

**RESOLUTION NO. 19R-09-178**

**A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF LAUDERHILL, FLORIDA, ADOPTING, APPROVING, CERTIFYING AND RE-IMPOSING THE UNIFORM METHOD FOR COLLECTING NON-AD VALOREM SPECIAL ASSESSMENTS LEVIED WITHIN THE HABITAT SAFE NEIGHBORHOOD IMPROVEMENT DISTRICT DESIGNATED AREA AS REFLECTED ON THE ANNUAL TAX BILL FOR COSTS AND EXPENSES ASSOCIATED WITH THE IMPROVEMENT DISTRICT; CERTIFYING THE FINAL ASSESSMENT ROLL; DECLARING SPECIAL ASSESSMENTS FOR THE FISCAL YEAR 2020; PROVIDING FOR RE-IMPOSITION OF ANNUAL BILLING ON THE TAX BILL FOR THE ACTUAL COSTS AND EXPENSES FOR THE IMPROVEMENT DISTRICT DESIGNATED AREA; STATING A NEED FOR SUCH LEVY TO COVER THE ACTUAL COSTS ASSOCIATED WITH THE IMPROVEMENT DISTRICT; ALLOWING FOR INCREASES EQUIVALENT TO THE ACTUAL COSTS INCURRED NOT TO EXCEED NON-AD VALOREM SPECIAL ASSESSMENTS OF \$250.00 AND 2 MILLS FOR EACH INDIVIDUAL PARCEL OF LAND PER YEAR; PROVIDING FOR THE MAILING OF THIS RESOLUTION; PROVIDING FOR AN EFFECTIVE DATE**

WHEREAS, Ordinance No. 090-03-119 authorized the establishment of Local Government Safe Neighborhood Improvement Districts generally within the City of Lauderhill and granting the authority, *inter alia*, to collect special assessments; and

WHEREAS, Ordinance No. 100-06-132 created the specific Habitat Safe Neighborhood Improvement District and designated the specific Improvement District Area; and

WHEREAS, the City of Lauderhill City Commission declared its Initial Intent to use the uniform method for collecting non-ad valorem special assessments levied within the designated Local Government Safe Neighborhood Improvement District Areas via Original Intent Resolution 10R-12-244 following a public hearing that was held on December 13, 2010; and

WHEREAS, Ordinance No. 110-07-140 amended the specific Improvement District Area to include only the area more commonly known as Habitat II; and

WHEREAS, the City of Lauderhill has the authority to, and has opted to, levy a non-ad valorem assessment not to exceed \$500.00 for each individual parcel of land per year and to levy ad valorem taxes of up to 2 mills annually within the improvement district area as authorized by law; and

WHEREAS, the Habitat Advisory Council had approved the non-ad valorem assessment in the amount of \$250.00 and requested that the City Commission reduce the estimated assessment rate and assess only \$250.00 per parcel per year; and

WHEREAS, individual notice of the duly advertised public hearing that was held on September 14, 2011 was mailed to each affected property owner as required by the

Florida Statutes, Section 197.3632 via the TRIM Notice that was sent by the Broward County Property Appraiser`s Office, and notice was also published in the newspaper; and

WHEREAS, written objections received from residents within the designated District Area regarding the certification and imposition of the annual tax assessment, as well as residents of the area that were present were heard at the Public Hearing held on September 14, 2011 prior to the passage of Resolution 11R-09-164 and first reading of Ordinance 110-09-159, which passed on second reading on September 28, 2011; and

WHEREAS, the City Commission re-imposed the non-ad valorem special assessment in the amount of \$250.00 and 2 mills for each individual parcel of land per year within the District Area; and

WHEREAS, individual notice of the duly advertised public hearing that was held on September 12, 2012 was mailed to each affected property owner as required by the Florida Statutes, Section 197.3632 via the TRIM Notice that was sent by the Broward County Property Appraiser`s Office, and notice was also published in the newspaper; and

