

RESOLUTION NO. 18R-10-252

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF LAUDERHILL, FLORIDA, DECLARING THE INTENT TO ESTABLISH A LAUDERHILL BUSINESS IMPROVEMENT DISTRICT PURSUANT TO FLORIDA STATUTES, CHAPTER 170; DECLARING THE INTENT TO USE THE UNIFORM METHOD FOR COLLECTING NON-AD VALOREM SPECIAL ASSESSMENTS LEVIED WITHIN THE INCORPORATED AREA OF THE CITY OF LAUDERHILL FOR THOSE BUSINESSES LOCATED WITHIN THE AREA DESIGNATED AS THE LAUDERHILL BUSINESS IMPROVEMENT DISTRICT PURSUANT TO FLORIDA STATUTES, SECTION 197.3632; DECLARING THE NATURE OF THE PROPOSED IMPROVEMENTS; DESIGNATING THE MANNER IN WHICH THE SPECIAL ASSESSMENTS WILL BE MADE AND THE TIME WHEN DUE; STATING THE TOTAL ESTIMATED COSTS OF IMPROVEMENTS; PROVIDING FOR ANNUAL BILLING FOR SUCH NON-AD VALOREM ASSESSMENTS, AS APPLICABLE, ON THE INDIVIDUAL BUSINESS PROPERTY OWNER BROWARD COUNTY ANNUAL TAX BILL; STATING A NEED FOR SUCH LEVY TO RECOVER THE COSTS OF IMPROVEMENTS, LABOR, MATERIALS, FINANCE CHARGES AND SUCH OTHER COSTS, FEES, PENALTIES, INTEREST AND ADMINISTRATIVE FEES AS PERMITTED IN ACCORDANCE WITH FLORIDA STATUTES, SECTION 170.03; PROVIDING FOR NOTICE OF PUBLIC HEARING; PROVIDING FOR PREPARATION OF PRELIMINARY ASSESSMENT ROLL PROVIDING FOR APPROVAL OF FINAL ASSESSMENTS AFTER PUBLIC HEARING; PROVIDING FOR THE RECORDING OF ASSESSMENTS AFTER COMPLETION OF THE IMPROVEMENTS IN A SPECIAL BOOK TO BE KNOWN AS "THE IMPROVEMENT LIEN BOOK"; PROVIDING FOR THE MAILING OF THIS RESOLUTION; PROVIDING FOR AN EFFECTIVE DATE (REQUESTED BY CITY COMMISSION

WHEREAS, the City Commission of the City of Lauderhill, Florida, intends to establish a Business Improvement District pursuant to Florida Statutes, Chapter 170; and

WHEREAS, the City Commission of the City of Lauderhill, Florida, is contemplating the imposition of non-ad valorem special assessments for the costs of improvements, labor, materials, finance charges and such other costs, fees, penalties, interest and administrative fees as permitted in accordance with Florida Statutes, Section 170.03 in relation to the Lauderhill Business Improvement District; and

WHEREAS, the City Commission intends to use the uniform method for collecting non-ad valorem special assessments for this Lauderhill Business Improvement District to be placed on the Broward County Annual Tax Bill for the commercial properties located within the designated Business Improvement District Area; and

WHEREAS, the City Commission will conduct all necessary publications and public hearings prior to the passage of the final assessment roll as required by Florida Statutes, Chapter 170 for the establishment of the Business Improvement District and pursuant to Florida Statutes, Section 197.3632 regarding the use of the uniform method of

collection for non-ad valorem special assessments; and

NOW THEREFORE, BE IT RESOLVED BY THE COMMISSION OF THE CITY OF LAUDERHILL, FLORIDA:

SECTION 1. That the City of Lauderdale City Commission intends to establish a Lauderdale Business Improvement District for the purpose of constructing numerous improvements within the commercial business area as designated on the Business Improvement District Assessment Plat, a copy of which is attached hereto as Exhibit "A" and incorporated herein, with the proposed improvements being more specifically set forth in the Business Improvement District Plan, a copy of which is attached hereto as Composite Exhibit "1".

