

ORDINANCE NO. 240-09-135

AN ORDINANCE 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 MANORS OF INVERRARY SAFE NEIGHBORHOOD IMPROVEMENT DISTRICT DESIGNATED AREA AS REFLECTED ON THE ANNUAL TAX BILL FOR COSTS AND EXPENSES ASSOCIATED WITH THE IMPROVEMENT DISTRICT; DECLARING A SAFE NEIGHBORHOOD SPECIAL ASSESSMENT FOR THE FISCAL YEAR 2025; 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; ADOPTING A TAX LEVY OF ZERO (0.0) MILLS AND A NON-AD VALOREM SPECIAL ASSESSMENT OF FIVE HUNDRED DOLLARS (\$500.00) FOR THE CONDO I ASSOCIATION CATEGORY PARCELS; ADOPTING A TAX LEVY OF ZERO (0.0) MILLS AND A NON-AD VALOREM SPECIAL ASSESSMENT OF FIVE HUNDRED DOLLARS (\$500.00) FOR THE CONDO XI ASSOCIATION CATEGORY PARCELS; AND ADOPTING A TAX LEVY OF ZERO (0.0) MILLS AND A NON-AD VALOREM SPECIAL ASSESSMENT OF ZERO DOLLARS (\$00.00) FOR THE MASTER ASSOCIATION CATEGORY PARCELS AND ADOPTING A TAX LEVY OF ZERO (0.0) MILLS AND A NON-AD VALOREM SPECIAL ASSESSMENT OF ZERO DOLLARS (\$00.00) FOR THE CONDO XII ASSOCIATION CATEGORY PARCELS; PROVIDING FOR THE MAILING OF THIS ORDINANCE; 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. 100-06-134 created the specific Manors of Inverrary 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-12-246 following a public hearing that was held on December 13, 2010; 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, individual notice of the duly advertised public hearing 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 Manors of Inverrary District Area regarding the certification and imposition of the annual tax assessments, 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-09-165 and first reading of Ordinance 110-09-160, which passed on second reading on September 28, 2011; and

WHEREAS, individual notice of the duly advertised public hearing 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 Manors of Inverrary District Area regarding the certification and re-imposition of the annual tax assessments, as well as residents of the area that were present were heard at the Public Hearing held on September 12, 2012 prior to the passage of Resolution 12R-09-192 and first reading of Ordinance 120-09-136, which passed on second reading on September 28, 2012; and

WHEREAS, individual notice of the duly advertised public hearing 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 Manors of Inverrary District Area regarding the certification and re-imposition of the annual tax assessments, as well as residents of the area that were present were heard at the Public Hearing held on September 12, 2013 prior to the passage of the corresponding Resolution No. 13R-09-204 and the first reading of this Ordinance No. 130-09-146, which passed on second reading on September 26, 2013;

WHEREAS, individual notice of the duly advertised public hearing 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 Manors of Inverrary District Area regarding the certification and re-imposition of the annual tax assessments, as well as residents of the area that were present were heard at the Public Hearing held on September 15, 2014 prior to the passage of the corresponding Resolution No. 14R-09-194 and the first reading of this Ordinance No. 140-09-140, which passed on second reading on September 29, 2014; and

WHEREAS, individual notice of the duly advertised public hearing 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 Manors of Inverrary District Area regarding the certification and re-imposition of the annual tax assessments, as well as residents of the area that were present were heard at the Public Hearing held on September 11, 2015 prior to the passage of the corresponding Resolution No. 15R-09-200 and the first reading of this Ordinance No. 150-09-135, which passed on second reading on September 21, 2015; and

WHEREAS, individual notice of the duly advertised public hearing 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 Manors of Inverrary District Area regarding the certification and re-imposition of the annual tax assessments, as well as residents of the area that were present were heard at the Public Hearing held on September 14, 2016 prior to the passage of the corresponding Resolution No. 16R-09-188 and the first reading of this Ordinance No. 160-09-133, which passed on second reading on September 28, 2016; and

WHEREAS, individual notice of the duly advertised public hearing 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 Manors of Inverrary District Area regarding the certification and re-imposition of the annual tax assessments, as well as residents of the area that were present were heard at the Public Hearing held on September 13, 2017 prior to the passage of the corresponding Resolution No. 17R-09-229 and the first reading of this Ordinance No. 170-09-133, which passed on second reading on September 25, 2017; and

WHEREAS, individual notice of the duly advertised public hearing for Fiscal Year 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, written objections received from residents within the designated Manors of Inverrary District Area regarding the certification and re-imposition of the annual tax assessments, as well as residents of the area that were present were heard at the Public Hearing held on September 12, 2018 prior to the passage of the corresponding Resolution No. 18R-09-184 and the first reading of this Ordinance No. 180-09-132, which passed on second reading on September 26, 2018; and

