



AGENDA

SPECIAL MEETING OF THE STUART CITY COMMISSION

TO BE HELD September 9, 2019

AT 5:15 PM Commission Chambers - TENTATIVE MILLAGE & TENTATIVE BUDGET

121 SW FLAGLER AVE.

STUART, FLORIDA 34994

CITY COMMISSION

Mayor Rebecca S. Bruner

Vice Mayor Eula R. Clarke

Commissioner Kelli Glass Leighton

Commissioner Merritt Matheson

Commissioner Mike Meier

ADMINISTRATIVE

City Manager, David Dyess

City Attorney, Michael J. Mortell

City Clerk, Mary R. Kindel

Agenda items are available on our website at <http://www.cityofstuart.us>
Phone: (772) 288-5306 . Fax: (772) 288-5305 . E-mail: mkindel@ci.stuart.fl.us

In compliance with the Americans with Disabilities Act (ADA), anyone who needs a special accommodation to attend this meeting should contact the City's ADA coordinator at 772-288-5306 at least 48 hours in advance of the meeting, excluding Saturday and Sunday.

If a person decides to appeal any decision made by the Board with respect to any matter considered at this meeting, he will need a record of the proceeding, and that for such purpose he 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.

(RC) next to an item denotes there is a City Code requirement for a Roll Call vote.

(QJ) next to an item denotes that it is a quasi-judicial matter or public hearing.

WHAT IS CIVILITY? *Civility is caring about one's identity, needs and beliefs without degrading someone else's in the process. Civility is more than merely being polite. Civility requires staying "present" even with those persons with whom we have deep-rooted and perhaps strong disagreements. It is about constantly being open to hear, learn, teach and change. It seeks common ground as a beginning point for dialogue. It is patience, grace, and strength of character. Civility is practiced in our City Hall.*

ROLL CALL

PLEDGE OF ALLEGIANCE

APPROVAL OF AGENDA

COMMENTS FROM THE PUBLIC (5 min. max)

PUBLIC COMMENT: *If a member of the public wishes to comment upon ANY subject matter, including quasi-judicial matters, please submit a Request to Speak form. These forms are available in the back of the Commission Chambers, and should be given to the City Clerk prior to introduction of the item number you would like to address.*

COMMISSION ACTION

1. APPROVE NON-AD VALOREM FIRE ASSESSMENT FOR FISCAL YEAR 2020 (RC):

RESOLUTION No. 86-2019; A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF STUART, FLORIDA, APPROVING THE FISCAL YEAR 2019-2020 NON-AD VALOREM ASSESSMENT ROLL FOR FIRE PROTECTION SERVICES, FACILITIES AND PROGRAMS; DIRECTING CERTIFICATION OF THE ASSESSMENT ROLL TO THE MARTIN COUNTY TAX COLLECTOR; AND PROVIDING AN EFFECTIVE DATE.

2. ADOPT TENTATIVE MILLAGE FOR FISCAL YEAR 2020 (RC):

RESOLUTION No. 85-2019; A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF STUART, FLORIDA ADOPTING THE TENTATIVE MILLAGE RATE FOR FISCAL YEAR 2020; PROVIDING AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

3. ADOPT THE TENTATIVE BUDGET FOR FISCAL YEAR 2020 (RC):

RESOLUTION No. 87-2019; A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF STUART, FLORIDA ADOPTING THE TENTATIVE BUDGETS OF THE CITY OF STUART, FLORIDA, FOR FISCAL YEAR BEGINNING OCTOBER 1, 2019 AND ENDING SEPTEMBER 30, 2020; PROVIDING AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

QUASI-JUDICIAL HEARINGS: *Some of the matters on the Agenda may be "quasi-judicial" in nature. City Commissioners will disclose all ex-parte communications, and may be subject to voir dire by any interested party regarding those communications. All witnesses testifying will be "sworn" prior to their testimony. However, the public is permitted to comment without being sworn. Unsworn testimony will be given appropriate weight and credibility by the City Commission.*

ADJOURNMENT:

**CITY OF STUART, FLORIDA
AGENDA ITEM REQUEST
CITY COMMISSION**

Meeting Date: 9/9/2019

Prepared by: L BOGLIOLI

Title of Item:

APPROVE NON-AD VALOREM FIRE ASSESSMENT FOR FISCAL YEAR 2020 (RC):

RESOLUTION No. 86-2019; A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF STUART, FLORIDA, APPROVING THE FISCAL YEAR 2019-2020 NON-AD VALOREM ASSESSMENT ROLL FOR FIRE PROTECTION SERVICES, FACILITIES AND PROGRAMS; DIRECTING CERTIFICATION OF THE ASSESSMENT ROLL TO THE MARTIN COUNTY TAX COLLECTOR; AND PROVIDING AN EFFECTIVE DATE.