SECTION 2. Nature and Location of Improvements. That commencing with the Fiscal Year beginning on October 1, 2019, and with the tax statement mailed for such Fiscal Year, the City of Lauderdale intends to use the uniform method of collecting non-ad valorem assessments authorized in Section 197.3632 of the Florida Statutes, as amended, for collecting non-ad valorem assessments for the costs, fees, penalties, interest and administrative fees allowed pursuant to Florida Statutes, Chapter 170 in connection with the Business Improvement District for any annual invoices which remain unpaid as of September 30th each year. Such non-ad valorem assessments shall be levied within the incorporated area of the City of Lauderdale only as applicable *solely* upon those commercial properties located within the designated Business Improvement District area who have failed to timely pay their yearly assessment amount due.

SECTION 3. Manner of Assessments. It is anticipated that the special assessments will be determined based upon the proportion of benefits derived from the improvement as determined by the total square footage of each commercial business located within the designated area. Each commercial property owner will be provided with notice in advance of the proposed estimated special assessment amount based upon the property square footage and will be provided with notice and the opportunity to attend a public hearing to discuss the proposed assessments prior to the passage of any final assessment roll. Each commercial property owner will be billed on the Annual Tax Bill as a non-ad valorem special assessment due.

SECTION 4. Time when Assessments Are to be Paid. The annual installment amount owed for each commercial properties' special assessments shall first be billed to each commercial property owner via invoice which is due by September 30th of each year. If not timely paid, then the annual balance due, including any late fees, penalties and/or interest, will be placed on the Broward County Annual Tax Bill and shall be paid in accordance with the schedule and deadline provided on the Annual Tax Bill. The designated annual assessment amount shall be billed each year on the Annual Tax Bill until the assessment amount is paid in full on each property; however, the installment payments may not be broken down to extend longer than 30 years.

SECTION 5. General Improvement Fund. The City anticipates that no part of the

costs of improvements shall be paid from the City general operating fund.

SECTION 6. Designated lands upon which the special assessments shall be levied. The Business Improvement District shall include all lots and lands adjoining and contiguous or bounding and abutting upon such improvements or specially benefitted thereby and further designated by the Business Improvement District Assessment Plat, a copy of which is attached hereto and incorporated herein as Exhibit "A".

SECTION 7. Total Estimated Costs of Improvement. It is anticipated that the total estimated costs of improvement including all other costs, fees, expenses, administrative expenses, and otherwise as specifically permitted pursuant Florida Statute, Section 170.03 shall be \$11,000,000.00. Detailed breakdowns of the cost estimates are included in the Business Improvement District Plan, a copy of which is attached hereto as Composite Exhibit "1".

SECTION 8. Publication of Resolution Declaring Special Assessments. Providing that this Resolution shall be published once in a newspaper of general circulation pursuant to Florida Statutes, Section 170.05.

SECTION 9. Preparation of Preliminary Assessment Roll. That upon the adoption of this Resolution, a Preliminary Assessment Roll must be prepared in accordance with the method as set out in Section 3 above pursuant to Florida Statutes, Section 170.06.

SECTION 10. Resolution Setting Public Hearing on the Assessment Roll and Publication. Once the Preliminary Assessment Roll is completed, the City Commission must pass a Resolution setting the time and place for the Public Hearing for the subject business property owners to be heard as to the matters set forth in Florida Statutes, Section 170.07. Said public hearing must be set out at least 30 days in the future and subject business property owners must be mailed notice at least 30 days prior to the hearing. The Notice of Public Hearing on the Assessment Roll must also be published twice in the newspaper, at least one week apart, with the last publication being at least one (1) week prior to the hearing.

SECTION 11. Ordinance Approving the Final Assessment Roll. Following the public hearing on assessment roll, the City Commission shall meet as an equalizing board and consider any complaints that were received and adjust and equalize all assessments on a basis of justice and right. Once equalized, the City Commission shall pass an Ordinance approving the Final Assessment Roll.

