste Resolution 2010-038 (2009 : Solid Waste Non-Ad Val Resolution #2010-038)

fairly and reasonably apportioned among the properties that receive the special benefit as set forth in the 2010 Preliminary Assessment Resolution.

(B) The method of computing the Solid Waste Collection Assessment described in the 2010 Preliminary Assessment Resolution, as modified, amended, and supplemented herein, is hereby approved.

(C) For the Calendar Year beginning January 1, 2011, the estimated Solid Waste Collection Assessed Cost to be assessed is $7,066,398.60. The Solid Waste Collection Assessment to be assessed and apportioned among benefited parcels pursuant to the Cost Apportionment and Parcel Apportionment to generate the estimated Solid Waste Collection Assessed Costs for the Calendar Year commencing January 1, 2011, is hereby established at $62.55 per residential unit per quarter, which equals $250.20 annually per residential unit. This assessment rate is hereby approved. Except as otherwise provided herein, the Solid Waste Collection Assessment for Solid Waste Collection Services in the amounts set forth in the Assessment Roll, as herein approved, are hereby levied and imposed on all parcels of Assessed Property described in the Assessment Roll.

(D) The Solid Waste Collection Assessment shall constitute a lien upon the Assessed Property so assessed equal in rank and dignity with the liens of all state, county, district or municipal taxes and other non-ad valorem Assessment. Except as otherwise provided by law, such lien shall be superior in dignity to all other liens, titles, and claims, until paid.

(E) The Assessment Roll as herein approved, together with the correction of any errors or omissions as provided for in the Ordinance, shall be delivered to the Tax

Attachment: Solid Waste Resolution 2010-038 (2009 : Solid Waste Non-Ad Val Resolution #2010-038)

Collector for collection using the tax bill collection method in the manner prescribed by the Ordinance.

SECTION 5. CONFIRMATION OF PRELIMINARY ASSESSMENT RESOLUTION.

The Preliminary Assessment Resolution adopted July 20, 2010, is hereby confirmed.

SECTION 6. EFFECT ON ADOPTION OF RESOLUTION.

The adoption of this Annual Assessment Resolution shall be the final adjudication of the issues presented (including, but not limited to, the determination of special benefit and fair apportionment to the Assessed Property, the method of apportionment and assessment, the rate of assessment, the Assessment Roll and the levy and lien of the Solid Waste Collection Assessment), unless proper steps shall be initiated in a court of competent jurisdiction to secure relief within 20 calendar days from the date of this Annual Assessment Resolution.

SECTION 7. 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 effecting the validity of the other provisions of this Resolution.

SECTION 8. CONFLICTS.

That all prior Resolutions or parts of resolutions in conflict herewith, are hereby repealed to the extent of such conflict.

Attachment: Solid Waste Resolution 2010-038 (2009 : Solid Waste Non-Ad Val Resolution #2010-038)

SECTION 9. EFFECTIVE DATE.

This Annual Assessment Resolution shall take effect immediately upon its passage and adoption.

PASSED AND ADOPTED BY THE CITY COMMISSION OF THE CITY OF CORAL SPRINGS, FLORIDA, THIS 13th DAY OF SEPTEMBER, 2010.

_____
SCOTT J. BROOK, MAYOR

ATTEST:

_____
PETER M.J. RICHARDSON, CRM
CITY CLERK

APPROVED AS TO FORM:

_____
ASSISTANT CITY ATTORNEY

Unanimous _____

Motion	2nd		Yes	No
___	___	Mayor Brook	___	___
___	___	Vice Mayor Bruck	___	___
___	___	Commissioner Boccard	___	___
___	___	Commissioner Gold	___	___
___	___	Commissioner Powers	___	___

Attachment: Solid Waste Resolution 2010-038 (2009 : Solid Waste Non-Ad Val Resolution #2010-038)

Meeting: September 13, 2010
Department: Financial Services
Initiated By: Susan Grant

DOC ID: 2010

City of Coral Springs
City Commission Meeting Agenda Item
Summary Sheet

SUBJECT: Resolution #2010-037: FY 2010 - 2011 Non-Ad Valorem Special Assessment Roll for Fire Services

