

RESOLUTION NO. 12-241

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FORT LAUDERDALE, FLORIDA, ELECTING TO USE THE UNIFORM METHOD OF COLLECTING NON-AD VALOREM SPECIAL ASSESSMENTS LEVIED IN THE DOWNTOWN AND SOUTH REGIONAL ACTIVITY CENTER BOUNDARIES WITHIN THE INCORPORATED AREA OF THE CITY; STATING A NEED FOR SUCH LEVY; PROVIDING FOR THE MAILING OF THIS RESOLUTION; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City of Fort Lauderdale, Florida (the "City") is contemplating the imposition of a non-ad valorem special assessment for the provision of mass transit and streetscape improvements related to the Wave Streetcar system ("Special Assessment"); and

WHEREAS, the City is authorized to impose a non-ad valorem assessment by Section 170.201, Florida Statutes; and

WHEREAS, the City intends to use the uniform method for collecting a non-ad valorem assessment to levy, collect, and enforce the Special Assessment on property within the Downtown and South Regional Activity Center boundaries of the City as authorized by Section 197.3632, Florida Statutes, as amended, because this method will allow the Special Assessment to be collected annually commencing in October 2013, in the same manner as provided for ad valorem taxes; and

WHEREAS, the City held a duly advertised public hearing prior to the adoption of this Resolution, proof of publication of such hearing being attached hereto as Exhibit A;

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


**SECTION 1.** That commencing with the Fiscal Year beginning on October 1, 2013, and with the tax statement mailed for such Fiscal Year and continuing thereafter until discontinued by the City, the City intends to use the uniform method of collecting non-ad valorem assessments authorized in Section 197.3632, Florida Statutes, as amended, for collecting non-ad valorem assessments for the cost of providing mass transit and streetscape improvements related to the Wave Streetcar project. Such non ad valorem assessments shall be levied in the Downtown and South Regional Activity Center boundaries within the incorporated area of the City. A legal description of such area subject to the assessment is attached hereto as Exhibit B and incorporated by reference.

SECTION 2. That the City hereby determines that the levy of the assessments is needed to fund the cost of mass transit and streetscape improvements related to the Wave Streetcar system in the Downtown and South Regional Activity Center boundaries within the incorporated area of the City.

SECTION 3. That upon adoption, the City Clerk is hereby directed to send a copy of this Resolution by United States mail to the Florida Department of Revenue, the Broward County Tax Collector, and the Broward County Property Appraiser by January 10, 2013.

SECTION 4. That this Resolution shall be effective upon adoption.

ADOPTED this the 18th day of December, 2012.

  
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Mayor  
JOHN P. "JACK" SEILER

ATTEST:

  
\_\_\_\_\_  
City Clerk  
JONDA K. JOSEPH

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## EXHIBIT A

### NOTICE

BY THE CITY OF FORT LAUDERDALE,  
FLORIDA  
OF ITS INTENT TO USE THE UNIFORM METHOD FOR COLLECTING NON-AD VALOREM ASSESSMENTS AND TO HOLD A PUBLIC HEARING NOTICE IS HEREBY GIVEN TO ALL OWNERS OF LAND WITHIN THE MUNICIPAL BOUNDARIES OF THE DOWNTOWN AND SOUTH REGIONAL ACTIVITY CENTERS WITHIN THE CITY OF FORT LAUDERDALE, FLORIDA AS DESIGNATED IN THE CITY OF FORT LAUDERDALE'S COMPREHENSIVE LAND USE PLAN.

That the City Commission of the City of Fort Lauderdale, Florida, intends to use the uniform method for the levy, collection and enforcement of non-ad valorem assessments proposed to be levied subject to the City Commission approval for properties within the downtown and south regional activity centers of Fort Lauderdale, generally defined by Federal Highway, NW 7th Avenue ( Avenue of the Arts), Sunrise Blvd, and State Road 84 for the cost of engineering, design, construction and procurement, right of way and property acquisition, project and construction management, insurance, legal fees, permitting, administration, testing, and start up and financing costs for the downtown streetcar project commencing for the fiscal year beginning as early as October 1, 2013. The City Commission will consider the adoption of a resolution expressing intent to use the uniform method of collecting such assessments authorized by Section 197.3632, Florida Statutes, at a public hearing to be held at 6:00 p.m., on Tuesday, December 18, 2012 or as soon thereafter as possible, in the City Commission Room, City Hall, 100 North Andrews Avenue, Fort Lauderdale, Florida, for the purpose of hearing any objections which might be made. Such resolution will state the need for the levy and will contain a legal description of the boundaries of the real property subject to the levy.

Copies of the proposed form of resolution, which contains the legal description of the real property subject to the levy, are on file at the Office of the City Clerk of Fort Lauderdale, 100 North Andrews Avenue, Fort Lauderdale, Florida. All interested parties may appear at said meeting and be heard with respect to the proposed Resolution.

Jonda Joseph  
City Clerk

City of Fort Lauderdale, Florida  
NOTE: if any person decides to appeal any decision made with respect to any matter considered at this public meeting or hearing, he/she will need a record of the proceedings, and for such purpose he/she may need to ensure that verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based.