SECTION 12. Recording of Assessments; Improvement Lien Book. After the improvements are completed and the total actual cost is confirmed, the assessments to each property shall be credited if the actual total was less than the estimated cost stated herein. In no event shall the assessment exceed the benefits originally assessed. After confirmation of assessment, the assessments shall be recorded by the City Clerk in a special book to be known as "The Improvement Lien Book". These

assessments shall be legal, valid and binding first liens upon the property against which the assessments were made until paid. The assessments shall be coequal with the lien of all state, county, district and municipal taxes, superior in dignity to all other liens, titles, and claims until paid. The liens shall bear interest at a rate not to exceed 8% per year. Once the Assessment Lien is paid in full a Release shall be prepared and recorded in the Improvement Lien Book.

SECTION 13. The City of Lauderhill hereby determines that if timely payment is not made for the annual installment due for the Business Improvement District Assessment, then the levy of such assessment is needed to reimburse the City for all applicable costs, fees, penalties, interest, administrative fees and other expenses which remain due and owing to the City in connection with the Business Improvement District. The amount to be assessed would be determined on an individual case by case basis depending upon the outstanding amount due and owing by the commercial property owner within the designate area due to untimely payment of their invoice.

SECTION 14. Upon adoption, the City Clerk is hereby directed to send a copy of this Resolution via United States mail to the Florida Department of Revenue, the Broward County Department of Revenue Collection, and the Broward County Property Appraiser by January 10, 2019.

SECTION 15. This Resolution shall take effect immediately upon its passage and adoption.

DATED this 29 day of October, 2018.

PASSED AND ADOPTED on first reading this 29 day of October, 2018.



PRESIDING OFFICER

ATTEST:

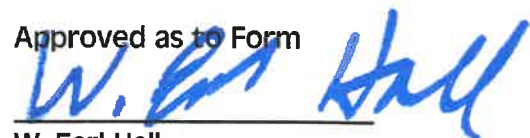


CITY CLERK

MOTION Benson
SECOND Thurston

M. BATES Yes
H. BENSON Yes
H. BERGER Yes
K. THURSTON Yes
R. KAPLAN Yes

Approved as to Form



W. Earl Hall
City Attorney



City of Lauderhill

City Hall
5581 W. Oakland Park
Blvd.
Lauderhill, FL, 33313
www.lauderhill-fl.gov

File Details

File Number: 18R-2973

File ID: 18R-2973

Type: Resolution

Status: Agenda Ready

Version: 1

Reference:

In Control: City Commission
Meeting

File Created: 09/20/2018

File Name: Business Improvement District Assess N-Intent

Final Action:

Title: RESOLUTION NO. 18R-10-252: A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF LAUDERHILL, FLORIDA, DECLARING THE INTENT TO ESTABLISH A LAUDERHILL BUSINESS IMPROVEMENT DISTRICT PURSUANT TO FLORIDA STATUTES, CHAPTER 170; DECLARING THE INTENT TO USE THE UNIFORM METHOD FOR COLLECTING NON-AD VALOREM SPECIAL ASSESSMENTS LEVIED WITHIN THE INCORPORATED AREA OF THE CITY OF LAUDERHILL FOR THOSE BUSINESSES LOCATED WITHIN THE AREA DESIGNATED AS THE LAUDERHILL BUSINESS IMPROVEMENT DISTRICT PURSUANT TO FLORIDA STATUTES, SECTION 197.3632; DECLARING THE NATURE OF THE PROPOSED IMPROVEMENTS; DESIGNATING THE MANNER IN WHICH THE SPECIAL ASSESSMENTS WILL BE MADE AND THE TIME WHEN DUE; STATING THE TOTAL ESTIMATED COSTS OF IMPROVEMENTS; PROVIDING FOR ANNUAL BILLING FOR SUCH NON-AD VALOREM ASSESSMENTS, AS APPLICABLE, ON THE INDIVIDUAL BUSINESS PROPERTY OWNER BROWARD COUNTY ANNUAL TAX BILL; STATING A NEED FOR SUCH LEVY TO RECOVER THE COSTS OF IMPROVEMENTS, LABOR, MATERIALS, FINANCE CHARGES AND SUCH OTHER COSTS, FEES, PENALTIES, INTEREST AND ADMINISTRATIVE FEES AS PERMITTED IN ACCORDANCE WITH FLORIDA STATUTES, SECTION 170.03; PROVIDING FOR NOTICE OF PUBLIC HEARING; PROVIDING FOR PREPARATION OF PRELIMINARY ASSESSMENT ROLL PROVIDING FOR APPROVAL OF FINAL ASSESSMENTS AFTER PUBLIC HEARING; PROVIDING FOR THE RECORDING OF ASSESSMENTS AFTER COMPLETION OF THE IMPROVEMENTS IN A SPECIAL BOOK TO BE KNOWN AS "THE IMPROVEMENT LIEN BOOK"; PROVIDING FOR THE MAILING OF THIS RESOLUTION; PROVIDING FOR AN EFFECTIVE DATE (REQUESTED BY CITY COMMISSION)

