

RESOLUTION NO. 25R-09-172

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF LAUDERHILL, FLORIDA, ADOPTING, APPROVING, CERTIFYING AND RE-IMPOSING THE UNIFORM METHOD FOR COLLECTING NON-AD VALOREM SPECIAL ASSESSMENTS LEVIED WITHIN THE INCORPORATED AREA OF THE CITY OF LAUDERHILL ON THE ANNUAL TAX BILL FOR THE COSTS AND FEES OF PROVIDING GARBAGE, REFUSE AND RECYCLING SERVICES ONLY TO THOSE DESIGNATED AREAS MORE COMMONLY KNOWN AS ST. GEORGE, WEST KEN LARK, BROWARD ESTATES, AND THE SWAP SHOP; CERTIFYING THE FINAL ASSESSMENT ROLL; PROVIDING FOR RE-IMPOSITION OF ANNUAL BILLING ON THE TAX BILL FOR ALL RELATED COSTS AND FEES FOR THOSE AREAS; DECLARING A GARBAGE ASSESSED COST FOR THE FISCAL YEAR 2026; STATING A NEED FOR SUCH LEVY TO COVER THE ACTUAL COSTS AND FEES FOR SERVICES; ALLOWING FOR INCREASES EQUIVALENT TO THE ACTUAL COSTS CHARGED BY THE SERVICE PROVIDER PROVIDING FOR THE MAILING OF THIS RESOLUTION; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City Commission previously expressed its intent to use the uniform method for collecting non-ad valorem special assessments for the cost of providing garbage, refuse and recycling services areas property within the incorporated area of the City of Lauderhill as authorized by Section 197.3632 of the Florida Statutes, as amended, because this method would allow such special assessments to be collected annually, in the same manner as provided for ad valorem taxes via the Original Intent Resolution No. 07R-01-31 on February 26, 2007; and

WHEREAS, the City Commission imposed these special assessments for the annual cost of providing garbage, refuse and recycling services to the annexed areas via Resolution No. 07R-09-192, the Final Resolution Approving and Certifying the Uniform Method for Collecting the Non-Ad Valorem Special Assessments and the Certified Assessment Roll, on September 12, 2007; and

WHEREAS, the City Commission re-imposed the uniform method for collecting non-ad valorem special assessments for the costs and fees of providing garbage, refuse and recycling services only to those annexed areas who are serviced by All Service Refuse, Inc. and certified the final assessment roll on following the duly noticed public hearing on September 8, 2008 via the adoption of Resolution No. 08R-09-192; and

WHEREAS, Ordinance No. 080-09-154 declaring the garbage assessed cost for the Fiscal Year 2009 and re-imposing the uniform method for collection of the non-ad valorem special assessment for the costs and fees of providing garbage, refuse and recycling services

only to those annexed areas who are serviced by All Service Refuse, Inc. was approved on first reading on September 8, 2008 at the duly noticed meeting and public hearing and on adopted on second reading on September 29, 2008; and

WHEREAS, the City Commission re-imposed the uniform method for collecting non-ad valorem special assessments for the costs and fees of providing garbage, refuse and recycling services only to those annexed areas who are serviced by All Service Refuse, Inc. and Certified the final assessment roll following the duly noticed public hearing on September 14, 2009 via Resolution No. 09R-09-163; and

WHEREAS, Ordinance No. 090-09-135 declared the garbage assessed cost for the Fiscal Year 2010 and re-imposed the uniform method for collection of the non-ad valorem special assessment for the costs and fees of providing garbage, refuse and recycling services only to those annexed areas who are serviced by All Service Refuse, Inc. on first reading on September 14, 2009 at the duly noticed meeting and public hearing and on second reading on September 29, 2009; and

WHEREAS, individual notice was sent to each owner regarding the public hearing on September 14, 2009 via the TRIM notice that was sent by the Broward County Property Appraiser's Office as well as publication in the newspaper; and

WHEREAS, no written objections were received from residents regarding the intent to re-impose the annual tax assessments and residents' complaints, if any, were heard at the Public Hearing held on September 14, 2009 and September 29, 2009; and

WHEREAS, the City Commission re-imposed the uniform method for collecting non-ad valorem special assessments for the costs and fees of providing garbage, refuse and recycling services only to those designated areas and to certified the final assessment roll following the duly noticed public hearing on September 13, 2010 via Resolution No. IOR-09-174; and