WHEREAS, Resolution No. 12R-09-191 which provided the non-ad valorem special assessment rate for Fiscal Year 2013 was considered at a public hearing on September 12, 2012; and

WHEREAS, the City Commission re-imposed the non-ad valorem special assessment in the amount of \$250.00 and 2 mills for each individual parcel of land per year within the District Area; and

WHEREAS, individual notice of the duly advertised public hearing that was held on September 12, 2013 was mailed to each affected property owner as required by the Florida Statutes, Section 197.3632 via the TRIM Notice that was sent by the Broward County Property Appraiser`s Office, and notice was also published in the newspaper; and

WHEREAS, Resolution No. 13R-09-203 which provided the non-ad valorem special assessment rate for Fiscal Year 2014 was considered at a public hearing on September 12, 2013;

WHEREAS, for Fiscal Year 2015, individual notice of the duly advertised public hearing that was held on September 15, 2014 was mailed to each affected property owner as required by the Florida Statutes, Section 197.3632 via the TRIM Notice that was sent by the Broward County Property Appraiser`s Office, and notice was also published in the newspaper; and

WHEREAS, Resolution No. 14R-09-193 re-imposed the non-ad valorem special assessment rate in the amount of \$250.00 and 2 mills for each individual parcel of land per year within the District Area for Fiscal Year 2015 was considered at a public hearing held on September 15, 2014; and

WHEREAS, for Fiscal Year 2016, individual notice of the duly advertised public hearing that was held on September 11, 2015 was mailed to each affected property owner as required by the Florida Statutes, Section 197.3632 via the TRIM Notice that was sent by the Broward County Property Appraiser`s Office, and notice was also published in the newspaper; and

WHEREAS, Resolution No. 15R-09-199 re-imposed the non-ad valorem special assessment in the amount of \$250.00 and 2 mills for each individual parcel of land per year within the District Area for Fiscal Year 2016 as approved by the District Board of Directors which was passed at a public hearing on September 11, 2015; and

WHEREAS, for Fiscal Year 2017, individual notice of the duly advertised public hearing that was held on September 14, 2016 was mailed to each affected property owner as required by the Florida Statutes, Section 197.3632 via the TRIM Notice that was sent by the Broward County Property Appraiser`s Office, and notice was also published in the newspaper; and

WHEREAS, Resolution No. 16R-09-187 re-imposed the non-ad valorem special assessment in the amount of \$250.00 and 2 mills for each individual parcel of land per year within the District Area for Fiscal Year 2017 as approved by the District Board of Directors, which was passed at a public hearing on September 14, 2016; and

WHEREAS, for Fiscal Year 2018, individual notice of the duly advertised public hearing that was held on September 13, 2017 was mailed to each affected property owner as required by the Florida Statutes, Section 197.3632 via the TRIM Notice that was sent by the Broward County Property Appraiser`s Office, and notice was also published in the newspaper; and

WHEREAS, Resolution No. 17R-09-228 re-imposed the non-ad valorem special assessment in the amount of \$250.00 and 2 mills for each individual parcel of land per year within the District Area for Fiscal Year 2018 as approved by the District Board of Directors, which was passed at a public hearing on September 13, 2017; and

WHEREAS, for Fiscal Year 2019, individual notice of the duly advertised public hearing that was be held on September 12, 2018 was mailed to each affected property owner as required by the Florida Statutes, Section 197.3632 via the TRIM Notice that was sent by the Broward County Property Appraiser`s Office, and notice was also published in the newspaper; and

WHEREAS, Resolution No. 18R-09-183 re-imposed the non-ad valorem special assessment in the amount of \$250.00 and 2 mills for each individual parcel of land per year within the District Area for Fiscal Year 2019 as approved by the District Board of Directors, to be considered at a public hearing on September 12, 2018; and

WHEREAS, no written objections were received from any residents residing in the designated District Area regarding the certification and imposition of the annual tax assessments; nevertheless, any residents that were present were heard at the Public