Notes:

Sponsors:**Enactment Date:**

Attachments: RES-18R-10-252-Business Improvement District
Assessments-Intent Resolution.pdf,
Ex-A-BusinessDistrictAssessment Plat.pdf, Exhibit
1-Business Improvement District Establishment
Plan.pdf, Exhibit 2- Business Improvement
District_cost estimate.pdf

Enactment Number:**Contact:****Hearing Date:*** **Drafter:** apetti@laudershill-fl.gov**Effective Date:****History of Legislative File**

Ver- sion:	Acting Body:	Date:	Action:	Sent To:	Due Date:	Return Date:	Result:
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Text of Legislative File 18R-2973

RESOLUTION NO. 18R-10-252: A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF LAUDERHILL, FLORIDA, DECLARING THE INTENT TO ESTABLISH A LAUDERHILL BUSINESS IMPROVEMENT DISTRICT PURSUANT TO FLORIDA STATUTES, CHAPTER 170; DECLARING THE INTENT TO USE THE UNIFORM METHOD FOR COLLECTING NON-AD VALOREM SPECIAL ASSESSMENTS LEVIED WITHIN THE INCORPORATED AREA OF THE CITY OF LAUDERHILL FOR THOSE BUSINESSES LOCATED WITHIN THE AREA DESIGNATED AS THE LAUDERHILL BUSINESS IMPROVEMENT DISTRICT PURSUANT TO FLORIDA STATUTES, SECTION 197.3632; DECLARING THE NATURE OF THE PROPOSED IMPROVEMENTS; DESIGNATING THE MANNER IN WHICH THE SPECIAL ASSESSMENTS WILL BE MADE AND THE TIME WHEN DUE; STATING THE TOTAL ESTIMATED COSTS OF IMPROVEMENTS; PROVIDING FOR ANNUAL BILLING FOR SUCH NON-AD VALOREM ASSESSMENTS, AS APPLICABLE, ON THE INDIVIDUAL BUSINESS PROPERTY OWNER BROWARD COUNTY ANNUAL TAX BILL; STATING A NEED FOR SUCH LEVY TO RECOVER THE COSTS OF IMPROVEMENTS, LABOR, MATERIALS, FINANCE CHARGES AND SUCH OTHER COSTS, FEES, PENALTIES, INTEREST AND ADMINISTRATIVE FEES AS PERMITTED IN ACCORDANCE WITH FLORIDA STATUTES, SECTION 170.03; PROVIDING FOR NOTICE OF PUBLIC HEARING; PROVIDING FOR PREPARATION OF PRELIMINARY ASSESSMENT ROLL PROVIDING FOR APPROVAL OF FINAL ASSESSMENTS AFTER PUBLIC HEARING; PROVIDING FOR THE RECORDING OF ASSESSMENTS AFTER COMPLETION OF THE IMPROVEMENTS IN A SPECIAL BOOK TO BE KNOWN AS "THE IMPROVEMENT LIEN BOOK"; PROVIDING FOR THE MAILING OF THIS RESOLUTION; PROVIDING FOR AN EFFECTIVE DATE (REQUESTED BY CITY COMMISSION)

Request Action:

Pass a Resolution to Declare the Intent to Establish a Lauderhill Business Improvement District pursuant to Florida Statutes, Chapter 170 and declaring the Intent to use the uniform method of collection of the non-ad valorem assessments on the annual tax bill pursuant to Florida Statutes 197.3632.