PRIORITY: Policy - Financial Health & Economic Dev

REQUESTED ACTION: Request to hold hearing and adopt Resolution #2010-037, a resolution levying a Non-Ad Valorem Special Assessment for Fire Services for properties lying within the municipal boundaries of the City of Coral Springs and direct City staff to take action to amend the Preliminary Assessment Roll approved on July 20, 2010. (REQUEST TO HOLD HEARING, ADOPT)

PRIOR ACTION:

Adoption of Resolution 2010-026 on July 20, 2010 approving the Preliminary Assessment Rates, the Preliminary Assessment Roll and setting the time and place for the public hearing on September 13, 2010 at 5:15 P.M. for the final adoption of the Assessment Rates and Assessment Roll.

DESCRIPTION/BACKGROUND:

On July 20, 2010 the City Commission adopted Resolution 2010-026 approving the Preliminary Assessment Rates, the Preliminary Assessment Roll, and setting the time and place for this public hearing. First Class Notice in conjunction with the Truth-In-Millage Notification was mailed to all property owners notifying them of the special assessment that would be levied against their property. In addition to the First Class Notice, a published notice was advertised in the Sun-Sentinel on Friday, August 20, 2010, informing property owners of the special assessment and the time and place of the public hearing.

The Assessment Roll lists all property located within the City of Coral Springs by folio number, the legal description of the property and the amount of the assessment for Fire Services for Fiscal Year 2010-2011. A copy of the Assessment Roll is available in the City Clerk's Office and will be brought to the public hearing on September 13, 2010.

State law requires that the City Commission hold a public hearing. The public hearing provides the opportunity to hear from individual property owners as to the propriety and advisability of providing the services and funding them with special assessments on property. Following the public hearing, the City Commission will make the final decision on whether to levy the assessments. Afterwards, they will approve the Assessment Roll with any required amendments. State law requires that property owners have a right to appear at the hearing and to file written objections within 20 days of the Public Hearing Notice.

City of Coral Springs
Commission Meeting Agenda Item
Summary Sheet
Meeting: September 13, 2010

Subject: Resolution #2010-037: FY 2010 - 2011 Non-Ad Valorem Special Assessment Roll for Fire Services

---

COPIES: Michael S. Levinson, City Manager
Ellen Liston, Deputy City Manager
Erdal Donmez, Deputy City Manager
Peter M. J. Richardson, City Clerk
Sam Goren, City Attorney
Rhoda Glasco-Foderingham, Assistant City Attorney
Mark Curran, Fire Chief
Kim Moskowitz, City Controller
Robert Goehrig, Budget & Strategic Planning Manager
Forrest Lehman, Special Assessment Coordinator

ATTACHMENTS:

- Resolution 2010-037 (PDF)

CITY OF CORAL SPRINGS, FLORIDA

No. 2010-037

ANNUAL ASSESSMENT RESOLUTION
(Fire Services)

ADOPTED SEPTEMBER 13, 2010

Attachment: Resolution 2010-037 (2010 : Fire Services Non-Ad Val Resolution # 2010-037)

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Attachment: Resolution 2010-037 (2010 : Fire Services Non-Ad Val Resolution # 2010-037)

RESOLUTION NO. 2010-037

A RESOLUTION OF THE CITY OF CORAL SPRINGS, FLORIDA, RELATING TO THE PROVISION OF FIRE SERVICES, FACILITIES, AND PROGRAMS IN THE CITY OF CORAL SPRINGS, FLORIDA; APPROVING THE ASSESSMENT RATE FOR FIRE SERVICES; IMPOSING A FIRE SERVICES ASSESSMENT AGAINST ASSESSED PROPERTY LOCATED WITHIN THE CITY OF CORAL SPRINGS FOR THE FISCAL YEAR BEGINNING ON OCTOBER 1, 2010; APPROVING THE ASSESSMENT ROLL; PROVIDING FOR SEVERABILITY; PROVIDING FOR CONFLICTS; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City Commission of Coral Springs, Florida, has enacted Ordinance No. 96-102, as amended by Ordinance 96-127 and Ordinance 99-110, (collectively "the Ordinance"), which authorized the imposition of Fire Services Assessment for fire service facilities, and programs against Assessed Property located within the City, and provided for findings of special benefit and the method of apportionment of the Fire Services Assessment; and

