

ORDINANCE NO. C-87-98

AN ORDINANCE OF THE CITY OF FORT LAUDERDALE, FLORIDA, CREATING A LOCAL GOVERNMENT NEIGHBORHOOD IMPROVEMENT DISTRICT PURSUANT TO SECTION 59, CHAPTER 87-243, LAWS OF FLORIDA, TO BE KNOWN AS THE NORTHWEST NEIGHBORHOOD IMPROVEMENT DISTRICT WITHIN AN AREA CONTAINING APPROXIMATELY 1,194 ACRES BOUNDED ON THE SOUTH BY WEST BROWARD BOULEVARD, ON THE WEST BY THE MUNICIPAL BOUNDARY OF THE CITY OF FORT LAUDERDALE, ON THE NORTH BY WEST SUNRISE BOULEVARD AND ON THE EAST BY NORTH ANDREWS AVENUE.

WHEREAS, Section 58, Chapter 87-243, Laws of Florida provides that the governing body of a municipality may adopt an ordinance authorizing the formation of Safe Neighborhood Improvement Districts in accordance with the provisions of that Act; and

WHEREAS, the City Commission of the City of Fort Lauderdale, Florida has adopted Ordinance No. C-87-80, authorizing the creation of Safe Neighborhood Improvement Districts within the City of Fort Lauderdale; and

WHEREAS, the City's Department of Planning and Community Development has recommended the creation of a Local Government Neighborhood Improvement District for the Northwest Area of the City of Fort Lauderdale;

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

SECTION 1. District created. A Local Government Neighborhood Improvement District is hereby created pursuant to Section 59, Chapter 87-243, Laws of Florida to include approximately 1,194 acres in an area bounded on the south by West Broward Boulevard, on the west by the municipal boundary of the City of Fort Lauderdale, on the north by West Sunrise Boulevard and on the east by North Andrews Avenue.

SECTION 2. Name of district. The Local Government Neighborhood Improvement District created hereby shall be known as the "Northwest Neighborhood Improvement District".

SECTION 3. Authority to apply for and receive grant. The Local Government Neighborhood Improvement District created hereby is hereby authorized to apply for and receive from the Florida Department of Community Affairs up to \$250,000 for a planning grant and up to an additional \$30,000 to employ the services of technical experts.

SECTION 4. Utilization of tax or special assessment. The purpose is hereby stated that the district may utilize a maximum of two mills ad valorem taxes or special assessments on real property within the district.

SECTION 5. Designation of Board of Directors. The City Commission of the City of Fort Lauderdale is hereby designated as the Board of Directors of the district.

SECTION 6. Establishment of Advisory Board. An Advisory Board is hereby established for the Local Government Neighborhood Improvement District created hereby. The Advisory Board shall be composed of no fewer than five members who shall be owners of real

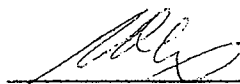
property located in the district or residents of the district. The members of the Advisory Board shall be appointed by the Board of Directors and serve at the pleasure of the Board of Directors. The Advisory Board shall perform such duties as may be prescribed by the Board of Directors and shall submit within the time period specified by the Board of Directors, a report on the district's proposed activities and a proposed budget to accomplish the district's objectives. In formulating a plan for services or improvements, the Advisory Board shall consult in public session with the appropriate staff of consultants of the City of Fort Lauderdale responsible for preparation of the district's plan.

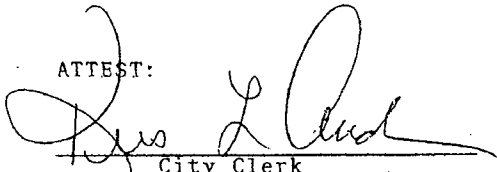
SECTION 7. That if any clause, section or other part of this Ordinance shall be held invalid or unconstitutional by any court of competent jurisdiction, the remainder of this Ordinance shall not be affected thereby, but shall remain in full force and effect.

SECTION 8. That all ordinances or parts of ordinances in conflict herewith, be and the same are hereby repealed.

SECTION 9. That this Ordinance shall be in full force and effect immediately upon passage.

PASSED FIRST READING this the 17th day of November, 1987.  
PASSED SECOND READING this the 1st day of December, 1987.

  
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Mayor  
Robert O. Cox

ATTEST:  
  
\_\_\_\_\_  
City Clerk  
Kris L. Anderson

3731E

BY-LAWS OF  
NORTHWEST NEIGHBORHOOD IMPROVEMENT DISTRICT

ARTICLE I

ORGANIZATION

These By-Laws serve to organize the Board of Directors of the Northwest Neighborhood Improvement District (NWNID), located in the City of Fort Lauderdale, which was created by City Ordinance No. C-87-98 as a local government neighborhood improvement district pursuant to the Safe Neighborhoods Act, F.S. §163.501 et seq. (1987).

ARTICLE II

PURPOSE AND POWERS

For the purpose of establishing a safe neighborhood improvement plan and program and implementing effective crime prevention techniques, the Board of Directors of the NWNID may exercise any and all of the rights, duties and powers provided for hereinafter and as defined in The Safe Neighborhoods Act, F.S. §163.501 et seq. as same may be amended from time to time.

