RESOLUTION NO. 2026- 067

A RESOLUTION OF THE CITY OF HALLANDALE BEACH, FLORIDA, RELATING TO THE CITY'S STORMWATER UTILITY FEES; PROVIDING FOR COLLECTION OF SUCH STORMWATER UTILITY FEES AS NON-AD VALOREM ASSESSMENTS ON THE ANNUAL PROPERTY TAX BILL; ESTIMATING THE STORMWATER MANAGEMENT SERVICE COST TO BE FUNDED BY THE NON-AD VALOREM ASSESSMENTS IN THE FISCAL YEAR COMMENCING OCTOBER 1, 2026; DESCRIBING THE METHOD OF CALCULATING THE STORMWATER NON-AD VALOREM ASSESSMENTS; DIRECTING PREPARATION OF A PRELIMINARY NON-AD VALOREM ASSESSMENT ROLL; ESTABLISHING A PUBLIC HEARING TO CONSIDER COLLECTION OF THE STORMWATER UTILITY FEES AS NON-AD VALOREM ASSESSMENTS; DIRECTING THE PROVISION OF NOTICE AND CERTAIN OTHER MATTERS IN CONNECTION THEREWITH; AND PROVIDING AN EFFECTIVE DATE.

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

ARTICLE I
DEFINITIONS AND FINDINGS

SECTION 1.01. AUTHORITY. This Resolution is adopted pursuant to Sections 166.021, 166.041 and 403.0893, Florida Statutes, the Uniform Assessment Collection Act, and other applicable provisions of law, and the Assessment Ordinance.

SECTION 1.02. DEFINITIONS. Capitalized terms not otherwise defined herein shall have the meanings set forth in the Assessment Ordinance. In addition, the following terms shall have the following meanings:

"Assessment Coordinator" means the City Manager or such person's designee.

"Assessment Ordinance" means Chapter 10, Article IV, "Special Assessments," Section 10-101 through and including Section 10-130 of the City Code, as amended, or its successor in function.

"City" means the City of Hallandale Beach, Florida, or, as the context requires, it's City Commission.

"City Clerk" means the official custodian of all City records and papers of an official character, or any deputy, interim or acting clerk.

"City Commission" means the City Commission of the City of Hallandale Beach, Florida.

"City Manager" means the administrative and executive head of the City.

"Class Code" means the class or usage code assigned to each Tax Parcel by the Property Appraiser or by the Assessment Coordinator after verification and/or field research.

"Collection Costs" means the costs and expenses budgeted, incurred or contracted for by the City during any Fiscal Year in connection with annual administration and collection of the Assessments including but not limited to any service charges of the Tax Collector or Property Appraiser pursuant to the Uniform Assessment Collection Act and amounts necessary to off-set any applicable statutory discounts for the early payment of ad valorem taxes and non-ad valorem assessments.

"Debt Obligation" means a bond, note, loan or any other form of debt obligation issued or incurred by the City to finance Stormwater Improvements.

"Developed Parcel" means a Tax Parcel developed entirely or in part with Impervious Area.

"Development" means the process or result of construction, reconstruction, site improvement, installation of improvements, establishment of a temporary or accessory use or structure, or other modification to land or a body of water.

"Dwelling Unit" means a dwelling unit serving as a single unit of residential living space, including a single detached residence, a townhome, condominium, apartment or mobile home unit.

"Equivalent Residential Unit" or "ERU" means the Assessment Unit approved hereunder for purposes of calculating the Stormwater Service Assessment for each Assessed Parcel. As further described in Section 3.03 hereof, one ERU is equal to 958 square feet.

"Exempt Parcels" means property expressly exempted from collection of the City's stormwater utility fee as a non-ad valorem assessment hereunder.

"Final Assessment Ordinance" means the ordinance considered at the public hearing established under Section 2.04 hereof which shall confirm, modify or repeal this Initial Assessment Resolution and which shall be the final proceeding for collection of the City's stormwater utility fees as non-ad valorem assessments.

"Fiscal Year" means the period commencing on October 1 of each year and continuing through the next succeeding September 30, or such other period as may be prescribed by law as the fiscal year for the City.

"Fiscal Year 2026-27" means the Fiscal Year commencing October 1, 2026.