WHEREAS, the imposition of a Fire Services Assessment for fire services, facilities, and programs each Fiscal Year is an equitable and efficient method of allocating and apportioning Fire Services assessed Costs among parcels of Assessed Property; and

WHEREAS, the City Commission desires to impose a Fire Services Assessment within the City for the Fiscal Year beginning on October 1, 2010, using the tax bill collection method; and

WHEREAS, the City Commission, on July 20, 2010, adopted Resolution No. 2010-026 (the "2010 Preliminary Assessment Resolution"), referencing the fire facilities, services,

Attachment: Resolution 2010-037 (2010 : Fire Services Non-Ad Val Resolution # 2010-037)

and programs to be provided to Assessed Property, describing the method of apportioning the Fire Services Assessed Cost to compute the Fire Services Assessment for fire services, facilities, and programs against Assessed Property, estimating a rate of assessment, and directing the updating and preparation of the Assessment Roll and provision of the notice to the affected landowners; and

WHEREAS, in the Preliminary Assessment Resolution, the City provided notice and found that its Fire Services Special Assessment, which funds solely fire services and not emergency medical services, is consistent with the decision with the Fourth District Court of Appeal in SMM Properties, Inc. v. City of North Lauderdale, 760 So.2d 998 (Fla. 4th DCA 2000), which was approved by the Florida Supreme Court in 2002; and,

WHEREAS, the fire services assessment for fiscal year 2010-2011 will continue to be consistent with the decision by the Fourth District Court of Appeal, approved by the Florida Supreme Court in 2002; and,

WHEREAS, in order to impose the Fire Services Special Assessment for the Fiscal Year beginning October 1, 2010, the Ordinance requires the City Commission to adopt an Annual Rate Resolution, during its budget adoption process for each Fiscal Year, which establishes the rate of assessment and approves the Assessment Roll for the upcoming Fiscal Year, with such amendments as the City Commission deems appropriate, after hearing comments and objections of all interested parties; and

WHEREAS, the updated Assessment Roll has heretofore been made available for inspection by the public, as required by the Ordinance and Resolutions; and

WHEREAS, notice of a public hearing has been published and mailed, which provides notice to all interested persons of an opportunity to be heard; and

Attachment: Resolution 2010-037 (2010 : Fire Services Non-Ad Val Resolution # 2010-037)

WHEREAS, a public hearing was held on September 13, 2010, and comments and objections of all interested parties have been heard and considered;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF CORAL SPRINGS, FLORIDA:

SECTION 1. The aforementioned "WHEREAS" clauses are hereby ratified as true and correct and incorporated herein.

SECTION 2. AUTHORITY. This Resolution is adopted pursuant to the provisions of the Ordinance, the 2010 Preliminary Assessment Resolution, sections 166.021 and 166.041, Florida Statutes, and other applicable provisions of law.

SECTION 3. DEFINITIONS AND INTERPRETATION. This Resolution constitutes the Annual Assessment Resolution as defined in the Ordinance. All capitalized terms in this Resolution shall have the meanings defined in the Ordinance and the 2010 Preliminary Assessment Resolution.

SECTION 4. IMPOSITION OF FIRE SERVICES ASSESSMENT.

(A) The parcels of Assessed Property described in the Assessment Roll, as updated and which is hereby approved, are hereby found to be specially benefitted by the provision of the fire services, facilities and programs described in the 2010 Preliminary Assessment Resolution, in the amount of the Fire Services Assessment set forth in the updated 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 specifically benefitted by the City's provision of Fire Services, facilities and programs in an amount not less than the Fire Services Assessment of such parcel, computed in the manner set forth in the 2010 Preliminary

Attachment: Resolution 2010-037 (2010 : Fire Services Non-Ad Val Resolution # 2010-037)

Assessment Resolution. No proceeds from the special assessment will fund emergency medical services. Adoption of this Annual Assessment Resolution constitutes a legislative determination that all assessed parcels derive a special benefit, as set forth in the Ordinance and the 2010 Preliminary Assessment Resolution, from the fire services, facilities or programs to be provided, and a legislative determination that the Fire Services Assessments are fairly and reasonably apportioned among the properties that receive the special benefit as set forth in the 2010 Preliminary Assessment Resolution.

