

RESOLUTION NO. 25R-07-141

RESOLUTION OF THE CITY COMMISSION OF THE CITY OF LAUDERHILL, FLORIDA RELATING TO THE PROVISION OF GARBAGE, REFUSE AND RECYCLING SERVICES TO THOSE AREAS MORE COMMONLY KNOWN AS ST. GEORGE, WEST KEN LARK, BROWARD ESTATES, AND THE SWAP SHOP; DECLARING THE ESTIMATED NON-AD VALOREM SPECIAL ASSESSMENT RATE FOR FISCAL YEAR 2026; PROVIDING FOR RE-IMPOSITION OF THE UNIFORM METHOD FOR COLLECTING NON-AD VALOREM SPECIAL ASSESSMENTS ON THE ANNUAL TAX BILL FOR ALL RELATED COSTS AND FEES FOR THE DESIGNATED AREAS; STATING A NEED FOR SUCH LEVY TO COVER THE COSTS AND FEES FOR GARBAGE, REFUSE AND RECYCLING SERVICES; ALLOWING FOR ADJUSTMENTS EQUIVALENT TO THE ACTUAL COSTS CHARGED BY THE SERVICE PROVIDER; DIRECTING THE PREPARATION OF AN ASSESSMENT ROLL; AUTHORIZING A PUBLIC HEARING AND DIRECTING THE PROVISION OF NOTICE THEREOF; 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 these special assessments for the annual cost of providing Garbage, Refuse and Recycling services to the annexed areas via Resolution No. 08R-09-192, the Final Resolution Approving and Certifying the Uniform Method for Collecting the Non-Ad Valorem Special Assessments and the Certified Assessment Roll, after public hearing on September 8, 2008; and

WHEREAS, Ordinance No. 08O-09-154 approving the re-imposition of the uniform method of collection and the collection of the actual costs charged by All Service Refuse, Inc. was passed on first reading on September 8, 2008 and on second reading on September 24, 2008;

WHEREAS, individual notice of the duly advertised public hearing was mailed to each affected property owner as required by the Florida Statutes, Section 197.3632 prior to the public hearing for the adoption of Resolution No. 09R-09-163 and first reading of Ordinance No. 09O-09-135 on September 14, 2009 via the TRIM notice that was sent by the Broward County Property Appraiser's Office, and notice was also published in the newspaper; and

WHEREAS, no written objections were received from any residents regarding the certification and re-imposition of the annual tax assessments; however, any residents that were present were heard at the Public Hearing held on September 14, 2009 prior to the passage of the Resolution and first reading of the Ordinance, with the second reading of the Ordinance held on September 29, 2009;

WHEREAS, individual notice of the duly advertised public hearing was mailed to each affected property owner as required by the Florida Statutes, Section 197.3632 prior to the public hearing for the potential adoption of Resolution No. 10R-09-174 and first reading of Ordinance No. 10O-09-149 on September 13, 2010 via the TRIM notice that was sent by the Broward County Property Appraiser's Office, and notice was also published in the newspaper; and

WHEREAS, no written objections were received from any residents regarding the certification and re-imposition of the annual tax assessments, however, any residents that were present were heard at the Public Hearing held on September 13, 2010 prior to the passage of the Resolution and first reading of the Ordinance, with the second reading of the Ordinance held on September 27, 2010; and

WHEREAS, a new garbage and recycling contract was awarded with new reduced rates for the designated area for Fiscal Year 2012. The rates assessed were only those actual rates charged by the Service Provider for the relevant time period;

WHEREAS, notice of the public hearing was published in the newspaper and individual notice was mailed to each affected property owner as required by the Florida Statutes, Section 197.3632 prior to the public hearing held on August 1, 2011 for the adoption of Resolution No. 11R-08-127 and first reading of the Ordinance No. 11O-09-165 on September 14, 2011 via the TRIM notice that was sent by the Broward County Property Appraiser's Office;

WHEREAS, residents had the right to file written objections regarding the certification and re-imposition of the annual tax assessments and had the right to be present and to be heard at the Public Hearing to be held on September 14, 2011 prior to the passage of the Resolution and first reading of the Ordinance, and the second reading of the Ordinance which was held on September 28, 2011; and

WHEREAS, notice of the duly advertised public meeting for the preliminary estimated assessments held on July 31, 2012 was published in the newspaper; and WHEREAS, notice of this duly advertised public hearing was published in the newspaper and individual notice was mailed to each affected property owner as required by the Florida Statutes, Section

197.3632 prior to the public hearing for the potential adoption of the Resolution for the annual certification and first reading of the Ordinance on September 12, 2012 via the TRIM notice that was sent by the Broward County Property Appraiser's Office; and

