

RESOLUTION NO. 26-2023 OF THE CITY OF LAKE WORTH BEACH, FLORIDA, DIRECTING THE PREPARATION OF A NON-AD VALOREM ASSESSMENT ROLL RELATED TO STORMWATER MANAGEMENT SERVICES FOR FISCAL YEAR 2023-2024; PROVIDING FOR A PUBLIC HEARING TO CONSIDER ADOPTION OF THE ANNUAL ASSESSMENT RESOLUTION APPROVING SUCH ASSESSMENT; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City of Lake Worth, Florida (the "City") is a duly constituted municipality having such power and authority conferred upon it by the Florida Constitution and Chapter 166, Florida Statutes; and

WHEREAS, since 2009, the City has been charging a stormwater management services assessment as a non-ad valorem assessment pursuant to the authority set forth in this Resolution; and

WHEREAS, by July 24, 2023, the City must submit a preliminary tax roll for the upcoming fiscal year (2023-2024) stormwater management services assessment to the Palm Beach County Property Appraiser and then adopt the annual stormwater management services assessment at a public hearing by September 15, 2023;

WHEREAS, this Resolution directs the preparation of the preliminary stormwater management services assessment roll for the upcoming fiscal year and submittal of the same to the Property Appraiser and sets a public hearing for September 5, 2023 for the adoption of the annual stormwater management services assessment; and,

WHEREAS, the City Commission has determined that the preparation and submittal of the preliminary stormwater assessment roll and setting of the public hearing for the adoption of the annual stormwater assessment serves a proper public purpose and is in the best interests of the City.

NOW THEREFORE, BE IT RESOLVED BY THE CITY COMMISSION OF LAKE WORTH BEACH, FLORIDA, that:

SECTION 1. RECITALS. The foregoing recitals are incorporated into this Resolution as true and correct findings of the City.

SECTION 2. AUTHORITY. This Resolution of the City of Lake Worth Beach, Florida (the "City") is adopted pursuant to City Ordinance No. 2009-22 (as may be amended from time to time, and as codified in Chapter 2, Article XVIII of the City Code of Ordinances, the "Assessment Ordinance"), City Resolution No. 40-2009 (as amended and supplemented from time to time, and as particularly supplemented by Resolution No. 45-2009, the "Initial Assessment Resolution"), Sections 166.021, 166.041, and 197.3632, Florida Statutes, and other applicable provisions of law. Any capitalized terms not otherwise defined herein shall have the meanings set forth in the Assessment Ordinance and the Initial Assessment Resolution.

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

(A) Pursuant to the Assessment Ordinance, the City adopted the Initial Assessment Resolution approving the Stormwater Management Services Assessment Roll and imposing Stormwater Management Services Assessment to provide for the funding of Stormwater Management Services for the Fiscal Year Commencing October 1, 2009.

(B) The Assessment Ordinance requires adoption of an Annual Assessment Resolution for each Fiscal Year confirming or amending the Stormwater Management Services Assessment Roll.

(C) The City Commission desires to provide notice required by the Assessment Ordinance of its intent to consider and adopt the Annual Assessment Resolution and approve the Fiscal Year 2023-2024 Stormwater Management Services Assessment Roll.

SECTION 4. FISCAL YEAR 2023-2024 STORMWATER SERVICE ASSESSMENT ROLL. The City Manager is hereby directed to prepare, or cause to be prepared, a preliminary Stormwater Management Services Assessment Roll for the fiscal year commencing October 1, 2023, in the manner provided in Section 2-154 of the Assessment Ordinance **in the amount of \$78.25 per residential unit (which is the same amount assessed in this current Fiscal Year)**. The preliminary Stormwater Management Services Assessment Roll shall include the amount of the Fiscal Year 2023-2024 Stormwater Management Service Assessment for each individual Tax Parcel within the City, and shall exclude any Tax Parcel otherwise exempted from payment of the Stormwater Service Assessments under the Initial Assessment Resolution. The City Manager shall apportion the Stormwater Management Service Assessments in the manner set forth in the Initial Assessment Resolution. A copy of the Initial Assessment Resolution and the preliminary Stormwater Service Assessment Roll shall be maintained on file in the office of the City Clerk and open to public inspection. The foregoing shall not be construed to require that the preliminary Stormwater Service Assessment Roll be in printed form if the amount of the Stormwater Service Assessment for each parcel of property can be determined by the use of a computer terminal or internet access available to the public. The preliminary assessment roll shall be submitted to the Palm Beach County Property Appraiser by July 24, 2023.

SECTION 5. PUBLIC HEARING. A public hearing shall be held by the City Commission on September 5, 2023 at 6:00 PM at Lake Worth Beach City Hall, 7 North Dixie Highway, Lake Worth Beach, Florida, at which public hearing all such owners of property may appear to be heard as to any and all matters pertinent to the adoption of an Annual Assessment Resolution approving and finalizing the Fiscal Year 2023-2024 Stormwater Services Assessment Roll. In the event of an emergency (or as a means of providing additional access), the public hearing may be conducted via technological means. The City will provide additional information on how the meeting will be conducted on its website.

SECTION 6. EFFECTIVE DATE. This resolution shall take effect immediately upon its adoption.

The passage of this resolution was moved by Commissioner _____, seconded by Commissioner _____, and upon being put to a vote, the vote was as follows:

Mayor Betty Resch
Vice Mayor Christopher McVoy
Commissioner Sarah Malega
Commissioner Kimberly Stokes
Commissioner Reinaldo Diaz

The Mayor thereupon declared this resolution duly passed and adopted on the _____ day of _____, 2023.

LAKE WORTH BEACH CITY COMMISSION

By: _____
Betty Resch, Mayor

ATTEST:

Melissa Ann Coyne, City Clerk