(B) The method of computing the Fire Services Assessment described in the 2010 Preliminary Assessment Resolution, as modified, amended, and supplemented herein, is hereby approved.

(C) For the Fiscal Year beginning October 1, 2010, the estimated Fire Services Assessed Cost to be assessed is $8,940,017.89. The Fire Services Assessment to be assessed and apportioned among benefitted parcels pursuant to the Cost Apportionment and Parcel Apportionment to generate the estimated Fire Services Assessed Costs for the Fiscal Year commencing October 1, 2010, are hereby established as follows:

PROPERTY USE CATEGORY	RATE	UNIT OF MEASURE
Single-Family Residential	$114.84	Per Dwelling Unit
Multi-Family Residential	$138.55	Per Dwelling Unit
Commercial	$17.19	Per 100 Square Feet, up to 400,000 sq. ft
Industrial/Warehouse	$2.25	Per 100 Square Feet, up to 400,000 sq. ft.
Institutional	$20.21	Per 100 Square Feet, up to 400,000 sq. ft.

Attachment: Resolution 2010-037 (2010 : Fire Services Non-Ad Val Resolution # 2010-037)

The above rates of assessment are hereby approved. Except as otherwise provided herein, the Fire Services Assessment for Fire services, facilities and programs in the amounts set forth in the Assessment Roll, as herein approved, are hereby levied and imposed on all parcels of Assessed Property described in the Assessment Roll.

(D) No Fire Services Assessment shall be imposed for the following designated exempt properties:

(1) property owned or occupied by a religious institution and used as a place of worship or education ("religious institution" means any church, synagogue, or other established physical place for worship at which nonprofit religious services and activities are regularly conducted and carried on);

(2) a public or private elementary, middle, or high school; or

(3) governmentally financed, insured or subsidized housing facilities that are used primarily for persons who are elderly or disabled ("governmentally financed, insured or subsidized housing facilities" means a facility that is financed by a mortgage loan made or insured by the United States Department of Housing and Urban Development under s. 202, s.221(d)(3) or (4), s.232, or s. 236 of the National Housing Act and is owned or operated by an entity that qualifies as an exempt charitable organization under s. 501(c) (3) of the Internal Revenue Code).

(4) property owned by the federal government, including the postal service, which is exempt under federal law.

Any shortfall in the expected Fire Services Assessment proceeds due to any reduction or exemption from payment of the Fire Services Assessment required by law or authorized by the City Commission shall be supplemented by any legally available funds, or combination of

Attachment: Resolution 2010-037 (2010 : Fire Services Non-Ad Val Resolution # 2010-037)

such funds, and shall not be funded by proceeds or funds derived from the Fire Services Assessment.

(E) A Fire Services Assessment shall constitute a lien upon the Assessed Property so assessed equal in rank and dignity with the liens of all state, county, district or municipal taxes and other non-ad valorem Assessment. Except as otherwise provided by law, such lien shall be superior in dignity to all other liens, titles, and claims, until paid.

(F) The Assessment Roll as herein approved, together with the correction of any errors or omissions as provided for in the Ordinance, shall be delivered to the Tax Collector for collection using the tax bill collection method in the manner prescribed by the Ordinance.

SECTION 5. CONFIRMATION OF PRELIMINARY ASSESSMENT RESOLUTION. The Preliminary Assessment Resolution adopted July 20, 2010, is hereby confirmed.

SECTION 6. EFFECT ON ADOPTION OF RESOLUTION. The adoption of this Annual Assessment Resolution shall be the final adjudication of the issues presented (including, but not limited to, the determination of special benefit and fair apportionment to the Assessed Property, the method of apportionment and assessment, the rate of assessment, the Assessment Roll and the levy and lien of the Fire Services Assessment), unless proper steps shall be initiated in a court of competent jurisdiction to secure relief within 20 calendar days from the date of this Annual Assessment Resolution.

SECTION 7. 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 effecting the validity of the other provisions of this Resolution.