WHEREAS, residents had the right to file written objections regarding the certification and re-imposition of the annual tax assessments and had the right to be present and to be heard at the Public Hearing to be held on September 12, 2012 prior to the passage of the Resolution and first reading of the Ordinance, with the second reading of the Ordinance scheduled on September 28, 2012; and

WHEREAS, notice of this duly advertised public hearing was published in the newspaper and individual notice was mailed to each affected property owner as required by the Florida Statutes, Section 197.3632 prior to the public hearing for the adoption of Resolution 13R-07-146 for the annual certification and first reading of the Ordinance on September 12, 2013 via the TRIM notice that was sent by the Broward County Property Appraiser's Office; and

WHEREAS, residents had the right to file written objections regarding the certification and re-imposition of the annual tax assessments and had the right to be present and to be heard at the Public Hearing held on September 12, 2013 prior to the passage of the Resolution and first reading of the Ordinance, with the second reading of the Ordinance having been held on September 26, 2013; and

WHEREAS, notice of the duly advertised public hearing was published in the newspaper and individual notice was mailed to each affected property owner as required by the Florida Statutes, Section 197.3632 prior to the public hearing for the adoption of Resolution 14R-07-159 for the annual certification and first reading of the Ordinance on September 15, 2014 via the TRIM notice that was sent by the Broward County Property Appraiser's Office; and

WHEREAS, residents had the right to file written objections regarding the certification and re-imposition of the annual tax assessments and have the right to be present and to be heard at the Public Hearing held on September 15, 2014 prior to the passage of the Resolution and first reading of the Ordinance, with the second reading of the Ordinance scheduled on September 29, 2014; and

WHEREAS, the preliminary rate resolution adopting the estimated garbage assessment rate for Fiscal Year 2016 passed at a public meeting on July 13, 2015; and

WHEREAS, notice of the duly advertised public hearing was published in the newspaper and individual notice was mailed to each affected property owner as required by the Florida Statutes, Section 197.3632 prior to the public hearing for the adoption of the Final Rate Resolution for the annual certification and first reading of the Ordinance on September 11, 2015 via the TRIM notice that was sent by the Broward County Property Appraiser's Office; and

WHEREAS, residents had the right to file written objections regarding the certification and re-imposition of the annual tax assessments and had the right to be present and to be heard at the Public Hearing to be held on September 11, 2015 prior to the passage of the Final Rate Resolution and first reading of the Ordinance, with the second reading of the Ordinance scheduled on September 21, 2015; and

WHEREAS, the preliminary rate resolution adopting the estimated garbage assessment rate for Fiscal Year 2017 was passed at a public meeting on July 11, 2016; and

WHEREAS, notice of the duly advertised public hearing was published in the newspaper and individual notice was mailed to each affected property owner as required by the Florida Statutes, Section 197.3632 prior to the public hearing for the adoption of the Final Rate Resolution for the annual certification and first reading of the Ordinance on September 14, 2016 via the TRIM notice was sent by the Broward County Property Appraiser's Office; and

WHEREAS, residents had the right to file written objections regarding the certification and re-imposition of the annual tax assessments and had the right to be present and to be heard at the Public Hearing to be held on September 14, 2016 prior to the passage of the Final Rate Resolution and first reading of the Ordinance, with the second reading of the Ordinance scheduled on September 28, 2016; and

WHEREAS, the preliminary rate resolution adopting the estimated garbage assessment rate for Fiscal Year 2018 was passed at a public meeting on July 10, 2017; and

WHEREAS, notice of the duly advertised public hearing was published in the newspaper and individual notice was mailed to each affected property owner as required by the Florida Statutes, Section 197.3632 prior to the public hearing for the adoption of the Final Rate Resolution for the annual certification and first reading of the Ordinance on September 13, 2017 via the TRIM notice that was sent by the Broward County Property Appraiser's Office; and

WHEREAS, residents had the right to file written objections regarding the certification and re-imposition of the annual tax assessments and had the right to be present and to be heard at the Public Hearing to be held on September 13, 2017 prior to the passage of the Final Rate Resolution and first reading of the Ordinance, with the second reading of the Ordinance scheduled on September 25, 2017; and

WHEREAS, the preliminary rate resolution adopting the estimated garbage assessment rate for Fiscal Year 2019 was considered at a public meeting on July 10, 2018; and

WHEREAS, notice of the duly advertised public hearing was published in the newspaper and individual notice will be mailed to each affected property owner as required by the Florida Statutes, Section 197.3632 prior to the public hearing for the adoption of the Final Rate Resolution for the annual certification and first reading of the Ordinance on