WHEREAS, Ordinance No. 100-09-149 declared the garbage assessed cost for the Fiscal Year 2011 and re-imposed the uniform method for collection of the non-ad valorem special assessment for the costs and fees of providing garbage, refuse and recycling services to the designated areas on first reading on September 13, 2010 at the duly noticed meeting and public hearing and on second reading on September 27, 2010; and

WHEREAS, individual notice was sent to each owner regarding the public hearing on September 13, 2010 via the TRIM notice that was sent by the Broward County Property Appraiser's Office as well as publication in the newspaper; and

WHEREAS, no written objections were received from residents regarding the intent to re-impose the annual tax assessments and residents' complaints, if any, were heard at the Public Hearing held on September 13, 2010 and September 27, 2010; and

WHEREAS, Ordinance No. 110-09-165 declared the garbage assessed cost for Fiscal Year 2012 and re-imposed the uniform method for collection of the non-ad valorem special

assessment for the costs and fees of providing garbage, refuse and recycling services only to those designated areas on first reading on September 14, 2011 at the duly noticed meeting and public hearing and on second reading on September 28, 2011; and

WHEREAS, individual notice was sent to each owner public hearing on September 14, 2011 via the TRIM notice that was sent by the Broward County Property Appraiser's Office as well as publication in the newspaper; and

WHEREAS, no written objections were received from residents regarding the intent to re-impose the annual tax assessments and residents' complaints, if any, were heard at the Public Hearing held on September 14, 2011 and September 28, 2011;

WHEREAS, Ordinance No. 120-09-141 declared the garbage assessed cost for Fiscal Year 2013 and re-imposed the uniform method for collection of the non-ad valorem special assessment for the costs and fees of providing garbage, refuse and recycling services only to those designated areas on first reading on September 12, 2012 at the duly noticed meeting and public hearing and on second reading on September 28, 2012; and

WHEREAS, individual notice was sent to each owner regarding the public hearing on September 12, 2012 via the TRIM notice that was sent by the Broward County Property Appraiser's Office as well as publication in the newspaper; and

WHEREAS, no written objections were received from residents regarding the intent to re-impose the annual tax assessments and residents' complaints, if any, were heard at the Public Hearing held on September 12, 2012 and September 28, 2012;

WHEREAS, this Ordinance No. 130-09-142 declared the garbage assessed cost for Fiscal Year 2014 and re-imposed the uniform method for collection of the non-ad valorem special assessment for the costs and fees of providing garbage, refuse and recycling services only to those designated areas on first reading on September 12, 2013 at the duly noticed meeting and public hearing and on second reading on September 26, 2013; and

WHEREAS, individual notice was sent to each owner regarding the public hearing on September 12, 2013 via the TRIM notice that was sent by the Broward County Property Appraiser's Office as well as publication in the newspaper; and

WHEREAS, no written objections were received from residents regarding the intent to re-impose the annual tax assessments and residents' complaints, if any, were heard at the Public Hearing held on September 12, 2013 and September 26, 2013; and

WHEREAS, the proposed estimated rate for Fiscal Year 2015 of \$189.58 was passed on July 21, 2014 via Resolution 14R-07-159; and

WHEREAS, individual notice was sent to each owner regarding the public hearing on September 15, 2014 via the TRIM notice that was sent by the Broward County Property Appraiser's Office as well as publication in the newspaper; and

WHEREAS, no written objections were received from residents regarding the intent to re-impose the annual tax assessments and residents' complaints, if any, were heard at the Public Hearing held on September 15, 2014 and September 29, 2014; and

WHEREAS, this Ordinance proposed a lower estimated rate for Fiscal Year 2015 of \$188.51; and

WHEREAS, individual notice was sent to each owner regarding the public hearing on September 11, 2015 via the TRIM notice that was sent by the Broward County Property Appraiser's Office as well as publication in the newspaper; and

WHEREAS, no written objections were received from residents regarding the intent to re-impose the annual tax assessments and residents' complaints, if any, were heard at the Public Hearing held on September 11, 2015 and September 21, 2015; and

WHEREAS, the preliminary estimated rate of \$187.13 was passed via Resolution 15R-07-165 on July 13, 2015. The final Resolution 15R-09-204 adopted the amended final rate to be imposed in the amount of \$184.75; and

WHEREAS, individual notice of the duly advertised public hearing was mailed to affected property owner as required by the Florida Statutes, Section 197.3632 prior to the public hearing for the potential adoption of Resolution No. 16R-09-192 and first reading of the corresponding Ordinance No. 16O-09-137 on September 14, 2016 via the TRIM notice that was sent by the Broward County Property Appraiser* s Office as well as publication in the newspaper; and