Attachment: Resolution 2010-037 (2010 : Fire Services Non-Ad Val Resolution # 2010-037)

SECTION 8. CONFLICTS. That all prior Resolutions or parts of resolutions in conflict herewith, are hereby repealed to the extent of such conflict.

SECTION 9. EFFECTIVE DATE. This Annual Assessment Resolution shall take effect immediately upon its passage and adoption.

PASSED AND ADOPTED BY THE CITY COMMISSION OF THE CITY OF CORAL SPRINGS, FLORIDA, THIS 13th DAY OF SEPTEMBER, 2010.

_____
SCOTT J. BROOK, MAYOR

ATTEST:

_____
PETER M.J. RICHARDSON, CRM
CITY CLERK

APPROVED AS TO FORM:

_____
ASSISTANT CITY ATTORNEY

Unanimous ___

Motion	2nd		Yes	No
___	___	Mayor Brook	___	___
___	___	Vice Mayor Bruck	___	___
___	___	Commissioner Boccard	___	___
___	___	Commissioner Gold	___	___
___	___	Commissioner Powers	___	___

Attachment: Resolution 2010-037 (2010 : Fire Services Non-Ad Val Resolution # 2010-037)

Meeting: September 13, 2010
Department: Financial Services
Initiated By: Susan Grant

DOC ID: 2011

City of Coral Springs
City Commission Meeting Agenda Item
Summary Sheet

SUBJECT: Resolution #2010-035 and Ordinance #2010-112: First Reading

PRIORITY: Policy - Financial Health & Economic Dev

REQUESTED ACTION:

1. Request to hold public hearing and approve first and final reading of Resolution #2010-035, a resolution of the City Commission of the City of Coral Springs establishing a Proposed Operating Millage Rate of $4.3559 to balance the budget for the General Fund for Fiscal Year 2010-2011; establishing a Proposed General Obligation Debt Millage Rate of $0.1763; establishing the Rolled-back Rate to be $4.3559; and establishing Tuesday, September 21, 2010 as the date that a Final Public Hearing will be held at 5:15 P.M. at the City of Coral Springs City Hall, 9551 West Sample Road, to consider the Fiscal Year 2010-2011 budget and Final Millage Rate; providing for an effective date. (REQUEST TO HOLD HEARING, APPROVE)

2. Request to hold public hearing and approve first reading of Ordinance #2010-112 of the City commission of the City of Coral Springs, Florida finalizing and adopting the Annual Operating Budget and Capital Improvement Program for Fiscal Year 2010-2011, that includes the budget for the General Fund, Water and Sewer, Fire, Coral Springs Charter School, Coral Springs Center for the Arts, Public Art, Debt Service, Health & Liability, Conference Center, Equipment Services and Capital Improvement Program Funds, and establish Second and Final Reading for Tuesday, September 21, 2010 at 5:15 P.M. (REQUEST TO HOLD HEARING, ADOPT, SET SECOND READING)

Prior Action:

On July 20, 2010 the City Commission took the following actions:

1) Established the Rolled-back Operating Millage Rate at $4.3559 mills;
2) Established the Proposed Operating Millage Rate of $4.3559 mills, which is $0.4693 mills or 12.1% more than the current rate of $3.8866;
3) Established the required Tentative Budget Public Hearing on Monday, September 13, 2010 at 5:15 P.M. at the City Commission Chambers;
4) Established the required Final Budget Hearing on Tuesday, September 21, 2010 at 5:15 P.M. in the City Commission Chambers;
5) Authorized the appropriate legal advertisements to be advertised on August 30, 2010 and September 16, 2010 addressing the Final Budget Hearing on Tuesday, September 21, 2010 at 5:15 P.M.

City of Coral Springs
Commission Meeting Agenda Item
Summary Sheet
Meeting: September 13, 2010

Subject: Resolution #2010-035 and Ordinance #2010-112: First Reading

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DESCRIPTION/BACKGROUND:

On September 13, 2010 the City Commission will be requested to authorize and approve Resolution 2010-035 for the Proposed Millage Rate and Ordinance 2010-112 to approve the City's Operating Budget for Fiscal Year 2010-2011. The Annual Budget contains the funds required to provide the level of services as presented at the City's Workshop Commission Meeting on July 20, 2010 for the City's Business Plan. In addition, the Capital Improvement Program also presented on July 20, 2010 at that meeting will be approved at the First Public Hearing on September 13, 2010. On September 21, 2010 the City will be requested to authorize and approve Ordinance 2010-112 for the Annual Operating Budget and Capital Improvement Program at the Second Reading and Final Public Hearing at 5:15 P.M. in the City's Commission Chambers.