September 12, 2018 via the TRIM notice that was sent by the Broward County Property Appraiser's Office; and

WHEREAS, residents had the right to file written objections regarding the certification and re-imposition of the annual tax assessments and had the right to be present and to be heard at the Public Hearing to be held on September 12, 2018 prior to the passage of the Final Rate Resolution and first reading of the Ordinance, with the second reading of the Ordinance scheduled on September 26, 2018; and

WHEREAS, Resolution No. 19R-07-143 adopted the estimated garbage assessment rate for Fiscal Year 2020 which was considered at a public meeting on July 9, 2019; and

WHEREAS, notice of the duly advertised public hearing was published in the newspaper and individual notice will be mailed to each affected property owner as required by the Florida Statutes, Section 197.3632 prior to the public hearing for the adoption of the Final Rate Resolution for the annual certification and first reading of the Ordinance on September 12, 2019 via the TRIM notice that was sent by the Broward County Property Appraiser's Office; and

WHEREAS, residents had the right to file written objections regarding the certification and re-imposition of the annual tax assessments and had the right to be present and to be heard at the Public Hearing which was held on September 12, 2019 prior to the passage of the Final Rate Resolution and first reading of the Ordinance, with the second reading of the Ordinance held on September 26, 2019; and

WHEREAS, Resolution No. 20R-07-142 adopted the estimated garbage assessment rate for Fiscal Year 2021 at a public meeting on July 14, 2020; and

WHEREAS, notice of the duly advertised public hearing was published in the newspaper and individual notice was mailed to each affected property owner as required by the Florida Statutes, Section 197.3632 prior to the public hearing for the adoption of the Final Rate Resolution for the annual certification and first reading of the Ordinance on September 14, 2020 via the TRIM notice that was sent by the Broward County Property Appraiser's Office; and

WHEREAS, residents had the right to file written objections regarding the certification and re-imposition of the annual tax assessments and had the right to be present and to be heard at the Public Hearing to be held on September 14, 2020 prior to the passage of the Final Rate Resolution and first reading of the Ordinance, with the second reading of the Ordinance scheduled on September 28, 2020; and

WHEREAS, Resolution No. 21R-07-154 adopting the estimated garbage assessment rate for Fiscal Year 2022 was considered at a public meeting on July 13, 2021; and

WHEREAS, notice of the duly advertised public hearing was published in the newspaper and individual notice was mailed to each affected property owner as required by

the Florida Statutes, Section 197.3632 prior to the public hearing for the adoption of the Final Rate Resolution for the annual certification and first reading of the Ordinance on September 13, 2021 via the TRIM notice that was sent by the Broward County Property Appraiser's Office; and

WHEREAS, residents had the right to file written objections regarding the certification and re-imposition of the annual tax assessments and had the right to be present and to be heard at the Public Hearing held on September 13, 2021 prior to the passage of the Final Rate Resolution and first reading of the Ordinance, with the second reading of the Ordinance scheduled on September 27, 2021; and

WHEREAS, Resolution No. 22R-07-149 adopted the estimated garbage assessment rate for Fiscal Year 2023 at a public meeting on July 12, 2022; and

WHEREAS, notice of the duly advertised public hearing was published in the newspaper and individual notice was mailed to each affected property owner as required by the Florida Statutes, Section 197.3632 prior to the public hearing for the adoption of the Final Rate Resolution for the annual certification and first reading of the Ordinance on September 14, 2022 via the TRIM notice that will be sent by the Broward County Property Appraiser's Office; and

WHEREAS, residents had the right to file written objections regarding the certification and re-imposition of the annual tax assessments and had the right to be present and to be heard at the Public Hearing to be held on September 14, 2022 prior to the passage of the Final Rate Resolution and first reading of the Ordinance, with the second reading of the Ordinance scheduled on September 28, 2022; and

WHEREAS, Resolution No. 23R-07-192 adopted the estimated garbage assessment rate for Fiscal Year 2024 at a public meeting on July 11, 2023; and

WHEREAS, notice of the duly advertised public hearing was published in the newspaper and individual notice was mailed to each affected property owner as required by the Florida Statutes, Section 197.3632 prior to the public hearing for the adoption of the Final Rate Resolution for the annual certification and first reading of the Ordinance on September 14, 2023 via the TRIM notice that was sent by the Broward County Property Appraiser's Office; and

WHEREAS, residents had the right to file written objections regarding the certification and re-imposition of the annual tax assessments and had the right to be present and to be heard at the Public Hearing held on September 14, 2023 prior to the passage of the Final Rate Resolution and first reading of the Ordinance, with the second reading of the Ordinance held on September 28, 2023; and