"Government Parcels" means Tax Parcels owned by the United States of America, the State of Florida, a sovereign state or nation, a county, a special district, a municipal corporation, or any of their respective agencies or political subdivisions.

"Impervious Area" means hard surfaced areas resulting from Development which either prevent or severely restrict the entry of water into the soil mantle and/or cause water to run off the surface in greater quantities or at an increased rate of flow from that present under natural conditions prior to Development. Impervious Areas include, but are not limited to, rooftops, sidewalks, pavement, walkways, patio areas, driveways, parking lots, tennis courts, athletic courts, swimming pools with impervious bottoms, storage areas, and other hard surfaces which similarly affect the natural infiltration and runoff pattern which existed prior to Development.

"Initial Assessment Resolution" means this Resolution.

"Non-Residential Parcels" means Tax Parcels other than Residential Parcels.

"NPDES" means the National Pollution Discharge Elimination System.

"Property Appraiser" means the Broward County Property Appraiser.

"Rate Study" means the "City of Hallandale Beach, FL Stormwater Fee Study" dated June 2026 prepared by Stantec Consulting Services, Inc..

"Residential Parcels" means Tax Parcels assigned a Class Code indicative of residential use, or otherwise improved with Dwelling Units including single family residential parcels, multifamily parcels, and parcels improved with duplexes, triplexes and the like, townhomes, condominium units and mobile homes.

"Stormwater" means the flow of water which results from, and which occurs following, a rainfall event.

"Stormwater Improvement" means land, capital facilities, and improvements acquired or provided to detain, retain, convey, or treat Stormwater.

"Stormwater Management Service Cost" means the estimated amount for any Fiscal Year of all expenditures and reasonable reserves that are properly attributable to Stormwater Management Service provided under generally accepted accounting principles. In the event the City also imposes an impact fee upon new growth or development for stormwater related capital improvements, the Stormwater Management Service Cost shall not include costs attributable to capital improvements necessitated by new growth or development which were included in the computation of such impact fee or which are otherwise funded by such impact fee.

"Stormwater Management Services" means the services, facilities, improvements and programs provided by the Stormwater Utility and by the Stormwater Service Assessments as contemplated by Section 30-244 of the Stormwater Utility Fee Ordinance. Such services may include but are not limited to (a) stormwater management services, (b) operation and maintenance of the Stormwater Management System, (c) project costs for approved improvements to the Stormwater Management System, (d) administrative costs associated with the management of the Stormwater Utility, (e) costs required for the City to comply with the NPDES stormwater permit requirements, (f) debt service for Debt Obligations issued to finance Stormwater Improvements, (g) funding of studies associated with the planning of the stormwater related infrastructure, (h) equipment and consumables, (i) billing and collection of Stormwater Service Assessments, including customer information services and reserves for statutory discounts, (j) permitting, inspecting, and reviewing of plans,; and (k) legal, engineering, and other consultant services.

"Stormwater Assessment Roll" or "Assessment Roll" means the non-ad valorem assessment roll created pursuant to Section 2.02 hereof that includes a summary description of each Tax Parcel subject to Stormwater Service Assessments, the name of the owner of each Tax Parcel as shown on the Tax Roll, and the number of Equivalent Residential Units attributed to each Tax Parcel. References herein to the term "Assessment Roll" shall include, as the context requires, any electronic spreadsheet or database maintained by the City containing a list of Assessed Parcels, the current principal balance imposed against such parcels and other related information, as well as the "non-ad valorem assessment roll" contemplated by the Uniform Assessment Collection Act which is certified to the Tax Collector for collection of annual installments of the Assessments in accordance therewith.

"Stormwater Service Assessment" or "Assessment" means the City's stormwater utility fee collected as a non-ad valorem assessment hereunder to fund the Stormwater Management Service Cost.

"Stormwater Utility Fee Ordinance" means Chapter 30, "Utilities," Article V, "Stormwater Management Utility," of the City Code, as amended, or its successor in function.

"Stormwater Utility System" means the appurtenances, facilities, equipment, and services, including Stormwater Management Service and Stormwater Improvements, necessary for the collection, treatment, storage, and conveyance of storm and surface waters.

"Tax Collector" means the Broward County Tax Collector.

"Tax Parcel" means a parcel of property to which the Property Appraiser has assigned a distinct ad valorem property tax identification number.