COPIES: Michael S. Levinson, City Manager
Ellen Liston, Deputy City Manager
Erdal Donmez, Deputy City Manager
Sam Goren, City Attorney
Rhoda Glasco-Foderingham, Assistant City Attorney
Peter M. J. Richardson, City Clerk
Kim Moskowitz, City Controller
Robert Goehrig, Budget & Strategic Planning Manager
Forrest Lehman, Senior Financial Analyst

ATTACHMENTS:

- Resolution 2010-035 (PDF)
- Ordinance 2010-112 (PDF)

RESOLUTION NO. 2010-035

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF CORAL SPRINGS ESTABLISHING A PROPOSED MILLAGE RATE OF $4.3559 TO BALANCE THE GENERAL FUND FOR FISCAL YEAR 2010-2011; ESTABLISHING A PROPOSED GENERAL OBLIGATION DEBT MILLAGE RATE OF $0.1763; ESTABLISHING THE ROLLED-BACK RATE TO BE $4.3559; AND ESTABLISHING TUESDAY, SEPTEMBER 21, 2010 AS THE DATE THAT A FINAL PUBLIC HEARING WILL BE HELD AT 5:15 P.M. AT THE CITY OF CORAL SPRINGS CITY HALL, 9551 WEST SAMPLE ROAD; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City Commission of the City of Coral Springs establishes, pursuant to State law, a proposed millage rate to balance the budget for the General Fund for Fiscal Year 2010-2011; and

WHRERAS, the City Commission of the City of Coral Springs establishes a proposed General Obligation Debt millage rate of $0.1763 to be levied on all tangible personal property and assessed real property located within the municipal limits of the City of Coral Springs, Florida for Fiscal Year 2010-2011; and

WHEREAS, in furtherance of State law the City has confirmed its Rolled-back Rate and established a time and place for a public hearing on the City's proposed millage rate and budget; now, therefore,

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF CORAL SPRINGS, FLORIDA:

Section 1. That the City Commission establishes a proposed millage rate of $4.3559 to balance the budget for the General Fund and a proposed General Obligation Debt millage rate of $0.1763 to be levied on all tangible personal property and assessed real property located within the municipal limits of the City of Coral Springs, Florida for Fiscal Year 2010-2011 and

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establishes Tuesday, September 21, 2010, at 5:15 P.M., as the date and time of a final public hearing when the City Commission will receive comments from the citizenry regarding the proposed budget and proposed millage rate.

Section 2. That the City Commission further confirms the Rolled-back Rate for the 2010-2011 fiscal year to be $4.3559. The proposed millage rate of $4.3559 is less than the Rolled-back Rate by $0.0000 or 0.00%.

Section 3. That the City Commission further establishes the place and time of said public hearing to be the City Commission Chambers located at the Coral Springs City Hall, 9551 West Sample Road, Coral Springs, Florida at 5:15 P.M.

Section 4. Effective Date.

This resolution shall become effective upon adoption.

PASSED AND ADOPTED the 13th day of September 2010.

CITY OF CORAL SPRINGS, FLORIDA

_____

SCOTT J. BROOK, MAYOR

ATTEST:

_____

PETER M. J. RICHARDSON, CRM, CITY CLERK

Unanimous ___

Motion	2nd		Yes	No
___	___	Mayor Scott Brook	___	___
___	___	Vice Mayor Bruck	___	___
___	___	Commissioner Boccard	___	___
___	___	Commissioner Gold	___	___
___	___	Commissioner Powers	___	___