WHEREAS, no written objections were received from residents regarding the intent to re-impose the annual tax assessments, however, any residents that were present were heard at the Public Hearing held on September 14, 2016 prior to the passage of the Resolution, first reading of the Ordinance, with the second reading of the Ordinance on September 28, 2016; and

WHEREAS, individual notice of the duly advertised public hearing was mailed to affected property owner as required by the Florida Statutes, Section 197.3632 prior to the public hearing for the potential adoption of Resolution No. 17R-09-233 and first reading of the corresponding Ordinance No. 17O-09-137 on September 13, 2017 via the TRIM notice that was sent by the Broward County Property Appraiser* s Office as well as publication in the newspaper; and

WHEREAS, no written objections were received from residents regarding the intent to re-impose the annual tax assessments, however, any residents that were present were heard at the Public Hearing held on September 13, 2017 prior to the passage of the Resolution, first reading of the Ordinance, with the second reading of the Ordinance on September 25, 2017; and

WHEREAS, individual notice of the duly advertised public hearing was mailed to affected property owner as required by the Florida Statutes, Section 197.3632 prior to the

public hearing for the potential adoption of Resolution No. 18R-09-188 and first reading of the corresponding Ordinance No. 18O-09-136 on September 12, 2018 via the TRIM notice that was sent by the Broward County Property Appraiser* s Office as well as publication in the newspaper; and

WHEREAS, no written objections were received from residents regarding the intent to re-impose the annual tax assessments, however, any residents that were present were heard at the Public Hearing held on September 12, 2018 prior to the passage of the Resolution, first reading of the Ordinance, with the second reading of the Ordinance on September 26, 2018; and

WHEREAS, individual notice of the duly advertised public hearing was mailed to affected property owner as required by the Florida Statutes, Section 197.3632 prior to the public hearing for the potential adoption of Resolution No. 19R-09-183 and first reading of the corresponding Ordinance No. 19O-09-129 on September 12, 2019 via the TRIM notice that was sent by the Broward County Property Appraiser* s Office as well as publication in the newspaper; and

WHEREAS, no written objections were received from residents regarding the intent to re-impose the annual tax assessments, however, any residents that were present were heard at the Public Hearing held on September 12, 2019 prior to the passage of the Resolution, first reading of the Ordinance, with the second reading of the Ordinance on September 26, 2019; and

WHEREAS, individual notice of the duly advertised public hearing was mailed to affected property owner as required by the Florida Statutes, Section 197.3632 prior to the public hearing for the potential adoption of Resolution No. 20R-09-181 and first reading of the corresponding Ordinance No. 20O-09-134 on September 14, 2020 via the TRIM notice that was sent by the Broward County Property Appraiser* s Office as well as publication in the newspaper; and

WHEREAS, no written objections were received from residents regarding the intent to re-impose the annual tax assessments; however, any residents that were present were heard at the Public Hearing held on September 14, 2020 prior to the passage of the Resolution, first reading of the Ordinance, with the second reading of the Ordinance on September 29, 2020; and

WHEREAS, individual notice of the duly advertised public hearing was mailed to affected property owner as required by the Florida Statutes, Section 197.3632 prior to the public hearing for the potential adoption of Resolution No. 21R-09-196 and first reading of the corresponding Ordinance No. 21O-09-131 on September 13, 2021 via the TRIM notice that was sent by the Broward County Property Appraiser* s Office as well as publication in the newspaper; and

WHEREAS, no written objections were received from residents regarding the intent to re-impose the annual tax assessments; however, any residents that were present were heard at the Public Hearing held on September 13, 2021 prior to the passage of the Resolution, first

reading of the Ordinance, with the second reading of the Ordinance on September 27, 2021; and

WHEREAS, individual notice of the duly advertised public hearing was mailed to affected property owner as required by the Florida Statutes, Section 197.3632 prior to the public hearing for the potential adoption of Resolution No. 22R-09-185 and first reading of the corresponding Ordinance No. 22O-09-127 on September 14, 2022 via the TRIM notice that was sent by the Broward County Property Appraiser* s Office as well as publication in the newspaper; and

WHEREAS, no written objections were received from residents regarding the intent to re-impose the annual tax assessments; however, any residents that were present were heard at the Public Hearing held on September 14, 2022 prior to the passage of the Resolution, first reading of the Ordinance, with the second reading of the Ordinance on September 28, 2022; and