Need:

To create a Business Improvement District Area and to assess the costs of the improvements that will benefit the commercial properties to the benefitted properties within the district area.

Summary Explanation/ Background:

The City of Lauderhill wishes to create a Business Improvement District and to impose such non-ad valorem assessments are required for the business improvements to the commercial properties within the designated business district area in accordance with Florida Statutes Chapter 170. This is the Initial Intent Resolution to impose the assessments utilizing the Uniform Method for Collection on the Annual Tax Bill and utilizing the establishment process as set forth in the Florida Statutes for the creation and establishment and assessment of the Business Improvement District Area.

Attachments:

Exhibit A - Business Improvement District Assessment Plat
Composite Exhibit 1 - Business Improvement District Plan

Cost Summary/ Fiscal Impact:

Include projected cost, approved budget amount and account number, source of funds, and any future funding requirements

Estimated Time for Presentation:

Master Plan:

Goal 1: Clean, Green Sustainable Environment

- ☐ Increase mass transit ridership ☐ Reduce City energy consumption
- ☐ Reduce water consumption

Goal 2: Safe and Secure City of Lauderhill

- ☐ Crime in lower 50% in Broward ☐ Residents feel safe in neighborhood
- ☐ Reduce emergency fatalities

Goal 3: Open Spaces and Active Lifestyle for all ages

- ☐ Increase participation in youth sports ☐ Add new park land and amenities
- ☐ Increase attendance at cultural programs and classes

Goal 4: Growing Local Economy, Employment and Quality of Commercial Areas

- ☐ Increase commercial tax base ☐ Increase employment in Lauderhill businesses
- ☐ Decrease noxious and blighted uses in commercial areas

Goal 5: Quality Housing at all Price Ranges and Attractive Communities

- ☐ Neighborhood signs and active HOAs ☐ Housing & streets improved, litter reduced
- ☐ Increase proportion of single family homes and owner occupied housing

Goal 6: Efficient and Effective City Government, Customer Focused & Values Diversity

- ☐ Improves City efficiency ☐ Increase use of Information Technology
- ☐ Increases residents perception of Lauderhill as an excellent place to live