"Tax Roll" means the real property ad valorem tax assessment roll maintained by the Property Appraiser for the purpose of the levy and collection of ad valorem taxes.

"Undeveloped Parcel" means a Tax Parcel which contain no Impervious Area.

"Uniform Assessment Collection Act" means Section 197.3632, Florida Statutes, or any successor statute authorizing the levy, imposition, collection and enforcement of non-ad valorem assessments on the same bill as ad valorem taxes, and any applicable regulations promulgated thereunder.

SECTION 1.03. INTERPRETATION. Unless the context indicates otherwise, words importing the singular number include the plural number, and vice versa; the terms "hereof," "herein," "hereto," "hereunder" and similar terms refer to this Resolution; and the term "hereafter" means after, and the term "heretofore" means before the effective date of this Resolution. Words of any gender include the correlative words of the other gender, unless the sense indicates otherwise.

SECTION 1.04. FINDINGS. It is hereby ascertained, determined and declared that:

(A) Pursuant to Article VIII, Section 2(b) of the Florida Constitution, and Sections 166.021 and 166.041, Florida Statutes, the City Commission has all powers of local selfgovernment to perform municipal functions except when prohibited by law and such powers may be exercised in the form of City ordinances and resolutions.

(B) Section 403.0893, Florida Statutes, authorizes cities to create stormwater utilities and adopt stormwater utility fees sufficient to plan, construct, operate, and maintain stormwater management systems, and provides that cities may use the non-ad valorem levy and collection method authorized by the Uniform Assessment Collection Act, pursuant to which such utility fees may be collected on the annual property tax bill as non-ad valorem assessments.

(C) The City imposed stormwater utility fees in accordance therewith, though such fees have historically been collected by direct billing on the monthly utility bills administered by the City.

(D) The City is now considering collection of the stormwater utility fees as non-ad valorem assessments pursuant to the Uniform Assessment Collection Act which sets forth a uniform procedure for the collection of non-ad valorem assessments on the same bill as annual property taxes.

(E) Use of the uniform collection method authorized by the Uniform Assessment Collection Act is more fair, efficient, accountable and cost-effective, reduces costs otherwise incurred by the City in billing and administering the stormwater utility fees, and increases collection rates relative to other collection methods.

(F) The Assessment Ordinance sets forth the process by which the City may approve and adopt non-ad valorem assessments and collect such assessments on the annual property tax bill.

(G) The City Commission has considered the Rate Study and recommendations set forth therein regarding revenue sufficiency, calculation method, and collection of the stormwater utility fees as non-ad valorem assessments on the annual property tax bill.

(H) The City's Stormwater Utility System provides for the systematic management of stormwater runoff in the community, which is primarily driven through the quantity and quality of Stormwater delivered to the system during and after rainfall events. Properties within the City receive a special benefit from the Stormwater Management Services provided by the City through annual operation, maintenance, and repairs of the Stormwater Utility System.

(I) The Stormwater Utility System serves the property base of the City by receiving runoff from Developed Parcels and the roadway network during storm events, performing water quality activities, and conveying the Stormwater to receiving bodies. This critical function provides for the protection of property during adverse storm events that can cause flooding and maintains clear and passable roads so that parcels are both accessible and usable. All of this results in enhanced property and rental value, marketability, and integrity of the property.

(J) The City Commission hereby finds and determines that calculation of the Stormwater Service Assessments in the manner set forth herein, and collection of the City's stormwater utility fees as non-ad valorem assessments pursuant to the Uniform Assessment Collection Act, provide an equitable method of funding the Stormwater Management Service Cost by fairly and reasonably allocating such cost among real property specially benefitted by the City's provision of Stormwater Management services.

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ARTICLE II
NOTICE AND PUBLIC HEARING

SECTION 2.01. STORMWATER MANAGEMENT SERVICE COST FOR FISCAL YEAR 2026-27. The estimated Stormwater Management Service Cost for Fiscal Year 2026-27 is $7,312,259. Proceeds of the Stormwater Service Assessments contemplated herein shall fund such Stormwater Management Service Cost. Any additional costs incurred by the City in providing Stormwater Management Services in such Fiscal Year shall be funded by other legally available revenues of the City.

SECTION 2.02. NON-AD VALOREM ASSESSMENT ROLL.

