



City of Hallandale Beach City Commission Agenda Cover Memo

Meeting Date:	File No.:	Item Type:	1 st Reading	2 nd Reading	
8/19/2026	26-307	☐ Resolution ☒ Ordinance ☐ Other	Ordinance Reading	8/19/2026	9/14/2026
			Public Hearing	☐	☐
			Advertising Required	☐	☒
			Quasi-Judicial:	☐	☐
Fiscal Impact (\$):	Account Balance (\$):		Funding Source:	Project Number:	
N/A	N/A		Stormwater Utility Enterprise Fund	N/A	
Contract Required:	P.O. Required:	RFP/RFQ/Bid Number:	Sponsor Name:	Department:	
☐ Yes ☒ No	☐ Yes ☒ No	N/A	Geovanne Neste, Finance Director	Finance Department	
Strategic Plan Focus Areas:					
☒ Fiscal Stability	☒ Resident Services	☐ Public Safety	☒ Infrastructure & Mobility	☐ Economic Development & Affordable Housing	
Implementation Timeline:					
Estimated Start Date: 8/19/2026			Estimated End Date: N/A		

SHORT TITLE:

AN ORDINANCE OF THE CITY OF HALLANDALE BEACH, FLORIDA, RELATED TO THE CITY'S STORMWATER UTILITY SYSTEM; AMENDING SECTION 30-241 OF THE CITY CODE OF ORDINANCES TO PROVIDE THAT THE METHOD USED BY THE CITY TO CALCULATE AND DETERMINE THE AMOUNT OF THE STORMWATER MANAGEMENT UTILITY FEES IMPOSED BY THE CITY TO FUND STORMWATER SERVICES, FACILITIES AND CAPITAL IMPROVEMENTS MAY BE DETERMINED BY RESOLUTION, AND THAT SUCH UTILITY FEES MAY BE COLLECTED AS NON-AD VALOREM ASSESSMENTS PURSUANT TO SECTIONS 197.3632 AND 403.0893, FLORIDA STATUTES, BY DIRECT BILLING OR ANY OTHER COLLECTION METHOD AUTHORIZED BY LAW; PROVIDING FOR SEVERABILITY; PROVIDING FOR CONFLICT; PROVIDING FOR CODIFICATION; AND PROVIDING AN EFFECTIVE DATE.

STAFF SUMMARY:

Summary:

This ordinance updates the City Code so the stormwater program can complete its move from the monthly utility bill to the annual property tax bill. In particular, the ordinance amends and restates Section 30-241 of the City Code to authorize the City Commission to establish and/or modify the method of calculating stormwater utility fees and the fee rates by resolution, beginning with the stormwater utility fees imposed in FY 2027, and to collect those fees as non-ad valorem assessments under Sections 197.3632 and 403.0893, Florida Statutes, by direct billing, or by any other lawful method or combination of methods. It is the enabling companion to the Final Assessment Ordinance (26-297), which approves the FY 2027 cost, rate, and assessment roll. Both ordinances are read at the same two meetings: first reading on August 19, 2026 and public hearing with second reading on September 14, 2026.

Background:

The stormwater utility fee methodology currently codified at Section 30-241 was established by Ordinance 2014-22, adopted August 20, 2014, and is codified as Chapter 30, Article V of the City Code. Section 30-241 fixes the fee calculation in the Code itself: a flat rate per Equivalent Residential Unit (ERU) for each residential dwelling unit, and estimated impervious area derived from land-use impervious factors for non-residential properties. Because the methodology is embedded in the Code, any refinement to the calculation method, such as the transition of non-residential properties to measured impervious area recommended by the City's Stormwater Fee Study, requires a code amendment with two readings rather than an annual rate resolution.

On December 3, 2025, the City Commission adopted Resolution 2025-159, stating the City's intent to use the uniform method of collecting non-ad valorem assessments under Section 197.3632, Florida Statutes, beginning in FY 2027. On June 22, 2026, the Commission adopted the Initial Assessment Resolution (Resolution 2026-067), which described the assessment area and apportionment methodology, set the maximum FY 2027 rate, directed preparation of the assessment roll, and scheduled the public hearing for September 14, 2026. Section 403.0893, Florida Statutes, expressly authorizes municipalities to create stormwater utilities, adopt fees sufficient to plan, construct, operate, and maintain stormwater management systems, and use the non-ad valorem levy, collection, and enforcement method provided in Chapter 197, Florida Statutes.

Current Situation:

The attached ordinance amends and restates Section 30-241 in its entirety. Specifically, the ordinance:

- Retains the existing ERU-based methodology for residential properties and the impervious-factor methodology for non-residential properties as the default calculation in the Code.
- Provides that, commencing with the fiscal year beginning October 1, 2026, the City Commission may determine the method of calculating stormwater utility fees, and the fee rates, by resolution. The resolution may use ERUs, impervious area, impervious factors, and the amounts set forth in the Code, or any other apportionment factors, metrics, or methods the Commission approves, and the methodology may be modified over time by subsequent resolution.
- Authorizes collection of the stormwater utility fees through the uniform collection method under Section 197.3632, Florida Statutes, by direct billing, or

by any combination of lawful collection methods, and permits the City to direct bill any class of property for which the uniform method is unavailable while using the uniform method for all other property.

