

RESOLUTION NO. 17-

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FORT LAUDERDALE, FLORIDA, RELATING TO THE PROVISION OF THE WAVE STREETCAR ASSESSMENTS IN THE CITY; IMPOSING WAVE STREETCAR ASSESSMENTS AGAINST ASSESSED PROPERTY LOCATED IN THE CITY OF FORT LAUDERDALE, FLORIDA; APPROVING THE ASSESSMENT ROLL; PROVIDING FOR SEVERABILITY; PROVIDING FOR CONFLICTS; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City Commission of the City of Fort Lauderdale, Florida, (the "City Commission") has enacted Ordinance No. C-13-14 (the "Ordinance"), which authorizes the imposition of Transportation Assessments for the provision of mass transportation systems including facilities, services and programs against Assessed Property in the Assessment Area located within the City of Fort Lauderdale ("the City"); and

WHEREAS, the City Commission of Fort Lauderdale, Florida, adopted Resolutions No. 13-95 and 13-131 (the "Resolutions") establishing the Wave Streetcar Assessment Area and imposing an assessment against property located within the assessment area pursuant to the Ordinance; and

WHEREAS, the Ordinance requires the adoption of an Annual Assessment Resolution for each Fiscal Year in which Assessments will be imposed and to approve the Assessment Roll for such Fiscal Years; and

WHEREAS, the City Commission desires to impose the Annual Assessment within the City using the tax bill collection method for the Fiscal Year beginning on October 1, 2017;and

WHEREAS, the Assessment Roll has heretofore been made available for inspection by the public, as required by the Ordinance; and

WHEREAS, notice of a public hearing has been published and mailed to those property owners proposed to be assessed and required to receive mailed notice pursuant to the Ordinance, notifying such property owner of the Owner's opportunity to be heard, an affidavit regarding the form of notice mailed to each property owner being attached hereto as Appendix A and the proof of publication being attached hereto as Appendix B; and

WHEREAS, a public hearing was held on September 13, 2017 and comments and objections of all interested persons have been heard and considered as required by the terms of the Ordinance; and

WHEREAS, the City Commission hereby finds and determines that the Wave Streetcar Assessment to be imposed in accordance with this Resolution, provides an equitable method of funding the Project Cost of the Wave Streetcar Project by fairly and reasonably allocating the cost based on the special benefit derived by Assessed Properties in the manner herein described;

WHEREAS, said public hearing has been held as stated above and comments from the public concerning said proposed final millage rates and proposed final budget have been heard and considered; and

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

SECTION 1. AUTHORITY. This resolution is adopted pursuant to the Ordinance (Ordinance No. C-13-14), the Initial Assessment Resolution (Resolution No. 13-95), and the Final Assessment Resolution (Resolution No. 13-131), Article VIII, Section 2, Florida Constitution, Sections 166.021 and 166.041, Florida Statutes, and other applicable provisions of law.

SECTION 2. DEFINITIONS AND INTERPRETATION. This Resolution constitutes the Annual Assessment Resolution for the Wave Streetcar Assessment as defined in the Ordinance. All capitalized terms not otherwise defined in this Resolution shall have the meanings defined in the Ordinance, the Initial Assessment Resolution and the Final Assessment Resolution.

SECTION 3. IMPOSITION OF WAVE STREETCAR ASSESSMENTS. Annual Wave Streetcar Assessments shall be imposed against all Tax Parcels located wholly or partially within the Wave Streetcar Assessment Area, with the exception of Government Property owned by a Contributing Government, for each Fiscal Year in which Obligations remain outstanding and are hereby found to be specially benefitted by construction of the Wave Streetcar Project in the amount of the maximum annual Wave Streetcar Assessment set forth in the Assessment Roll and are hereby levied and imposed on all Tax Parcels described in the Assessment Roll. The annual Wave Streetcar Assessments shall be computed in accordance with Section 2.04 of Resolution No. 13-95. When imposed, the Wave Streetcar Assessments for each Fiscal Year shall constitute a lien upon such Tax Parcels, with the exception of Tax Parcels owned by an entity or individual not authorized to pay special assessments under Florida law, pursuant to the Ordinance and shall be collected on the ad valorem tax bill in the manner authorized by the

Uniform Assessment Collection Act and described in the Resolutions.

SECTION 4. APPROVAL OF ASSESSMENT ROLL. The Assessment Roll for the Wave Streetcar Assessment Area that contains the Wave Streetcar Assessments for those Tax Parcels, of which all or a portion are located within the Wave Streetcar Assessment Area, which is currently on file with the City Clerk and attached hereto as Appendix C, is hereby approved. Upon adoption of this Annual Assessment Resolution for the Wave Streetcar Assessment Area for each Fiscal Year, the City Manager shall cause the certification and delivery of the Assessment Roll to the Tax Collector by September 15, in the manner prescribed by the Uniform Assessment Collection Act. The Assessment Roll, as delivered to the Tax Collector, shall be accompanied by a Certificate of Non-Ad Valorem Assessment Roll in substantially the form attached hereto as Appendix D.

SECTION 5. ASSESSMENT NOTICE. The City Clerk is hereby directed to record a general notice of the Wave Streetcar Assessments in the Official Records of Broward County Florida. Such notice shall be in substantially the form attached as Appendix D hereto. The Annual Assessment Roll shall be retained by the City Clerk and shall be available for public inspection.

SECTION 6. SEVERABILITY. If any clause, section or other part of this resolution shall be held by any court of competent jurisdiction to be unconstitutional or invalid, such unconstitutional or invalid part shall be considered as eliminated and in no way affecting the validity of the other provisions of this resolution.

SECTION 7. CONFLICTS. This resolution or parts of resolutions in conflict herewith, be and the same are repealed to the extent of such conflict.

SECTION 8. EFFECTIVE DATE. This Annual Assessment Resolution shall take effect immediately upon its passage and adoption.

ADOPTED this 13th day of September 2017.

Mayor
JOHN P. "JACK" SEILER

ATTEST:

City Clerk
JEFFREY A. MODARELLI