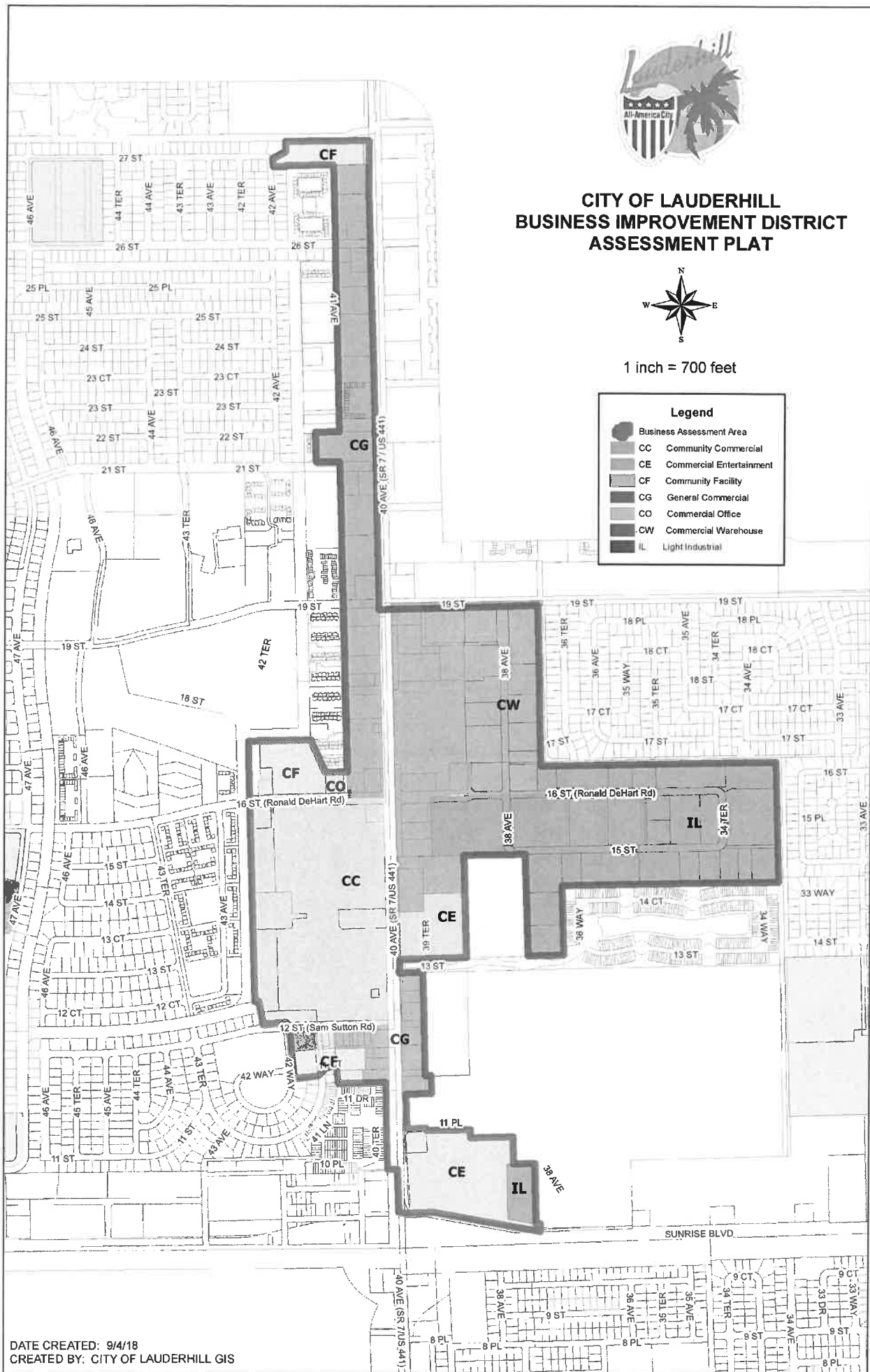


CITY OF LAUDERHILL BUSINESS IMPROVEMENT DISTRICT ASSESSMENT PLAT



1 inch = 700 feet

Legend	
	Business Assessment Area
	CC Community Commercial
	CE Commercial Entertainment
	CF Community Facility
	CG General Commercial
	CO Commercial Office
	CW Commercial Warehouse
	IL Light Industrial



BUSINESS IMPROVEMENT DISTRICT PLAN

A. Overview

The primary goal of the Business Improvement District (BID) is to stimulate economic vitality and redevelopment activities within the Eastern Community Redevelopment Agency (CRA). The BID will work continuously on behalf of property owners and merchants to foster an environment that does the following:

- (1) Encourages business attraction and expansion
- (2) Provides funding for Infrastructure Improvements
- (3) Addresses Community Maintenance and Appearance
- (4) Enhances Safety and Security
- (5) Creates Marketing and Promotional Opportunities
- (6) Land acquisition

B. Nature of the Proposed Improvement

Accordingly, the proposed BID will include several design elements that are essential to the elevating the design and appearance of the neighborhood. In addition, these improvements will enhance safety and create fluidity with regards to traffic flow in the subject area.

Specifically, improvements will be made in the following areas:

- Addition of on-street Parking
- Widening of Sidewalks
- Landscaping
- Installation of Pedestrian Lighting
- Inclusion of Street Furniture

Additional infrastructure improvements are slated in the areas of paving, storm drainage, pavement marking and signage.