(1) The Assessment Coordinator is hereby authorized to direct and facilitate preparation of the preliminary Assessment Roll for Fiscal Year 2026-27, in the manner provided herein. The Assessment Roll shall include all Tax Parcels within the City which are not otherwise exempted from payment of the Assessments hereunder.

(2) The non-ad valorem assessments included on such preliminary Assessment Roll shall be computed and allocated among the Assessed Parcels, in accordance with the methodology adopted in Article III hereof.

(3) The Assessment Roll shall be maintained on file in the offices of the City Clerk and open to public inspection. The foregoing shall not be construed to require that the Assessment Roll be in printed form if the amount of the Assessment for each Tax Parcel can be determined by use of a computer terminal or internet access available to the public.

SECTION 2.03. PUBLIC HEARING. A public hearing will be conducted by the City Commission at 5:30 p.m. on September 14, 2026, at the Hallandale Beach Commission Chambers, 400 S. Federal Highway, Hallandale Beach, FL 33009 to consider enactment and adoption of the Final Assessment Ordinance which will confirm, modify or repeal the terms of this Initial Assessment Resolution and approve collection of the City's stormwater utility fees as non-ad valorem assessments for Fiscal Year 2026-27. In the event such Final Assessment Ordinance is not enacted and adopted, such stormwater utility fees will continue to be collected by the City through direct billing.

SECTION 2.04. NOTICE BY PUBLICATION. The Assessment Coordinator shall publish once in a newspaper of general circulation within the City a notice stating that a public hearing of the City Commission will take place at the time and place established in Section 2.03 hereof to consider collection of the stormwater utility fees as non-ad valorem assessments and the proposed assessment rates for Fiscal Year 2026-27. Such publication shall occur at least 20 calendar days prior to the public hearing and shall conform to the requirements of the Uniform Assessment Collection Act and the Assessment Ordinance.

SECTION 2.05. NOTICE BY MAIL. In addition to the published notice required by Section 2.04 hereof, the Assessment Coordinator shall provide notice of the public hearing and proposed Assessment by first class mail to the owner of each parcel of property subject to the Assessments. The mailed notice shall conform to the requirements of the Uniform Assessment Collection Act and the Assessment Ordinance, and may be effectuated through the Truth in Millage or "TRIM" notice mailed by the Property Appraiser.

ARTICLE III
STORMWATER SERVICE ASSESSMENTS

SECTION 3.01. STORMWATER SERVICE ASSESSMENT AREA. For purposes of Section 10-105 of the Assessment Ordinance, the "Assessment Area" for the Stormwater Service Assessments contemplated herein shall include all of the incorporated area within the boundaries of the City of Hallandale Beach, Florida.

SECTION 3.02. IMPOSITION OF STORMWATER SERVICE ASSESSMENTS. Stormwater Service Assessments shall be imposed against property located within the City, the annual amount of which shall be computed for each Tax Parcel in accordance with this Article III. When imposed, the Assessment for each Fiscal Year shall constitute a lien upon Assessed Parcels as provided in the Assessment Ordinance.

SECTION 3.03. APPORTIONMENT METHODOLOGY.

(A) The Rate Study, incorporated herein by reference, is hereby approved and adopted. The apportionment method based upon Equivalent Residential Units as described in the Rate Study is fair and reasonable and is hereby approved and adopted as the apportionment method for the Stormwater Service Assessments.

(B) In accordance therewith, one (1) ERU is defined as 958 square feet.

(C) Each Residential Parcel shall be attributed one (1) ERU per Dwelling Unit.

(D) The number of ERU's attributed to each Non-Residential Parcel shall be calculated as follows:

$$\frac{\text{Total Impervious Area (in sq. ft.)}}{\text{1 ERU (958 sq. ft.)}} = \text{Number of ERU's}$$

(E) Undeveloped Parcel shall not be attributed ERUs, shall not be included on the Stormwater Assessment Roll and shall not be subject to a Stormwater Service Assessment hereunder. The determination of whether a Tax Parcel is Undeveloped Parcel shall be made using best available data prior to adoption of the Final Assessment Ordinance or any ordinance or resolution approving the Stormwater Assessment Roll for future Fiscal Years (e.g. Property Appraiser information, aerial images or data deemed reliable by the City or its consultants.)

(F) Based upon such methodology, there are currently a total 50,237 ERUs in the City.