WHEREAS, Resolution No. 24R-07-150 adopted the estimated garbage assessment rate for Fiscal Year 2025 at a public meeting on July 9, 2024; and

WHEREAS, notice of the duly advertised public hearing was published in the newspaper and individual notice was mailed to each affected property owner as required by the Florida Statutes, Section 197.3632 prior to the public hearing for the adoption of the Final Rate Resolution for the annual certification and first reading of the Ordinance on September 12, 2024 via the TRIM notice that was sent by the Broward County Property Appraiser's Office; and

WHEREAS, residents had the right to file written objections regarding the certification and re-imposition of the annual tax assessments and had the right to be present and to be heard at the Public Hearing held on September 14, 2023 prior to the passage of the Final Rate Resolution and first reading of the Ordinance, with the second reading of the Ordinance held on September 26, 2024; and

WHEREAS, this preliminary rate Resolution No. 25R-07-142 adopts the estimated garbage assessment rate for Fiscal Year 2026 at a public meeting on July 15, 2025; and

WHEREAS, notice of the duly advertised public hearing was published in the newspaper and individual notice was mailed to each affected property owner as required by the Florida Statutes, Section 197.3632 prior to the public hearing for the adoption of the Final Rate Resolution for the annual certification and first reading of the Ordinance on September 12, 2025 via the TRIM notice that will be sent by the Broward County Property Appraiser's Office; and

WHEREAS, residents have the right to file written objections regarding the certification and re-imposition of the annual tax assessments and had the right to be present and to be heard at the Public Hearing to be held on September 12, 2025 prior to the passage of the Final Rate Resolution and first reading of the Ordinance, with the second reading of the Ordinance scheduled 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 such Fiscal Year, 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 areas who are serviced by the Service Provider, more commonly known as St. George, West Ken Lark, Broward Estates and the Swap Shop. Such non-ad valorem assessments shall be re-imposed and levied within the incorporated area of the City of Lauderhill only to the designated areas on their 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 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 estimated non-ad valorem rates to be assessed is \$398.44, which is an increase from last year. This estimated rate is intended to be merely past thru charges and were fully disclosed at the public meeting on July 15, 2025, but only those actual rates charged by the Service Provider will be assessed.

SECTION 3. The City Manager is hereby directed to prepare, or cause to be prepared, an updated Assessment Roll for the Fiscal Year commencing October 1, 2025 in the manner provided in the Florida Statutes. The updated Assessment Roll shall include all Tax Parcels within the Property Use Categories. 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. The Florida Statutes require the disclosure to owners, that "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. There is hereby established a public hearing to be held at 5:55 p.m. on September 12, 2025, in City Commission Chambers of City Hall, 5581 West Oakland Park Boulevard, Lauderhill, Florida, at which time the City Commission will receive and consider any comments on the Garbage, Refuse, and Recycling Assessments from the public and affected property owners and consider imposing Garbage, Refuse, and Recycling Assessments for the Fiscal Year beginning October 1, 2025 and collecting such assessments on the same bill as ad valorem taxes.

SECTION 5. The City published a notice of the public hearing authorized by Section 4 of this Preliminary Rate Resolution in the manner and time provided in the Florida Statutes, a copy of which is on file with the city clerk's office.

SECTION 6. Pursuant to section 200.069(13)(a), Florida Statutes, and with agreement of the Property Appraiser, the City has elected to combine notice of the public hearing authorized by Section 4 hereof with the truth-in-millage notification required pursuant to section 200.069, Florida Statutes. Such mailed notice shall be in the form required by section 200.069(13)(a), Florida Statutes, and consistent with the Uniform Assessment Collection Act and the Ordinance for the purpose of imposing Garbage, Refuse, and Recycling Assessments for the Fiscal Year beginning October 1, 2025. All first class mailed notices will be mailed timely consistent with all statutory requirements.

SECTION 7. Upon adoption, the City Clerk is hereby directed to send a certified copy of this Resolution confirming the preliminary estimate of the non-ad valorem assessment rate for Garbage, Refuse and Recycling services to the Broward County Property Appraiser by August 4, 2025.

SECTION 8. This Resolution shall take effect immediately upon its passage and adoption.

DATED this ____ day of _____, 2025.

PASSED AND ADOPTED on first reading this _____ day of _____, 2025.

DENISE D. GRANT
PRESIDING OFFICER

ATTEST:

ANDREA M. ANDERSON, MMC
CITY CLERK

MOTION _____
SECOND _____

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

Approved as to Form

Hans Ottinot
City Attorney