Summary Explanation/Background Information on Agenda Request:

A RESOLUTION BEFORE THE CITY COMMISSION TO ADOPT THE FIRE ASSESSMENT FOR FISCAL YEAR 2020

Funding Source:

Recommended Action:

ADOPT RESOLUTION 86-2019

ATTACHMENTS:

Description	Upload Date	Type
▢ RESOLUTION 86-2019	8/30/2019	Cover Memo



BEFORE THE CITY COMMISSION

CITY OF STUART, FLORIDA

RESOLUTION NUMBER 86-2019

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF STUART, FLORIDA, APPROVING THE FISCAL YEAR 2019-2020 NON-AD VALOREM ASSESSMENT ROLL FOR FIRE PROTECTION SERVICES, FACILITIES AND PROGRAMS; DIRECTING CERTIFICATION OF THE ASSESSMENT ROLL TO THE MARTIN COUNTY TAX COLLECTOR; AND PROVIDING AN EFFECTIVE DATE.

BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF STUART, FLORIDA, AS FOLLOWS:

SECTION 1. AUTHORITY. This Resolution of the City of Stuart, Florida (the "City"), is adopted pursuant to City Ordinance No. 2271 (as currently codified in Article V, Division 6 of the City of Stuart Code of Ordinances, the "Assessment Ordinance"), City Resolution No. 142-2013 (as amended and supplemented from time to time, and particularly as amended and supplemented by Resolution No. 21-2014, the "Initial Assessment Resolution"), sections 166.021, 166.041 and 197.3632, Florida Statutes, and other applicable provisions of law.

SECTION 2. DEFINITIONS. This resolution constitutes the Annual Assessment Resolution for the Fiscal Year commencing October 1, 2019 (the "Fiscal Year 2019-2020"). All capitalized words and terms not otherwise defined herein shall have the meanings set forth in the

Assessment Ordinance and the Initial Assessment Resolution. Unless the context indicates otherwise, words imparting the singular number include the plural number, and vice versa.

SECTION 3. FINDINGS. It is hereby ascertained, determined and declared as follows:

(A) Pursuant to the Assessment Ordinance, the City Commission adopted the Initial Assessment Resolution imposing special assessments (the "Fire Protection Assessments") to provide for the annual funding of fire protection services, facilities and programs commencing with Fiscal Year 2014-15, and providing for collection of the Fire Protection Assessments pursuant to the tax bill method authorized by the Uniform Assessment Collection Act.

(B) On October 28, 2013, the City Commission adopted Resolution No. 127-2013, expressing its intent to use the tax bill collection method authorized by the Uniform Assessment Collection Act for collection of annual non-ad valorem assessments, including the Fire Protection Assessments, commencing with the tax bill mailed by the Tax Collector in November, 2014.

(C) The Assessment Ordinance provides for the adoption of an Annual Assessment Resolution for each Fiscal Year approving, confirming or amending the Assessment Roll.

(D) City Resolution No. 22-2014 (as amended and supplemented from time to time, and particularly as supplemented by City Resolution No. 67-2014, the "Note Resolution") authorized issuance of the City's Fire Protection Assessment Revenue Note, Series 2014 (the "Note"). The Note was issued on August 14, 2014, and is secured by the annual Fire Protection Assessments. Section 9 of the Note Resolution provides that the City shall annually and timely adopt an assessment resolution as required and necessary for imposing Fire Protection Assessments for each Fiscal Year in an amount sufficient to satisfy the principal and interest payments on the Note until the Note is paid in full.