(G) The rate of the Stormwater Service Assessment for Fiscal Year 2026-27 shall be determined by dividing the Stormwater Management Service Cost for Fiscal Year 2026-27 ($7,312,259) by the total number of ERUs in the City (50,237). Accordingly, the Assessment rate of $145.56 per ERU shall be utilized by the Assessment Coordinator in preparing the Stormwater Service Assessment Roll for Fiscal Year 2026-27. Such rate includes Collection Costs.

(H) It is hereby ascertained, determined, and declared that the method of determining the Stormwater Service Assessments as set forth in the Rate Study and proposed by this Initial Assessment Resolution is a fair and reasonable method of apportioning the Stormwater Management Service Cost among Assessed Parcels.

SECTION 3.04. EXEMPT PARCELS.

(A) Certain Tax Parcels within the City are not subject to the stormwater utility fees imposed by the City pursuant to the Stormwater Utility Fee Ordinance. Such parcels comprise Exempt Parcels hereunder and shall not be included on the Stormwater Assessments Roll. Such Exempt Parcels include the following as indicated by the property usage codes applied by the Property Appraiser or as otherwise determined by the Assessment Coordinator through visual inspection:

(1) Rights of way.
(2) Lakes and submerged land.
(3) Boat slips.
(4) Undeveloped Parcel
(5) Parcels used solely for lift station or other utility purposes.

(B) The stormwater utility fees for Government Parcels shall continue to be direct billed, shall not be collected as non-ad valorem assessments hereunder and shall not be included on the Stormwater Assessment Roll.

SECTION 3.05. APPLICATION OF ASSESSMENT PROCEEDS. Proceeds derived by the City from the Stormwater Service Assessments shall be deposited to the stormwater utility enterprise fund established by Section 30-244 of the Stormwater Ordinance and used to pay the Stormwater Management Service Cost for Fiscal Year 2026-27, including the payment of debt service on Debt Obligations issued by the City to finance Stormwater Improvements. In the event there is any balance of the Stormwater Service Assessment proceeds remaining at the end of Fiscal Year 2026-27, such balance shall be carried forward and used only to fund stormwater related services, facilities, improvements and programs.

SECTION 3.06 COLLECTION OF ASSESSMENTS. Stormwater Service Assessments shall be collected pursuant to the Uniform Assessment Collection Act unless otherwise determined by the Council.

SECTION 3.07. ADJUSTMENTS. Any requests for adjustments to the Stormwater Service Assessments shall be submitted and addressed pursuant to Section 30-242 of the Stormwater Utility Fee Ordinance, under the same terms and conditions applicable to stormwater utility fees as set forth therein, to the Stormwater Service Assessments contemplated hereunder.

ARTICLE IV
GENERAL PROVISIONS

SECTION 4.01. CONFLICTS. All resolutions or parts of resolutions in conflict herewith are hereby repealed to the extent of such conflict.

SECTION 4.02. SEVERABILITY. If any provision of this Resolution or the application thereof to any person or circumstance is held invalid, such invalidity shall not affect other provisions or applications of this Resolution that can be given effect without the invalid provision or application, and to this end the provisions of this Resolution are declared to be severable.

SECTION 4.03. ALTERNATIVE METHOD. This Resolution shall be deemed to provide an additional and alternative method for the doing of the things authorized hereby and shall be regarded as supplemental and additional to other powers conferred by law, and shall not be regarded as in derogation of any powers now existing or which may hereafter come into existence. This Resolution, being necessary for the health, safety and welfare of the inhabitants of the City, shall be liberally construed to effectuate the purposes hereof.

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SECTION 4.04. EFFECTIVE DATE. This Resolution shall become effective immediately upon adoption.

APPROVED AND ADOPTED this 22nd day of June, 2026.

Michele Lazarow for

JOY F. COOPER
MAYOR

ATTEST:

JENORGEN GUILLEN
CITY CLERK

APPROVED AS TO LEGAL SUFFICIENCY
AND FORM

for

JENNIFER MERINO
CITY ATTORNEY

FINAL VOTE ON ADOPTION

Mayor Cooper	Yes
Vice Mayor Lazarow	Yes
Commissioner Adams	Yes
Commissioner Butler	Yes
Commissioner Lima-Taub	Yes