Hearing held on September 12, 2018 prior to the passage of Resolution No. 18R-09-183 and the first reading of the corresponding Ordinance No. 18O-09-131, which was passed on second reading on September 26, 2018; and

WHEREAS, for Fiscal Year 2020, individual notice of the duly advertised public hearing that will be held on September 12, 2019 was mailed to each affected property owner as required by the Florida Statutes, Section 197.3632 via the TRIM Notice that was sent by the Broward County Property Appraiser's Office, and notice was also published in the newspaper; and

WHEREAS, this proposed Resolution No. 19R-09-178 provides the non-ad valorem special assessment rate which the City Commission proposes to re-impose the non-ad valorem special assessment in the amount of \$250.00 and 2 mills for each individual parcel of land per year within the District Area for Fiscal Year 2020 as approved by the District Board of Directors, to be considered at a public hearing on September 12, 2019; and

WHEREAS, no written objections were received from any residents residing in the designated District Area regarding the certification and imposition of the annual tax assessments; nevertheless, any residents that were present were heard at the Public Hearing held on September 12, 2019 prior to the passage of this Resolution No. 19R-09-178 and the first reading of the corresponding Ordinance No. 19O-09-124, which is scheduled to be heard on second reading on September 26, 2019;

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

SECTION 1. That commencing with the Fiscal Year beginning on October 1, 2019, and with the tax statement mailed for such Fiscal Year thereafter, the City of Lauderhill will 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 and expenses associated with the operation of the Habitat Safe Neighborhood Improvement District. Such non-ad valorem assessments shall be re-imposed and levied as referenced on the annual tax bill within the designated Habitat District Area, as indicated in the attached Exhibit "A" which is incorporated herein by reference thereto.

SECTION 2. The City of Lauderhill hereby determines that the levy of such assessments is needed to fund the actual costs and expenses for the Designated Improvement District Area. The proposed fees to be assessed are attached hereto as Exhibit "B" and incorporated herein by reference thereto. The estimated proposed rate was fully disclosed at the Public Hearing on July 9, 2019 and the final rates were fully disclosed at the Public Hearing on September 12, 2019.

SECTION 3. The assessment for each parcel will be billed through the Broward County Property Appraiser's Office, via the Ad Valorem Tax Bill and collected through the Broward County Revenue Collections Division, as authorized by Florida Statutes, Section

197.3632. The Florida Statutes require the disclosure to owners, that "Failure to pay the assessments will cause a Tax Certificate to be issued against the property, which may result in the loss of title."

**SECTION 4.** The City of Lauderhill hereby Certifies the Non-Ad Valorem Final Assessment Roll as presented at the time of the Public Hearing on September 12, 2019 and directs the City Manager to update the Assessment roll.

**SECTION 5.** Upon adoption, the City Clerk is hereby directed to send a certified copy of this Resolution and Certificate of Non-Ad Valorem Final Assessment Roll via United States mail to the Florida Department of Revenue, the Broward County Department of Revenue Collection, and the Broward County Property Appraiser by September 15, 2019.

**SECTION 6.** This Resolution shall take effect immediately upon its passage and adoption.

DATED this \_\_\_\_\_ day of \_\_\_\_\_, 2019.

PASSED AND ADOPTED on first reading this \_\_\_\_\_ day of \_\_\_\_\_, 2019.

\_\_\_\_\_  
PRESIDING OFFICER

ATTEST:

\_\_\_\_\_  
CITY CLERK

MOTION \_\_\_\_\_  
SECOND \_\_\_\_\_

M. BATES \_\_\_\_\_  
H. BERGER \_\_\_\_\_  
R. CAMPBELL \_\_\_\_\_  
D. GRANT \_\_\_\_\_  
K. THURSTON \_\_\_\_\_

Approved as to Form

\_\_\_\_\_  
W. Earl Hall  
City Attorney