(E) Certain Tax Parcels which were not previously subject to the Fire Protection Assessments are being added to the Assessment Roll for Fiscal Year 2019-2020. Such parcels, a list of which is on file with the City Clerk and incorporated herein by reference, receive the several special benefits described in the Initial Assessment Resolution from the City's provision of fire protection services, facilities and programs (the "Newly Assessed Parcels").

(F) As required by Section 2.08 of the Assessment Ordinance, the City Commission conducted a public hearing on September 9, 2019 in order to receive comments from the owners of the Newly Assessed Parcels prior to adoption of the Assessment Roll for Fiscal Year 2019-2020. Mailed notice of such public hearing was provided to the owners of the New Assessed Parcel in accordance with the Assessment Ordinance, an affidavit of mailing being attached hereto as Appendix A.

(G) The Assessments contemplated hereunder are imposed by the City Commission, not the Property Appraiser or Tax Collector. Any activity of the Property Appraiser or Tax Collector under the provisions of this Resolution shall be construed solely as ministerial.

(H) The legislative determinations and findings set forth in the Initial Assessment Resolution are hereby ratified, confirmed and incorporated herein by reference.

SECTION 4. APPROVAL OF ASSESSMENT ROLL; COLLECTION OF ASSESSMENTS.

(A) The estimated Fire Protection Assessed Cost for Fiscal Year 2019-2020 is approximately \$1,300,000. The Assessment Roll for Fiscal Year 2019-2020, a copy of which is on file with the City Clerk and incorporated herein by reference, is hereby confirmed and approved based upon a Tier 1 rate of \$108.35 per parcel and a Tier 2 rate of \$1.30 per EBU.

(B) The City Financial Services Director is hereby authorized and directed to certify the foregoing Assessment Roll to the Martin County Tax Collector on or before September 15, 2019 for collection pursuant to the Uniform Assessment Collection Act. The Assessment Roll as delivered to the Tax Collector shall be accompanied by a Certificate of Non-Ad Valorem Assessment Roll in substantially the form attached hereto as Appendix B.

(C) Fire Protection Assessments shall constitute a lien upon 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.

(D) The Initial Assessment Resolution approved Maximum Assessment Rates of \$193.87 per Tax Parcel for Tier 1 and \$2.34 per EBU for Tier 2. Such Maximum Assessment Rates are hereby ratified and confirmed as the Maximum Assessment Rates which may be utilized in preparation of the Assessment Roll for Fiscal Year 2019-2020 and beyond.

(E) The Initial Assessment Resolution is hereby ratified and confirmed.

SECTION 5. SEVERABILITY. If any clause, section, or other part of this Resolution shall be held by any court of competent jurisdiction unconstitutional or invalid, such unconstitutional or invalid part shall be considered as eliminated and in no way affects the validity of the other provisions in this Resolution.

[Remainder of Page Intentionally Left Blank]

SECTION 6. EFFECTIVE DATE. This Resolution shall be in full force and take effect immediately upon its passage and adoption.

ADOPTED this _____ day of _____, 2019.

Commissioner _____ offered the foregoing resolution and moved its adoption.

The motion was seconded by Commissioner _____ and upon being put to a roll call vote, the vote was as follows:

	YES	NO	ABSENT
BECKY BRUNER, MAYOR			
EULA R. CLARKE, VICE MAYOR			
KELLI GLASS LEIGHTON, COMMISSIONER			
MERRITT MATHESON, COMMISSIONER			
MIKE MEIER, COMMISSIONER			

ATTEST

MARY KINDEL
CITY CLERK

BECKY BRUNER
MAYOR

APPROVED AS TO FORM
AND CORRECTNESS:

MICHAEL J. MORTELL
CITY ATTORNEY

**CITY OF STUART, FLORIDA
AGENDA ITEM REQUEST
CITY COMMISSION**

Meeting Date: 9/9/2019

Prepared by: L BOGLIOLI

Title of Item:

ADOPT TENTATIVE MILLAGE FOR FISCAL YEAR 2020 (RC):

RESOLUTION No. 85-2019; A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF STUART, FLORIDA ADOPTING THE TENTATIVE MILLAGE RATE FOR FISCAL YEAR 2020; PROVIDING AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

Summary Explanation/Background Information on Agenda Request:

A RESOLUTION BEFORE THE CITY COMMISSION TO SET THE TENTATIVE MILLAGE FOR THE FISCAL YEAR 2020

Funding Source:

Recommended Action:

ADOPT RESOLUTION 85-2019

ATTACHMENTS:

Description	Upload Date	Type
□ Resolution 85-2019	8/30/2019	Cover Memo



**BEFORE THE CITY COMMISSION
CITY OF STUART, FLORIDA**

RESOLUTION No. 85-2019

**A RESOLUTION OF THE CITY COMMISSION OF
THE CITY OF STUART, FLORIDA ADOPTING THE
TENTATIVE MILLAGE RATE FOR FISCAL YEAR
2020; PROVIDING AN EFFECTIVE DATE; AND FOR
OTHER PURPOSES.**

* * * * *

WHEREAS, the City Commission has this date held a properly advertised public hearing pursuant to the requirements of §200.065, Florida Statutes, to adopt a tentative millage rate for the 2019-2020 fiscal year; and

WHEREAS, the City Commission has discussed "the percentage increase in millage over the rolled-back rate necessary to fund the budget, if any, and the specific purposes for which *ad valorem* tax revenues are being increased;" and

WHEREAS, the City Commission has proposed to increase the millage; and

WHEREAS, the public has been allowed to speak and ask questions regarding the tentative millage rate prior to its adoption, and the City Commission has explained the reasons for the lower rolled-back rate; and

WHEREAS, the City Commission has amended the proposed budget for fiscal year 2019-2020 and recomputed the proposed millage rate and has announced publicly "the percent, if any, by which the rolled-back rate exceeds the recomputed proposed millage rate."

NOW THEREFORE, BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF STUART, FLORIDA that:

SECTION 1: The tentative millage rate for the 2019-2020 fiscal year of the City of Stuart, Florida shall be \$5.00 per \$1,000.00 of Assessed Property Value as certified by the Martin County Property

Appraiser. This rate is also expressed as 5.0000 mills. The tentative millage rate exceeds the tentative rolled-back rate by 10.12%. This is an increase in the property tax rate as tentatively adopted.

SECTION 2: A public hearing to finalize the budget and adopt a final millage shall be held **September 23, 2019**, at 5:15 PM at City Hall, 121 SW Flagler Avenue, Stuart, Florida. The City Clerk shall publish the advertisement therefore according to law.

SECTION 3: This resolution shall take effect on adoption.

Commissioner _____ offered the foregoing resolution and moved its adoption. The motion was seconded by Commissioner _____ and upon being put to a roll call vote, the vote was as follows:

BECKY BRUNER, MAYOR
EULA R. CLARKE, VICE MAYOR
KELLI GLASS LEIGHTON, COMMISSIONER
MERRITT MATHESON, COMMISSIONER
MIKE MEIER, COMMISSIONER

YES	NO	ABSENT

ADOPTED this 9th day of September, 2019.

ATTEST:

MARY KINDELL
CITY CLERK

BECKY BRUNER
MAYOR

APPROVED AS TO FORM
AND CORRECTNESS:

MICHAEL MORTELL
CITY ATTORNEY

CITY OF STUART, FLORIDA AGENDA ITEM REQUEST CITY COMMISSION

Meeting Date: 9/9/2019

Prepared by: L BOGLIOLI

Title of Item:

ADOPT THE TENTATIVE BUDGET FOR FISCAL YEAR 2020 (RC):

RESOLUTION No. 87-2019; A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF STUART, FLORIDA ADOPTING THE TENTATIVE BUDGETS OF THE CITY OF STUART, FLORIDA, FOR FISCAL YEAR BEGINNING OCTOBER 1, 2019 AND ENDING SEPTEMBER 30, 2020; PROVIDING AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

Summary Explanation/Background Information on Agenda Request:

A RESOLUTION BEFORE THE CITY COMMISSION TO ADOPT THE TENTATIVE BUDGET FOR FISCAL YEAR 2020

Funding Source:

Recommended Action:

ADOPT RESOLUTION 87-2019

ATTACHMENTS:

Description	Upload Date	Type
RESOLUTION 87-2019	8/30/2019	Cover Memo



**BEFORE THE CITY COMMISSION
CITY OF STUART, FLORIDA**

RESOLUTION No. 87-2019

**A RESOLUTION OF THE CITY COMMISSION OF THE
CITY OF STUART, FLORIDA ADOPTING THE
TENTATIVE BUDGETS OF THE CITY OF STUART,
FLORIDA, FOR FISCAL YEAR BEGINNING OCTOBER 1,
2019 AND ENDING SEPTEMBER 30, 2020; PROVIDING AN
EFFECTIVE DATE; AND FOR OTHER PURPOSES.**

* * * * *

WHEREAS, it is necessary and proper, and in some instances required by Florida law, to establish the budgetary spending plans (annual budgets) for the various funds of the City of Stuart for the fiscal year beginning October 1, 2019, and ending September 30, 2020, in order to properly reflect anticipated revenues and required appropriations.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF STUART, FLORIDA that:

SECTION 1: The City of Stuart, Florida hereby adopts the tentative budget, attached hereto, for the fiscal year beginning October 1, 2019 and ending September 30, 2020, as follows:

- (a) There is hereby appropriated from the GENERAL FUND of the City of Stuart for the above described fiscal year, the total sum of Thirty Million, Nine Hundred Forty-One Thousand, Eighty-Eight (\$30,941,088) Dollars to provide for the annual budget of the General Fund.
- (b) There is hereby appropriated from the LANDFILL PROPERTY FUND of the City of Stuart for the above described fiscal year the total sum of Fifty-Six Thousand, Eight Hundred (\$56,800) Dollars to provide for the annual budget of the Landfill Closure Trust Fund.
- (c) There is hereby appropriated from the COMMUNITY REDEVELOPMENT AGENCY of the City of Stuart for the above described fiscal year the total sum of Two Million, Two Hundred Forty-Eight Thousand, Three Hundred Eighty (\$2,248,380) Dollars to provide for the annual budget of the Community Redevelopment Agency Fund.

RESOLUTION 87-2019
ADOPT TENTATIVE BUDGET for FY 2020

- (d) There is hereby appropriated from the LEASED PROPERTY FUND of the City of Stuart for the above described fiscal year the total sum of Eight Hundred Twenty-Three Thousand, Eight Hundred Ninety-Nine (\$823,899) Dollars to provide for the annual budget of the Property Management Fund.
- (e) There is hereby appropriated from the POLICE SPECIAL REVENUES FUND of the City of Stuart for the above described fiscal year the total sum of Thirty-Six Thousand, Forty (\$36,040) Dollars to provide for the annual budget of the Police Special Revenues Fund.
- (f) There is hereby appropriated from the WATER AND SEWER FUND of the City of Stuart for the above described fiscal year the total sum of Nineteen Million, Six Hundred Eight Thousand, Four Hundred Seventy-Eight (\$19,608,478) Dollars to provide for the annual budget of the Water and Sewer Fund.
- (g) There is hereby appropriated from the SANITATION FUND of the City of Stuart for the above described fiscal year the total sum of Six Million, Three Hundred Fifty Thousand, Six Hundred Ninety-One (\$6,350,691) Dollars to provide for the annual budget of the Sanitation Fund.
- (h) There is hereby appropriated from the STORMWATER FUND of the City of Stuart for the above described fiscal year the total sum of Eight Hundred Six Thousand, Seventy-Five (\$806,075) Dollars to provide for the annual budget of the Stormwater Fund.

RESOLUTION 87-2019
ADOPT TENTATIVE BUDGET for FY 2020

SECTION 2: This Resolution shall be effective immediately upon adoption.

Commissioner _____ offered the foregoing resolution and moved its adoption. The motion was seconded by Commissioner _____ and upon being put to a roll call vote, the vote was as follows:

BECKY BRUNER, MAYOR
EULA R. CLARKE, VICE MAYOR
KELLI GLASS LEIGHTON, COMMISSIONER
MERRITT MATHESON, COMMISSIONER
MIKE MEIER, COMMISSIONER

YES	NO	ABSENT

ADOPTED this 9th day of September, 2019.

ATTEST:

MARY KINDEL
CITY CLERK

BECKY BRUNER
MAYOR

APPROVED AS TO FORM AND
CORRECTNESS:

MICHAEL MORTELL
CITY ATTORNEY