- Exempts undeveloped property and City-owned property from the fee unless the Commission determines otherwise by resolution, and allows the Commission to establish additional exemptions by resolution or as required by law.
- Ratifies and confirms the remainder of Chapter 30, Article V.

This ordinance works in tandem with the Final Assessment Ordinance (companion item, File No. 26-297), which approves the FY 2027 Stormwater Management Service Cost of \$7,312,259, adopts the FY 2027 rate of \$145.56 per ERU (\$12.13 per month), approves the assessment roll, and authorizes collection on the property tax bill mailed in November 2026. This amending ordinance supplies the Code-level authority for that structure; the companion ordinance applies it for FY 2027. Both require two readings, with second reading on September 14, 2026 serving as the advertised public hearing.

Why Action is Necessary:

Section 30-241 as currently written hard-codes both the calculation methodology and its parameters. Without this amendment, the City could not implement the measured impervious area methodology for non-residential properties adopted in the Initial Assessment Resolution, and future methodology or rate refinements would each require a full code amendment. Adopting this ordinance at the same two meetings as the companion Final Assessment Ordinance ensures the Code authority is in place before the assessment roll is certified to the Broward County Tax Collector by the September 15, 2026 statutory deadline. If this ordinance is not adopted, the Code's fixed methodology would conflict with the resolution-based framework of the assessment program, and the stormwater fee would remain on the monthly utility bill for another year.

Business Impact Estimate:

In accordance with Section 166.041(4), Florida Statutes, a Business Impact Estimate was prepared for this ordinance and published on the City's website no later than the date the notice of proposed enactment was published. The estimate is summarized below.

Purpose and public benefit. The proposed ordinance promotes the public health, safety, and welfare by aligning the City Code with the non-ad valorem assessment framework of Sections 197.3632 and 403.0893, Florida Statutes, preserving a stable, dedicated funding source for the stormwater management system that reduces flooding, protects property, and maintains compliance with State and federal water-quality requirements. The ordinance amends and restates Section 30-241 to authorize the City Commission to establish the method of calculating stormwater utility fees, and the fee rates, by resolution and to collect the fees as non-ad valorem assessments, by direct billing, or by other lawful methods.

Direct compliance costs. The ordinance imposes no licensing, permitting, reporting, or operational requirements on businesses. No business is required to alter its operations, maintain records, or take any compliance action as a result of this ordinance.

New charges or fees and estimated regulatory costs. This ordinance does not itself impose any new fee, increase any rate, or generate any regulatory revenue. The stormwater utility fee has been levied citywide since 1992, and this ordinance retains the

existing methodology as the Code default. The FY 2027 stormwater cost, assessment rate of \$145.56 per Equivalent Residential Unit (\$12.13 per month), and assessment roll are approved through the companion Final Assessment Ordinance (File No. 26-297), and the estimated economic impact on businesses, approximately \$2.47 million of the FY 2027 assessment collected from commercial and industrial properties, is presented in the Business Impact Estimate for that companion item. Any future change to the fee methodology or rates authorized under this ordinance would be adopted by subsequent resolution or ordinance following its own noticed public proceedings.

Good faith estimate of businesses impacted. Because this ordinance establishes the fee calculation and collection framework applicable citywide, all business-owned property in the City is potentially affected. Approximately 975 commercial and industrial tax parcels are subject to the stormwater utility fee, and approximately 2,070 business-owned parcels are affected if income-producing multifamily rental properties are included. The direct FY 2027 impact on those parcels results from the companion Final Assessment Ordinance rather than this code amendment.

Additional information. The City was not required to, and did not, retain an economist or financial consultant to prepare this estimate.

Cost Benefit:

This ordinance has no direct fiscal impact; the FY 2027 revenue action is taken through the companion Final Assessment Ordinance. The structural benefits are:

- Aligns the City Code with the non-ad valorem assessment framework in Sections 197.3632 and 403.0893, Florida Statutes, strengthening the legal defensibility of the assessment program.
- Enables annual methodology and rate updates by resolution, avoiding recurring two-reading code amendments and reducing administrative cost and processing time, while preserving the ability to adopt methodology and rate changes by ordinance if so desired by the City Commission.
- Permits the transition of non-residential properties from generalized land-use impervious factors to actual measured impervious area, improving equity across the rate base.
- Preserves flexibility to combine collection methods, allowing direct billing for any property classes that cannot be placed on the tax roll while collecting all others through the uniform method.

PROPOSED ACTION:

The City Commission considers the attached ordinance amending and restating Section 30-241 of the City Code

ATTACHMENT(S):

Exhibit 1 – Ordinance

Prepared By: Geovanne Neste
Geovanne Neste
Finance Director

Reviewed By: *Noemy Sandoval*
Noemy Sandoval
Assistant City Manager