

RESOLUTION 2020-40

A RESOLUTION OF THE CITY OF WESTLAKE, FLORIDA PROVIDING NOTICE OF INTENT TO UTILIZE THE UNIFORM METHOD OF COLLECTING NON-AD VALOREM ASSESSMENTS LEVIED WITHIN THE MUNICIPAL BOUNDARIES OF THE CITY OF WESTLAKE, STATING THE NEED FOR SUCH LEVY, PROVIDING FOR THE MAILING OF THE RESOLUTION; PROVIDING FOR SEVERABILITY AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City Council for the City of Westlake is contemplating utilizing the Uniform Method for the collection of non-ad valorem assessments as provided for under Florida Statutes, Section 197.3632, for the collection and disposal of solid waste services; and

WHEREAS, the City Council intends to utilize the uniform method for collecting non-ad valorem assessments imposed over a number of years for the costs of providing for the collection and disposal of solid waste materials for residential properties located within the jurisdictional boundaries for the City, a copy of the City's boundaries is attached hereto as Exhibit "A"; and

WHEREAS, the City of Westlake is required by Florida Statutes, 197.3632, to advertise once per week in a newspaper of general circulation for four (4) consecutive weeks proceeding the public hearing held on the adoption of this Resolution; and

WHEREAS, consistent with the requirements set forth within Florida Statutes, Section 197.3632, the City Council has provided notice as required by state law, a copy of the proof of publication is attached hereto as Exhibit "B"; and

WHEREAS, on December 14, 2020, the City Council for the City of Westlake held a duly noticed public hearing prior to the adoption of this Resolution; and

WHEREAS, pursuant to Florida Statutes, 197.3632, the City Council expresses its intent to utilize the uniform method for the collection of solid waste collection and disposal assessments because this method provides an economical and efficient process for such assessments to be collected annually, commencing with the Fiscal Year beginning October 1, 2021.

NOW THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL FOR THE CITY OF WESTLAKE, FLORIDA, AS FOLLOWS:

SECTION 1: Incorporation: The whereas clauses are incorporated herein as true and correct findings of the City of Westlake's legislative intent.

SECTION 2: Declaration of Intent: The City Council for the City of Westlake intends to utilize the uniform method for the collection of non-ad valorem assessments for the collection and disposal cost associated with the mandatory solid waste services for all residential properties located within the jurisdictional boundaries for the City, commencing on October 1, 2021. The jurisdictional boundaries are depicted in the Exhibit "A", which is attached hereto and incorporated herein.

SECTION 3: Purpose: The City Council for the City of Westlake hereby determines there is a need for the collection of solid waste disposal and collection fees on the non-ad valorem tax roll utilizing the uniform method as provided in Florida Statutes, Chapter 197.3632, for the economical and efficient process provided for within the statutory guidelines.

SECTION 4: Mailings: Upon adoption of this Resolution, the City Clerk shall provide a copy of the Resolution by United States mail to the Palm Beach County Property Appraiser and the Palm Beach County Tax Collector and the State of Florida Department of Revenue by January 10, 2021.

SECTION 5: Severability: The provisions of this Resolution are severable, and it is the legislative intention to confer upon the whole or any part of the Resolution the powers herein provided. If any provision of this Resolution shall be held unconstitutional by any court of competent jurisdiction, the decision of such court shall not affect or impair any remaining provisions of the Resolution. It is hereby declared to be the legislative intent that this Resolution would have been adopted had such unconstitutional provision not been included herein.

SECTION 4: Effective Date: This Resolution shall take effect immediately upon its adoption.

City of Westlake
Roger Manning, Mayor

Zoie Burgess, City Clerk

Approved as to Form and Sufficiency
Pam E. Booker, City Attorney

EXHIBIT "A"
LEGAL DESCRIPTION OF
MUNICIPAL BOUNDARY LIMITS

EXHIBIT "B"
PROOF OF PUBLICATION OF NOTICE OF HEARING