

RESOLUTION NO. 48-09-08

A RESOLUTION OF THE TOWN COMMISSION OF THE TOWN OF LAKE PARK, FLORIDA, ADOPTING A MILLAGE RATE FOR THE TOWN OF LAKE PARK FOR THE FISCAL YEAR BEGINNING OCTOBER 1, 2008 AND ENDING SEPTEMBER 30, 2009; STATING THE ROLLED-BACK RATE FOR THE TOWN OF LAKE PARK; STATING THE PERCENT BY WHICH THE TOWN MILLAGE RATE EXCEEDS, IF ANY, THE ROLLED-BACK MILLAGE RATE; AND LEVYING FOR AD VALOREM TAXES ON ALL TAXABLE REAL AND TANGIBLE PERSONAL PROPERTY IN THE TOWN OF LAKE PARK FOR FISCAL YEAR 2008/2009; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, pursuant to Article VIII, §2 of the Florida Constitution and Chapter 166, Florida Statutes, the Town of Lake Park (Town) has the governmental, corporate and proprietary powers to conduct municipal government; and

WHEREAS, these powers include the authority to adopt millage rates to be levied by the Town Commission on all taxable real and tangible personal property within the Town each fiscal year; and

WHEREAS, the Town Commission has on this date held a properly advertised public hearing pursuant to the requirements of Section 200.065, *F.S.*, to adopt a millage rate for the Town's 2008/2009 Fiscal Year; and

WHEREAS, the Town Commission has held a public hearing and at that hearing 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, at said public hearing the public has been allowed to speak and ask questions regarding the tentative millage rate prior to adoption and the Town Commission has explained the reasons for the increase over the rolled-back rate; and

NOW, THEREFORE, BE IT RESOLVED BY THE TOWN COMMISSION OF THE TOWN OF LAKE PARK, FLORIDA:

Section 1. The whereas clauses are true and correct and incorporated herein.

Section 2. In order to fund the budget of the Town , a millage rate is hereby adopted and levied by the Town Commission , pursuant to the Statutes and Constitution of the State of Florida, as follows:

A. Upon first reading hereof, the tentative millage rate computed to fund the Town's proposed budget is hereby approved and adopted in the sum of 8.5163 mills. For each \$1,000.00 of assessed valuation, said millage rate will raise a tax of \$8.5163.

B. Upon second reading hereof, the final millage rate computed to fund the Town's final

budget is hereby approved and adopted in the sum of 8.5163 mills. For each 1,000.00 of assessed valuation, the millage rate will raise a tax of \$8.5163.

Section 3. The rolled-back millage rate computed by the Town pursuant to the instructions furnished by the Palm Beach County Property Appraiser for the fiscal year 2008-2009 is 8.2699 mills. The percentage, if any, by which the above specified millage rate to be levied by the Town exceeds the rolled-back rate, are as follows:

A. The tentative millage rate exceeds the rolled-back millage rate by 2.98 percent. This figure is declared to be the percentage increase, if any, in property taxes for the Town proposed to be adopted by the Town Commission.

B. The final millage rate exceeds the rolled-back millage rate by 2.98 percent. This figure is declared to be the percentage increase, if any, in property taxes for the Town actually adopted by the Town Commission.

Section 4. In order to fund the voter approved debt service for the Town , a millage rate of 1.1500 is hereby adopted by the Town Commission of the Town pursuant to the Laws and Constitution of the State of Florida.

Section 5. Pursuant to the millage rate aforesaid, the following amount of ad valorem taxes shall be raised and collected by the Town for municipal purposes and expenses for the fiscal year beginning October 1, 2008 and ending September 30, 2009, to-wit:

Under the tentative millage rate:	\$ 5,842,707
Under the final millage rate:	\$ 5,842,707

Section 6. Pursuant to the applicable provisions of the Constitution and Statutes of the State of Florida and the Town Charter , there is hereby levied a general municipal millage rate as above stated, respectively, upon the dollar amount of the assessed valuation of all taxable real and tangible personal property in the Town as returned by the Palm Beach County Property Appraiser in the Town's behalf and fixed by the Town Commission as shown by the 2008 tax roll for the Town, allowing the homestead and all other lawful exemptions as shown therein.