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ORDINANCE NO. 2010-112

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF CORAL SPRINGS, FLORIDA, FINALIZING AND ADOPTING THE ANNUAL OPERATING BUDGET AND CAPITAL IMPROVEMENT PROGRAM FOR FISCAL YEAR 2010-2011, REVIEWED, MODIFIED AND APPROVED BY THE CITY COMMISSION AT MEETINGS HELD ON JULY 20, 2010, SEPTEMBER 13, 2010, AND SEPTEMBER 21, 2010, WHICH INCLUDES THE BUDGET FOR THE GENERAL FUND, WATER AND SEWER, FIRE, CHARTER SCHOOL, CORAL SPRINGS CENTER FOR THE ARTS, PUBLIC ART, DEBT SERVICE, THE HEALTH & LIABILITY, CONFERENCE CENTER, EQUIPMENT SERVICES AND CAPITAL IMPROVEMENT PROGRAM FUNDS; PROVIDING THAT IN THE EVENT A VARIATION FROM THE TOTAL BUDGET IS OR BECOMES NECESSARY, THIS ORDINANCE SHALL BE AMENDED ONLY BY A SUBSEQUENT ORDINANCE CONSISTENT WITH CHAPTER 166, FLORIDA STATUTES, THE CHARTER AND CODE OF ORDINANCES OF THE CITY OF CORAL SPRINGS, FLORIDA; PROVIDING FOR SEVERABILITY; PROVIDING FOR CONFLICT; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, in accordance with the City Charter and all the laws of the State of Florida, the City Manager has presented to the City Commission proposed budgets for Fiscal Year 2010-2011 for the General Fund, the Water and Sewer, the Fire, the Charter School, the Coral Springs Center For the Arts, Public Art, Debt Service, the Health & Liability; the Conference Center; the Equipment Services Funds and adopted a Capital Improvement Program (C.I.P.) for the General, Water and Sewer, Fire, Coral Springs Center For the Arts, Public Art, Charter School, Equipment Services and Tree Preservation Trust Funds; and

WHEREAS, pursuant to law, the City Commission has conducted public workshop meetings as well as public hearings to review said budgets and to accept the recommendations of the citizenry relative to the adoption of said budgets; and

WHEREAS, pursuant to said meetings and public hearings and after consideration of the recommendations of its citizenry, the City Commission on this date, September 21, 2010, has finalized its General Fund, Water and Sewer, Fire, Charter School, Coral Springs Center For the Arts, Public Art, Debt Service, the Health & Liability, Conference Center and Equipment Services Funds, and adopted a Capital Improvement Program (C.I.P.) for the General, Water and

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Sewer, Fire, Coral Springs Center For the Arts, Public Art, Charter School, Equipment Services and Tree Preservation Trust Funds for Fiscal Year 2010-2011, that is, October 1, 2010 through September 30, 2011; and

WHEREAS, the City Commission acknowledges that said finalized budgets reflect $94,994,960 in estimated expenditures and $94,994,960 in estimated revenues for the General Fund; $17,863,663 in estimated expenditures and $17,863,663 in estimated revenues for the Water and Sewer Fund; $16,084,800 in estimated expenditures and $16,084,800 in estimated revenues for the Fire Fund; $12,018,653 in estimated expenditures and $12,018,653 in estimated revenues for the Charter School Fund; $597,230 in estimated expenditures and $597,230 in estimated revenues for the Coral Springs Center For the Arts Fund; $100,500 in estimated expenditures and $100,500 in estimated revenues for the Public Art Fund; establishes a Debt Service Fund of $5,477,373; revenue and expenditures for the Health & Liability Funds in the amount of $13,793,012; establishes a Conference Center Fund of $150,000; revenue and expenditures for the Equipment Services Funds in the amount of $9,838,342; and adopting a Capital Improvement Program (C.I.P.) for the General, Water and Sewer, Fire, Coral Springs Center For the Arts, Public Art, Charter School, Equipment Services, and Tree Preservation Trust Funds for a total amount of $15,818,959.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COMMISSION OF THE CITY OF CORAL SPRINGS, FLORIDA:

Section 1. Each and all of the foregoing "Whereas" clauses are true and correct and are incorporated herein.

Section 2. That the Annual Operating Budget Fiscal Year 2010-2011, reviewed and approved by the City Commission on July 20, 2010, copy of said budget being attached hereto and made a part hereof, as Exhibit "A", as specifically as if set forth herein and as revised on September 13, 2010 and September 21, 2010, and is hereby established and adopted as the City of Coral Spring's final Annual Operating Budget for Fiscal Year 2010-2011.

