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RESOLUTION NO. 28-2020 OF THE CITY OF LAKE WORTH BEACH, FLORIDA, DIRECTING THE PREPARATION OF A NON-AD VALOREM ASSESSMENT ROLL RELATED TO REFUSE SERVICES, FACILITIES AND PROGRAMS FOR FISCAL YEAR 2020-2021; PROVIDING FOR A PUBLIC HEARING TO CONSIDER ADOPTION OF THE ANNUAL ASSESSMENT RESOLUTION APPROVING SUCH ASSESSMENT ROLL; AND PROVIDING AN EFFECTIVE DATE.

BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF LAKE WORTH BEACH, FLORIDA, AS FOLLOWS:

SECTION 1. 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. 41-2009 (as amended and supplemented from time to time, 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 2. 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 Refuse Services, Facilities and Programs (then referred to as Solid Waste Services) Assessment Roll and imposing Assessments to provide for the funding of the Refuse Services, Facilities and Programs 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 Refuse Services, Facilities and Programs 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 2020-2021 Refuse Services, Facilities and Programs Assessment Roll.

SECTION 3. FISCAL YEAR 2020-2021 REFUSE SERVICES, FACILITIES AND PROGRAMS ASSESSMENT ROLL. The City Manager is hereby directed to prepare, or cause to be prepared, a preliminary Refuse Services, Facilities and Programs Assessment Roll for the fiscal year commencing October 1, 2020, in the manner provided in Section 2-154 of the Assessment Ordinance **in the amount of \$245.15 per Equivalent Residential Unit ("ERU")**. The preliminary Refuse Services, Facilities and Programs Assessment Roll shall include the amount of the Fiscal Year 2020-2021 Refuse Services, Facilities and Programs Assessment for each individual Tax Parcel within the City, and shall exclude any Tax Parcel otherwise exempted from payment of the Assessments under the Initial Assessment Resolution. A copy of the Initial Assessment Resolution and

49 the preliminary Refuse Services, Facilities and Programs Assessment Roll shall be
50 maintained on file in the office of the City Clerk and open to public inspection. The
51 foregoing shall not be construed to require that the preliminary Refuse Services, Facilities
52 and Programs Assessment Roll be in printed form if the amount of the Refuse Services,
53 Facilities and Programs Service Assessment for each parcel of property can be
54 determined by the use of a computer terminal or internet access available to the public.
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56 **SECTION 4. PUBLIC HEARING.**

57 (A) The Assessment Ordinance provides that if the proposed Assessment for
58 any parcel of property exceeds the maximum amount established in the notice of the
59 hearing to consider the Initial Assessment Resolution, then the City Commission shall
60 provide notice to the owner of such property and conduct a public hearing prior to adoption
61 of the Annual Assessment Resolution.

62 (B) A public hearing shall be held by the City Commission on September 10,
63 2020 at 6:00 PM at Lake Worth Beach City Hall, 7 North Dixie Highway, Lake Worth
64 Beach, Florida, at which public hearing all such owners of property may appear to be
65 heard as to any and all matters pertinent to the adoption of an Annual Assessment
66 Resolution approving and finalizing the Fiscal Year 2020-2021 Refuse Services, Facilities
67 and Programs Assessment Roll. Due to the pending COVID-19 pandemic, the meeting
68 may be conducted via technological means. The City will provide additional information
69 on how the meeting will be conducted on its website.

70 (C) The City Manager shall direct published notice of the public hearing and
71 mailed notice thereof to any owner of property entitled to such notice by the Assessment
72 Ordinance, in the manner set forth in the Assessment Ordinance and Section 197.3632,
73 Florida Statutes.
74

75 **SECTION 5. EFFECTIVE DATE.** This resolution shall take effect immediately
76 upon its adoption.
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78
79 The passage of this resolution was moved by Commissioner _____,
80 seconded by Commissioner _____, and upon being put to a vote, the vote
81 was as follows:
82

- 83
84 Mayor Pam Triolo
85 Vice Mayor Andy Amoroso
86 Commissioner Scott Maxwell
87 Commissioner Omari Hardy
88 Commissioner Herman Robinson
89

90
91 The Mayor thereupon declared this resolution duly passed and adopted on the 21st
92 day of July, 2020.
93

94
95 LAKE WORTH BEACH CITY COMMISSION
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By: _____
Pam Triolo, Mayor

ATTEST:

Deborah M. Andrea, CMC, City Clerk