

ORDINANCE NO. C-25-28

AN ORDINANCE AMENDING ORDINANCE NO. C-95-67; AMENDING THE TAX INCREMENT REVENUE TO BE DEPOSITED INTO THE REDEVELOPMENT TRUST FUND; AMENDING THE ANNUAL APPROPRIATION OF TAX INCREMENT REVENUE BY THE CITY OF FORT LAUDERDALE FLORIDA, SUBJECT TO CONDITIONS; TERMINATING THE REQUIREMENT FOR ANY OTHER TAXING AUTHORITY TO DEPOSIT TAX INCREMENT REVENUE INTO THE REDEVELOPMENT TRUST FUND; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, pursuant to Resolution No. 89-1132 adopted by the Broward County Board of Commissioners on April 11, 1989, Broward County delegated to the City Commission of the City of Fort Lauderdale, Florida, the authority to create a Community Redevelopment Agency to operate within the jurisdiction of the City, and the authority to exercise all powers conferred upon local governments by the Community Redevelopment Act, Chapter 163, Part III, Florida Statutes, subject to the review and approval of a Community Redevelopment Plan by the Board of County Commissioners of Broward County, Florida, within the municipal boundaries of the City of Fort Lauderdale; and

WHEREAS, pursuant to Resolution No. 95-86, the City Commission of the City of Fort Lauderdale, Florida as the Fort Lauderdale Community Redevelopment Agency declared itself to be the Community Redevelopment Agency ("Agency") for the Northwest-Progresso-Flagler Heights Community Redevelopment Area; and

WHEREAS, pursuant to Resolution No. 95-86 adopted by the City Commission of the City of Fort Lauderdale at its meeting of June 20, 1995, the City declared an area existing within the City as blighted, which area is lying between Sunrise Boulevard on the north, Broward Boulevard on the south, the City corporate limit line on the west and Federal Highway on the east, except for and less that portion lying south of N.E. 4th Street and east of Andrews Avenue between Broward Boulevard and Federal Highway (hereafter referred to as the "Northwest-Progresso-Flagler Heights Community Redevelopment Area" or "NPFCRA"); and

WHEREAS, pursuant to Resolution No. 95-170, adopted on November 7, 1995, the City Commission of the City of Fort Lauderdale approved a Community Redevelopment Plan ("Plan") for the NPFCRA which plan was approved by the Board of County Commissioners of Broward County, Florida on November 28, 1995, pursuant to Resolution No. 95-1084; and

WHEREAS, the redevelopment trust fund ("Trust Fund" or "Redevelopment Trust Fund") was established pursuant to Ordinance No. C 95-67 (the "Ordinance"); and

WHEREAS, pursuant to the Plan, the NPFCRA sunsets on November 7, 2025;
and

WHEREAS, pursuant to an Interlocal Agreement by and between the City of Fort Lauderdale, Fort Lauderdale Community Redevelopment Agency and Broward County, Florida, the NPFCRA has been extended for ten (10) years commencing on November 8, 2025; and

WHEREAS, the Plan will be amended in accordance with the requirement of the Interlocal Agreement; and

WHEREAS, none of the taxing authorities have an obligation to deposit tax increment revenue into the redevelopment trust fund during the extended period, except the City of Fort Lauderdale, at its election, may contribute tax increment revenue into the redevelopment trust fund; and

WHEREAS, notice of intent to amend Ordinance No. C 95-67 has been given to all taxing authorities in accordance with the Act.

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

SECTION 1. That the above recitals are true, correct and incorporated into this Ordinance by this reference.

SECTION 2. Section 4 of Ordinance is deleted and replaced with the following:

SECTION 4. That there shall be paid into the Trust Fund each year ad valorem taxes levied by the City of Fort Lauderdale within the NPFCRA, a sum equal to fifty percent (50%) of the incremental increase in ad valorem taxes levied each year by the City of Fort Lauderdale, as calculated in accordance with Section 6 of Ordinance No. C 95-67, as amended, and the Act, based on the base tax year of 1995 as established in Section 5 of Ordinance No. C 95-67 (such annual sum being hereinafter referred to as the "tax increment" or "tax increment revenue"). Notwithstanding, every two (2) years starting from October 1, 2025, the City Commission will review the Plan, as amended, and make a determination, in its sole discretion, as to whether the goals and objectives of the Plan, as amended, are being met and reserve the right terminate its obligation to make any additional tax incremental revenue deposits into the Redevelopment Trust Fund at a duly noticed publicly held meeting.

SECTION 3. Section 6 of the Ordinance is deleted and replaced with the following:

SECTION 6. That the tax increment shall be determined and appropriated annually by the City of Fort Lauderdale, as provided in the Act, and shall be an amount equal to fifty percent (50%) of the difference between:

- (a) The amount of ad valorem taxes levied each year by the City of Fort Lauderdale, exclusive of any amount from any debt service millage, on taxable real property contained within the geographic boundaries of the NPFCRA; and
- (b) The amount of ad valorem taxes which would have been produced by the rate upon which the tax is levied each year by the City of Fort Lauderdale, exclusive of any debt service millage, upon the total of the assessed value of the taxable real property in the NPFCRA as shown on the assessment roll used in connection with the taxation of such property by the City of Fort Lauderdale as of the base year of January 1, 1995.

SECTION 4. Section 7 of the Ordinance is deleted and replaced with the following:

SECTION 7. That pursuant to Section 163.387 (2), Florida Statutes, the City of Fort Lauderdale may, at its election, annually appropriate and pay by January 1 of each year a sum which is no less than the tax increment as defined and determined as provided in the Act and Section 6 of this Ordinance. The obligation of the City of Fort Lauderdale to annually appropriate the tax increment for deposit in the Trust Fund shall commence on the effective date of this Ordinance and continue to the extent permitted by the Act until all loans, advances and indebtedness, if any, and interest thereon, incurred by the Agency as a result of community redevelopment in the NPFCRA have been paid or upon expiration of the extended period whichever occurs first or if sooner terminated in the sole discretion of the City Commission of the City of Fort Lauderdale.

SECTION 5. That if any clause, section or other part of this Ordinance shall be held invalid or unconstitutional by any court of competent jurisdiction, the remainder of this Ordinance shall not be affected thereby but shall remain in full force and effect.

SECTION 6. That Ordinance No. C 95-67 is hereby ratified and confirmed and in all respects remains valid and enforceable except as amended herein.

SECTION 7. That no other taxing authority other than the City of Fort Lauderdale shall be obligated to deposit tax increment revenue into the Redevelopment Trust Fund during the extended period starting as of October 1, 2025.

SECTION 8. That this Ordinance shall be in full force and effective as of October 1, 2025.

PASSED FIRST READING this 30th day of June, 2025.

PASSED SECOND READING this _____ day of _____, 2025.

Mayor
DEAN J. TRANTALIS

ATTEST:

City Clerk
DAVID R. SOLOMAN