Section 7. The millage hereby levied, as above stated, respectively, is hereby approved and certified by the Town Commission of the Town, pursuant to the laws of the State of Florida.

Section 8. The ad valorem taxes hereby levied are for the purpose of raising funds, revenues and moneys to be used, set aside and expended for the functions and purposes of the municipal government of the Town pursuant to the Constitution and Laws of the State of Florida and the Town Charter.

Section 9. The ad valorem taxes which are hereby levied are in excess of and above all other revenues to be received by the Town and are to be collected during the fiscal year beginning October 1, 2008 and ending September 30, 2009. All such ad valorem taxes so specified and levied are ordered to be extended upon the tax rolls, books and records of Palm Beach County in the proper millage in proportion to the valuation of such property as returned by the Palm Beach County Property Appraiser and fixed by the Town Commission.

Section 10. The Town Clerk is hereby directed to furnish a certified copy of this Resolution upon adoption to the Palm Beach County Property Appraiser, the Palm Beach County Tax Collector and the Department of Revenue of the State of Florida, as required by Law.

Section 11. This Resolution shall take effect immediately upon adoption.

THE REST OF THIS PAGE HAS BEEN LEFT BLANK INTENTIONALLY.

The foregoing Resolution was offered by Commissioner Balius, who moved its adoption. The motion was seconded by Vice-Mayor Daly, and upon being put to a roll call vote, the vote was as follows:

	AYE	NAY
MAYOR DESCA DUBOIS	<u>/</u>	—
VICE-MAYOR ED DALY	<u>/</u>	—
COMMISSIONER CHUCK BALIUS	<u>/</u>	—
COMMISSIONER JEFF CAREY	<u>/</u>	—
COMMISSIONER PATRICIA OSTERMAN	<u>/</u>	—

The Town Commission thereupon declared the foregoing Resolution NO. 48-09-08 duly passed and adopted this 3 day of September, 2008.

TOWN OF LAKE PARK, FLORIDA

BY: Desca Dubois
DESCA DUBOIS
MAYOR

ATTEST:

Vivian Mendez Lemley
VIVIAN MENDEZ LEMLEY
TOWN CLERK



Approved as to form and legal sufficiency:

BY: Thomas J. Baird
THOMAS J. BAIRD
TOWN ATTORNEY

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Under the final millage rate:	\$ 5,842,707

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Section 8. The ad valorem taxes hereby levied are for the purpose of raising funds, revenues and moneys to be used, set aside and expended for the functions and purposes of the municipal government of the Town pursuant to the Constitution and Laws of the State of Florida and the Town Charter.

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

	AYE	NAY
MAYOR DESCA DUBOIS	<u>/</u>	—
VICE-MAYOR ED DALY	<u>/</u>	—
COMMISSIONER CHUCK BALIUS	<u>/</u>	—
COMMISSIONER JEFF CAREY	<u>/</u>	—
COMMISSIONER PATRICIA OSTERMAN	<u>/</u>	—

The Town Commission thereupon declared the foregoing Resolution NO. 48-09-08 duly passed and adopted this 17 day of September, 2008.

TOWN OF LAKE PARK, FLORIDA

BY: Desca DuBois
DESCA DUBOIS
MAYOR

ATTEST:

Vivian Mendez Lemley
VIVIAN MENDEZ LEMLEY
TOWN CLERK

TOWN OF LAKE PARK
(TOWN SEAL)
SEAL

FLORIDA

Approved as to form and legal sufficiency:

BY: Thomas J. Baird
THOMAS J. BAIRD
TOWN ATTORNEY