WHEREAS, individual notice of the duly advertised public hearing for Fiscal Year 2020 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 Manors of Inverrary District Area regarding the certification and re-imposition of the annual tax assessments, as well as residents of the area that were present were heard at the Public Hearing held on September 12, 2019 prior to the passage of the corresponding Resolution No. 19R-09-179 and the first reading of this Ordinance No. 190-09-125, which passed on second reading on September 26, 2019; and

WHEREAS, individual notice of the duly advertised virtual public hearing for Fiscal Year 2021 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 Manors of Inverrary District Area regarding the certification and re-imposition of the annual tax assessments, as well as residents of the area that were able to be addressed at the virtual Public Hearing held on September 14, 2020 prior to the passage of the corresponding Resolution No. 20R-09-177 and the first reading of this Ordinance No. 200-09-130, which is to be considered and passed on second reading on September 29, 2020; and

WHEREAS, individual notice of the duly advertised virtual public hearing for Fiscal Year 2022 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 Manors of Inverrary District Area regarding the certification and re-imposition of the annual tax assessments, as well as residents of the area that were able to be addressed at the Public Hearing held on September 13, 2021 prior to the passage of the corresponding Resolution No. 21R-09-192 and the first reading of this Ordinance No. 210-09-127, which was considered and passed on second reading on September 27, 2021; and

WHEREAS, individual notice of the duly advertised public hearing for Fiscal Year 2023 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 Manors of Inverrary District Area regarding the certification and re-imposition of the annual tax assessments, as well as residents of the area that were able to be addressed at the Public Hearing held on September 14, 2022 prior to the passage of the

corresponding Resolution No. 22R-09-181 and the first reading of this Ordinance No. 220-09-123, which was initially scheduled to be considered and passed on second reading on September 28, 2022; however, due to a Declared State of Emergency as a result of Hurricane Ian, was rescheduled and heard on an emergency basis on October 4, 2022; and

WHEREAS, individual notice of the duly advertised public hearing for Fiscal Year 2024 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 Manors of Inverrary District Area regarding the certification and re-imposition of the annual tax assessments, as well as residents of the area that were present were heard at the Public Hearing held on September 14, 2023 prior to the passage of the corresponding Resolution No. 23R-09-218 and the first reading of this Ordinance No. 230-09-123, which passed on second reading on September 28, 2023; and

WHEREAS, individual notice of the duly advertised public hearing for Fiscal Year 2025 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 Manors of Inverrary District Area regarding the certification and re-imposition of the annual tax assessments, as well as residents of the area that were present were heard at the Public Hearing held on September 12, 2024 prior to the passage of the corresponding Resolution No. 24R-09-135 and the first reading of this Ordinance No. 240-09-177, which passed on second reading on September 26, 2024; and

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

SECTION 1. That commencing with the Fiscal Year beginning on October 1, 2024, and with the tax statement mailed for each 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 actual costs and expenses associated with the Manors of Inverrary Safe Neighborhood Improvement District Designated Area. The assessments shall be re-imposed and levied within the designated District Area as reflected on the Annual Tax Bill. A map of the designated District Area subject to this assessment is attached hereto as Exhibit "A" and incorporated herein by reference thereto.

SECTION 2. The City of Lauderhill hereby declares the non-ad valorem Safe Neighborhood Improvement District special assessed cost for Fiscal Year 2025, as well as the tax levy of ad valorem assessments, and determines that the levy of such assessments is needed to fund the actual costs and expenses associated with the Safe

Neighborhood Improvement District Designated Area. The final rates to be assessed are attached hereto as Exhibit "B" and incorporated herein by reference thereto. The estimated preliminary rates were fully disclosed at the Public Hearing on July 9, 2024, and the final rates were fully disclosed and voted upon on September 12, 2024, and voted upon on second reading on September 26, 2024. Only those actual costs and expenses incurred will actually be assessed.

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. 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 previously certified the Assessment Roll of Non-Ad Valorem and Ad Valorem Assessments via Resolution No. 24R-09-135 which was passed at the Public Hearing on September 12, 2024.

SECTION 5. Upon adoption, the City Clerk is hereby directed to send a copy of this Ordinance to the Florida Department of Revenue, the Broward County Department of Revenue Collection, and the Broward County Property Appraiser.

SECTION 6. All ordinances or parts of ordinances, all resolutions or parts of resolutions in conflict herewith be and the same are hereby repealed as to the extent of such conflict.

SECTION 7. Should this Ordinance or any part thereof be declared invalid by a Court of competent jurisdiction, the invalidity of any part of this Ordinance shall not otherwise affect the validity of the remaining provisions of this Ordinance, which shall be deemed to have been enacted without the invalid provision.

Section 8. This Ordinance shall be deemed to take effect upon passage and adoption.

DATED this ____ day of _____, 2024.

PASSED on first reading this ____ day of _____, 2024.

PASSED AND ADOPTED on second reading this ____ day of _____, 2024.

PRESIDING OFFICER

ATTEST:

CITY CLERK

FIRST READING

SECOND READING

MOTION
SECOND

M. DUNN
D. GRANT
L. MARTIN
S. MARTIN
K. THURSTON