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Section 3. That the Annual Operating Budget Fiscal Year 2010-2011 establishes limitations on expenditures/expenses by fund total. Said limitation meaning that the total sum allocated to each fund for total expenditures/expenses may not be increased without specific authorization by a duly enacted Resolution and/or Ordinance effecting such amendment or transfer. However, specific activity/departmental amounts within a fund may be exceeded so long as excesses exist in other activities/departments within said fund.

Section 4. That the Capital Improvement Program Budget, Fiscal Year 2010-2011 for the General, Water and Sewer, Fire, Coral Springs Center For the Arts, Public Art, Charter School, Equipment Services and Tree Preservation Trust Funds, reviewed and approved by the City Commission on July 20, 2010, as revised on September 13, 2010 and September 21, 2010, is hereby adopted by the City Commission of the City of Coral Springs and attached hereto and incorporated herein as Exhibit "B" as specifically as set forth herein. This also approves in concept, subject to annual review, the Capital Improvement Plan for October 1, 2011 – September 30, 2016.

Section 5. That when the City of Coral Springs receives monies from any source, be it private or governmental, by Grant, Gift, or otherwise, to which there is attached as a condition of acceptance, any limitation regarding the use or expenditure of the monies received, the funds so received need not be shown in the Annual Budget nor shall said budget be subject to amendment or expenditure as a result of disbursed and applied toward the purposes for which the said funds were received. To ensure the integrity of the Operating Budget, and the integrity of the monies received by the City under Grants or Gifts, all monies received as contemplated above must, upon receipt, be segregated and accounted for based upon generally accepted accounting principles and, where appropriate, placed into separate and individual trust and/or escrow accounts from which any money drawn may only be disbursed and applied within the limitations placed upon the Gift or Grant as aforesaid.

Section 6. That in the event a variation from the total budget appropriation is or becomes necessary, such variations shall only become legally effective upon the adoption of an amending

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Ordinance consistent with Chapter 166, Florida Statutes, the Charter and Code of Ordinances of the City of Coral Springs, Florida.

Section 7. Repeal of Conflicting Ordinances.

All prior ordinances or resolutions or parts thereof in conflict herewith are hereby repealed to the extent of such conflict.

Section 8. Severability.

Should any part, term or provision of this Ordinance be by the courts decided to be invalid, illegal or in conflict with any law of this State, the validity of the remaining portions or provision shall not be affected thereby.

Section 9. Effective Date.

This Ordinance shall become effective on October 1, 2010.

PUBLISHED THE 30th DAY OF AUGUST 2010, AND THE 3rd DAY OF SEPTEMBER 2010.

PASSED FIRST READING THE 13th DAY OF SEPTEMBER 2010.

PASSED SECOND READING THE 21st DAY OF SEPTEMBER 2010.

_____
SCOTT J. BROOK, MAYOR

ATTEST:

_____
PETER M. J. RICHARDSON, CRM, CITY CLERK

Unanimous ____

Motion	2nd		Yes	No
___	___	Mayor Brook	____	____
___	___	Vice Mayor Bruck	____	____
___	___	Commissioner Boccard	____	____
___	___	Commissioner Gold	____	____
___	___	Commissioner Powers	____	____

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EXHIBIT "A"
Annual Operating Budget

FUND	FY 2010-2011 ADOPTED BUDGET
General	$94,994,960
Water & Sewer	$17,863,663
Fire	$16,084,800
Charter School	$12,018,653
Coral Springs Center For the Arts	$597,230
Public Art	$100,500
Debt Service	$5,477,373
Health & Liability	$13,793,012
Conference Center	$150,000
Equipment Services	$9,838,342

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EXHIBIT "B"
Capital Improvement Program

FUND	FY 2010-2011 ADOPTED C. I. P.
General	$5,817,384
Water & Sewer	$6,234,717
Fire	$365,543
Coral Springs Center For the Arts	$152,230
Public Art	$100,500
Charter School	$469,685
Equipment Services	$2,428,900
Tree Preservation Trust Funds	$250,000
	$15,818,959

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