District Maintenance

Ongoing community maintenance is essential to sustain the BID's investment in infrastructure and aesthetic improvements. In order to facilitate a consistently high standard of quality with the designated area a minimum of (2) two Full-time Maintenance Workers will be required. Assigned duties for maintenance staff will include but not be limited to the following: Maintenance and upkeep of landscaping, street sweeping, pressure cleaning, grass cutting, weeding, mulching, and daily litter control. In addition, the district will have the ability to hire contractual works on an as needed basis to address additional needs associated with district festivals and/or events.

District Safety and Security

As the safety and wellbeing of all patrons and business owners is at the forefront of all BID policies and procedures, the proposed district includes provisions for (2) two sergeants and (6) six police officers. These personnel will work closely with the City of Lauderhill Police Department and the Lauderhill Community Redevelopment Agency to ensure that customers and visitors to the area have a safe and enjoyable experience. Funding will provide for 24/7 monitoring, security services and community policing of the district.

BID Marketing & Promotions

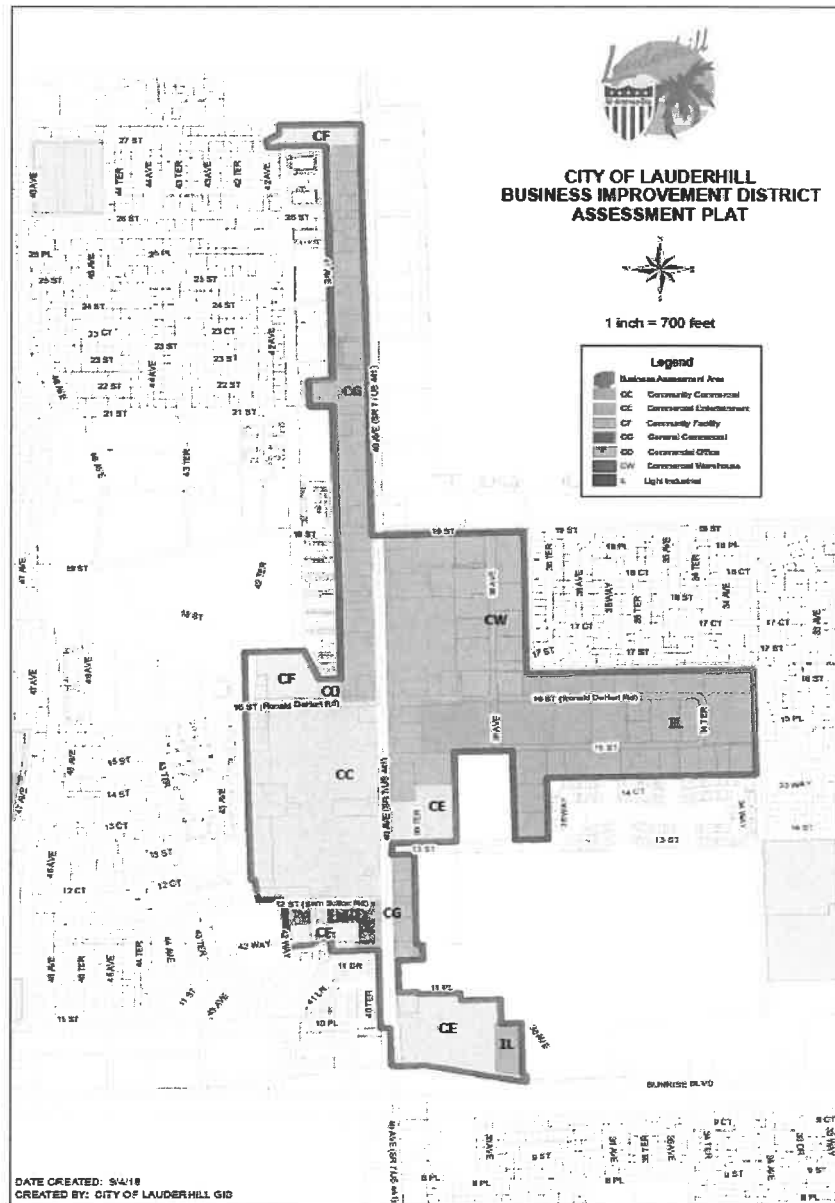
The BID will promote and advance the interests of local merchants in the area. As such, the BID will create opportunities for business owners to market their sales and events through its website, social media account and in promotional materials developed by the BID.