November 24, December 1, 8, 15  
2012

## SUN SENTINEL PROOF

Customer: CITY OF FORT LAUDERDALE      Contact: GLYNIS BURNEY      Phone: 9547615176  
Ad Number: 14131563  
Insert Dates: 11/24/2012 12/01/2012 12/08/2012 12/15/2012

## EXHIBIT B

### LEGAL DESCRIPTION

#### **Combined Boundary Description Of The Downtown Regional Activity Center And The South Regional Activity Center Fort Lauderdale, Florida**

Beginning at the intersection of the centerline of the FEC Railway and centerline of East Sunrise Boulevard proceed east along said centerline of East Sunrise Boulevard to the centerline of North Federal Highway, thence south along said centerline of North Federal Highway to the centerline of NE 6<sup>th</sup> Street, thence east along said centerline of NE 6<sup>th</sup> Street to the centerline of NE 7<sup>th</sup> Avenue, thence south along said centerline of NE 7<sup>th</sup> Avenue to the centerline of East Broward Boulevard, thence east along said centerline approximately 458 feet, thence south approximately 1,896 feet to the centerline of the New River, thence westerly along said centerline of the New River to the centerline of South Federal Highway, thence south along said centerline of South Federal Highway to the intersection of the centerline of SE 18<sup>th</sup> Court, then continue south along the centerline of South Federal Highway approximately 168 feet to a point extended west to the southwest corner of lot 4, block 55, of Croissant Park according to Plat Book 4, Page 26, BCR thence west along said south property line of lot 4 approximately 654 feet to the centerline of SE 4<sup>th</sup> Avenue, thence south along said centerline of SE 4<sup>th</sup> Street to the south right-of-way line of SE 20<sup>th</sup> Street, thence west along said south right-of-way line approximately 658 feet to NE corner of lot 1 block 64, of Croissant Park according to Plat Book 4, Page 26, BCR, thence southeasterly along said east lot line of lot 1, approximately 359 feet to the south right-of-way line of SE 21 Street, thence east approximately 70 feet to the NE corner of lot 1 of the Whites Subdivision according to Plat Book 28, Page 1, BCR, thence south along the east line of said lot 1, approximately 670 feet to the south right-of-way line of SE 23<sup>rd</sup> Street, thence east along said south right-of-way line approximately 52 feet to the NE corner of a portion of lot 17, block 129 of Lauderdale according to Plat Book 2, Page 9, DCR, thence south along said east line of lot 17 to the centerline of the east-west alley of said block 129, thence west along said east-west alley to the centerline of the FEC Railway, thence continue along said FEC Railway northwesterly to the centerline of SW 17<sup>th</sup> Street, thence west along said centerline of SW 17<sup>th</sup> Street to the centerline of SW 3<sup>rd</sup> Avenue, thence north along said centerline of SW 3<sup>rd</sup> Avenue to the north right-of-way line of SW 16<sup>th</sup> Street, thence east along said north right-of-

way line approximately 25 feet to the SW corner of lot 36, block 58 of Lauderdale according to Plat Book 2, Page 9, DCR, thence north along said west line of lot 36 to the north right-of-way line of the east-west alley of block 55 of Lauderdale according to Plat Book 2, Page 9, DCR, thence west along said north right-of-way line approximately 50 feet to the SW corner of lot 4 of said block 55, thence north along said west property line of lot 4 to the centerline of SW 14<sup>th</sup> Court, thence west along said centerline of SW 14<sup>th</sup> Court to the centerline of SW 3<sup>rd</sup> Avenue, thence north along said centerline of SW 3<sup>rd</sup> Avenue(including vacated portion) to the north right-of-way line of SW 12<sup>th</sup> Court, thence east along said north right-of-way line approximately 5 feet to the SW corner of the east 25 feet of lot 27, block 31 of Croissant Park South River Section, according to Plat Book 8, Page 20, BCR, thence north along the west line of the east 25 feet of lot 27 approximately 470 feet to the centerline of the Tarpon River, thence east along said centerline of the Tarpon River to the centerline of the FEC Railway, thence north along the FEC Railway to the centerline of SW 7<sup>th</sup> street, thence west along SW 7<sup>th</sup> Street to the centerline of SW 4<sup>th</sup> Avenue, thence northwesterly along said centerline of SW 4<sup>th</sup> Avenue to an intersection with the extension of the south line of lot 1, block 33 of Bryans Subdivision, according to Plat Book 1, Page 29, DCR, thence west along said south line of lot 1 to the southwest corner of lot 5, thence north along said west line of lot 5 to the north right-of-way line of West Las Olas Boulevard, thence west along said north right-of-way line approximately 25 feet to the SW corner of lot 26, block 22 of Bryans Subdivision, according to Plat Book 1, Page 29, DCR, thence north along the west line of said lot 26 approximately 1,825 feet to the centerline of NW 2<sup>nd</sup> Street, thence east along said centerline of NW 2<sup>nd</sup> Street to the centerline of the FEC Railway, thence continue northeasterly along said centerline of the FEC Railway to the point of beginning.