WHEREAS, individual notice of the duly advertised public hearing was mailed to affected property owner as required by the Florida Statutes, Section 197.3632 prior to the public hearing for the potential adoption of Resolution No. 23R-09-222 and first reading of the corresponding Ordinance No. 23O-09-127 on September 14, 2023 via the TRIM notice that was sent by the Broward County Property Appraiser* s Office as well as publication in the newspaper; and

WHEREAS, no written objections were received from residents regarding the intent to re-impose the annual tax assessments; however, any residents that were present were heard at the Public Hearing held on September 14, 2023 prior to the passage of the Resolution, first reading of the Ordinance, with the second reading of the Ordinance on September 28, 2023; and

WHEREAS, individual notice of the duly advertised public hearing was mailed to affected property owner as required by the Florida Statutes, Section 197.3632 prior to the public hearing for the potential adoption of Resolution No. 24R-09-181 and first reading of the corresponding Ordinance No. 24O-09-139 on September 12, 2024 via the TRIM notice that was sent by the Broward County Property Appraiser* s Office as well as publication in the newspaper; and

WHEREAS, no written objections were received from residents regarding the intent to re-impose the annual tax assessments; however, any residents that were present were heard at the Public Hearing held on September 12, 2024 prior to the passage of the Resolution, first reading of the Ordinance, with the second reading of the Ordinance on September 26, 2024; and

WHEREAS, individual notice of the duly advertised public hearing was mailed to affected property owner as required by the Florida Statutes, Section 197.3632 prior to the public hearing for the potential adoption of Resolution No. 25R-09-172 and first reading of the corresponding Ordinance No. 25O-09-133 on September 12, 2025 via the TRIM notice

that was sent by the Broward County Property Appraiser's Office as well as publication in the newspaper; and

WHEREAS, no written objections were received from residents regarding the intent to re-impose the annual tax assessments; however, any residents that were present were heard at the Public Hearing held on September 12, 2025 prior to the passage of the Resolution, first reading of the Ordinance, with the second reading of the Ordinance on September 29, 2025.

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

SECTION 1. That commencing with the Fiscal Year beginning on October 1, 2025 and with the tax statement mailed for each Fiscal Year thereafter, the City of Lauderhill will continue to use the uniform method of collecting non-ad valorem assessments authorized in Section 197.3632 of the Florida Statutes, as amended, for collecting non-ad valorem assessments for the cost and fees associated with providing garbage, refuse, and recycling services only for those designated areas more commonly known as St. George, West Ken Lark, Broward Estates and the Swap Shop. Such non-ad valorem assessments shall be imposed and levied within the incorporated area of the City of Lauderhill only to the designated areas on the annual tax bill. Any and all delinquent amounts owed for such services rendered from unpaid prior monthly billing will appear on the tax bill as a lump sum due, if applicable. A map and/or legal description of the area subject to this assessment is attached hereto as **Exhibit "A"** and incorporated herein by reference thereto.

SECTION 2. The City of Lauderhill hereby determines that the levy of such assessments in the increased amount of \$397.35 is needed to fund the actual costs and fees to provide garbage, refuse, and recycling services within the incorporated area of the City only to the designated areas. The proposed final rates to be assessed are attached hereto as **Exhibit "B"** and incorporated herein by reference thereto. The attached final rate was fully disclosed at the Public Hearing on September 12, 2025 but only those actual rates charged by the service provider will be assessed.

SECTION 3. The assessment for each parcel will be billed through the Broward County Property Appraiser's Office, via the Ad Valorem Tax Bill and collected through the Broward County Revenue Collections Division, as authorized by Florida Statutes, Section 197.3632. Failure to pay the assessments will cause a Tax Certificate to be issued against the property, which may result in the loss of title.

SECTION 4. The City of Lauderhill hereby certifies the Non-Ad Valorem Assessment Roll as presented at the time of the Public Hearing on September 12, 2025, and directs the City Manager to update the Assessment roll.

SECTION 5. Upon adoption, the City Clerk is hereby directed to send a copy of this Resolution to the Florida Department of Revenue, the Broward County Tax Collector, and the Broward County Property Appraiser.

SECTION 6. This Resolution shall take effect upon its passage and approval.

PASSED and APPROVED this _____ day of _____, 2025.

DENISE D. GRANT, MAYOR
PRESIDING OFFICER

ATTEST:

ANDREA M. ANDERSON, MMC
CITY CLERK

Approved as to Form

Hans Ottinot, City Attorney

MOTION
SECOND

R. CAMPBELL
M. DUNN
D. GRANT
J. HODGSON
S. MARTIN