Land Acquisition

As the area flourishes, we expect land/building acquisition opportunities. As such, the BID will have the ability to acquire, redevelop and/or resale properties to move the district towards its stated goals. Also, funds will be used to make debt service payments should it become necessary to obtain debt financing.

C. Designated Location of Retail Business District

All lots and lands adjoining and contiguous or bounding and abutting upon such improvements or specially benefited thereby and further designated by the Business Improvement District Assessment Plat as pictured below and as attached hereto as Exhibit "1":



D. Special Assessments

It is anticipated that the assessments will be placed on the Broward County Annual Tax Bill. They shall be due in accordance with the schedule set forth therein.

The special assessments shall be levied upon all lots and lands adjoining and contiguous or bounding and abutting upon such improvements or specially benefited thereby and further designated by the Business Improvement District Assessment Plat as attached hereto as Exhibit "1".

E. Total Estimated Cost of Improvement

The total cost of the improvement is estimated as \$11,000,000.00 as shown in the table below and as attached hereto as Exhibit "2":

Business Improvement District - Improvement Costs				
		Civil Improvements	38th Avenue	State Rd 7
Paving			\$ 948,822.00	N/A - State owned roadway
Storm Drainage			\$381,370.00	\$ 1,658,058.48
Pavement Marking and signage			\$27,480.00	\$ -
	Total:		\$ 1,357,672.00	\$ 1,777,531.56
Civil cost estimate sub-total (SR-7 AND 38th Ave)	\$	3,135,203.56		
		Above Ground Improvements	38th Avenue	State Rd 7
Hardscape			\$ 859,930.00	N/A - State owned roadway
Landscape			\$ 114,912.00	\$ 499,595.71
Irrigation			\$ 27,189.00	\$ 118,207.91
Lighting			\$ 646,240.00	\$ 2,809,617.20
Site Furnishings			\$ 162,680.00	\$ 707,273.65
			\$ 1,810,951.00	\$ 4,134,694.48
Above ground improvement cost estimate (SR-7 AND 38th Ave)	\$	5,945,645.48		
38th Avenue is approx. 2,074 feet; State Rd 7 is approx. 9,017 feet				
		Policing Innovations	BID (SR-7 CRA)	
Sergeants (2) @ \$153,320.00				\$ 306,641.00
Officer (4) @ \$132,697.01				\$ 531,950.00
	Total:			
		\$838,591.00		
		Dedicated Maintenance	BID (SR-7 CRA)	
Maintenance personnel (2) @ \$63,741.00				\$ 127,482.00
	Total:			
	\$	127,482.00		
		Administrative Costs	BID (SR-7 CRA)	
Administration				\$ 953,077.96
	Total:			
	\$	953,077.96		
Total Cost Estimate	\$	11,000,000.00		

Exhibit 2

Business Improvement District - Improvement Costs				
Civil Improvements				
	38th Avenue		State Rd 7	
Paving	\$ 948,822.00		N/A - State owned roadway	
Storm Drainage	\$381,370.00	\$	1,658,058.48	
Pavement Marking and signage	\$27,480.00	\$	-	
	\$ 1,357,672.00	\$	119,473.08	
Total:			1,777,531.56	
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Total:				
	\$838,591.00			
Dedicated Maintenance				
Maintenance personnel (2) @ \$63,741.00		\$	127,482.00	
Total:				
	127,482.00	\$		
Administrative Costs				
Administration		\$	953,077.96	
Total:				
	953,077.96	\$		
Total Cost Estimate	11,000,000.00	\$		