ARTICLE III

DEFINITIONS

- (1) "Act" shall mean the Safe Neighborhoods Act, F.S. §163.501, et seq. as same may be amended from time to time.
- (2) "Advisory Board" means the advisory council of property owners or residents of NWNID defined by Sec. 163.506 F.S. and established by City Ordinance No. C-87-98. The Advisory Board shall be appointed by and serve at the pleasure of the Board of Directors. The Advisory Board shall submit within the time specified by the Board of Directors, a report on the NWNID's activities and proposed budgets to accomplish it. In formulating a plan for services or improvements it shall consult in public session with the appropriate staff or consultants of the City who are responsible for the NWNID's plan.
- (3) "Board" means the Board of Directors of the Northwest Neighborhood Improvement District (NWNID). The Board shall be the governing body of the NWNID.
- (4) "City" shall mean the City of Fort Lauderdale.
- (5) "Commission" means the City Commission of the City of Fort Lauderdale comprised of a Mayor and City Commissioners.

- (6) "Crime prevention through environmental design" means the planned use of environmental design concepts such as natural access control, natural surveillance, and territorial reinforcement in a neighborhood or community setting which is designed to reduce criminal opportunity and foster positive social interaction among the legitimate users of that setting.
- (7) "Defensible space" means an architectural perspective on crime prevention through physical design of the environment to create the ability to monitor and control the environment along individual perceived zones of territorial influence that result in a proprietary interest and a felt responsibility.
- (8) "Enabling Ordinance" is City of Fort Lauderdale Ordinance No. C-87-98 which created the NWNID.
- (9) "Enterprise zone" means the area designated and so established by City Resolution.
- (10) "Environmental security" means an urban planning and design process which integrates crime prevention with neighborhood design and community development.
- (11) "NWNID" is the acronym for the Northwest Neighborhood Improvement District.
- (12) "Safe Neighborhood Improvement District" means a district where a comprehensive neighborhood improvement plan has been developed and where there is a plan to reduce crime through the implementation of crime prevention through environmental design, environmental security, or defensible space techniques.

#### ARTICLE IV

##### BOARD MEMBERSHIP, TERM OF OFFICE, VACANCIES, REMOVAL

- (1) The City Commission is the designated Board of Directors pursuant to City Ordinance No. C-87-98. The Board of Directors shall be the governing body of the District. Term of office, vacancies or removal from office shall be as prescribed for City Commissioners by the City Charter and State Statutes.
- (2) The Chairman and Vice-Chairman of the Board shall be the Mayor and Vice-Mayor of the Commission respectively.
- (3) Members of the Board of Directors shall receive no compensation for their services but may be reimbursed by NWNID for traveling expenses incurred while engaged in specific, authorized activities on behalf of NWNID.
- (4) A majority of the Board shall constitute a quorum, and a majority vote at any meeting or public hearing at which a

quorum is present shall constitute an action of the Board, except as may otherwise be specifically provided in these By-Laws.

## ARTICLE V

### POWERS

- (1) The NWNID has all powers granted to neighborhood improvement districts by Sec. 163.514 F.S. pursuant to City Ordinance No. C-87-98. However, the power to either levy ad valorem taxes or special assessments, pursuant to Ch. 170 F.S., or both, shall be governed by the NWNID annual budget approved by resolution of the City Commission with respect to the millage rate, assessment rate and type of assessment.
- (2) In accordance with Sec. 163.523 F.S. and subject to the limitations thereof, the NWNID may contract with community organizations to undertake any of the activities permitted under the Act and enabling ordinances, except preparation of the safe neighborhood improvement plan, within the specified fiscal limits.

## ARTICLE VI

### MEETINGS AND STAFF ASSISTANCE

- (1) Regular meetings shall be held on the days and times established by the Board, but no less frequently than quarter annually.
- (2) Special meetings may be called by the Chairman at his/her discretion or shall be called when requested by two other Board members. Adequate notice shall be given to all Board members and the public stating the date, hour and place of the meeting and the purpose for which such meeting is called, and no other business shall be transacted at that meeting.
- (3) Written notice of all Board meetings shall be given at least seven (7) days prior to each meeting, stating the date, time and place. In addition, the agenda of each meeting shall be posted on the Public Bulletin Board, City Hall, at least three (3) days in advance.
- (4) All meetings of the Board shall be open to the public as required by the Florida Sunshine Law, Chapter 286 F.S.
- (5) Robert's Rules of Order shall apply to all of the Board's public meetings, hearings or workshops, to the extent it is not inconsistent with general law, these By-Laws, or other rules of procedure specifically adopted by the Board.

- (6) The NWNID Manager or his/her designee, in accordance with Florida's Public Record Law, Chapter 119 F.S., shall keep the minutes of each meeting. The NWNID Manager, who shall be appointed by the City Manager and confirmed by Board, shall be responsible for the general maintenance of all minutes and other official records of proceedings and actions of the Board and/or NWNID.
- (7) The NWNID may employ staff or utilize City employees, as may be necessary to carry out the purpose and policies of the Board, with consent of the City Manager, as appropriate.

## ARTICLE VII

### DUTIES

The NWNID shall perform all the duties enumerated in Sec. 165.513 F.S. and summarized as follows:

- (1) Collect data on criminal activity in the district.
- (2) Analyze crimes related to land use and environmental and physical conditions of the District.
- (3) Determine where modification of certain traffic patterns would assist crime prevention in the District.
- (4) Formulate and maintain on a current basis short-range and long-range projects and plans for crime prevention in the District through environmental design strategies and tactics.
- (5) Prepare and initiate action deemed most suitable for implementing NWNID's safe neighborhood improvement plan.
- (6) Participate in the implementation and execution of NWNID's safe neighborhood improvement plan.
- (7) Ensure that all capital improvements within the District are consistent with the Capital Improvement element of the City's Comprehensive Plan.

## ARTICLE VIII

### ADVISORY COUNCIL

The Board of Directors shall appoint an Advisory Council of five (5) property owners or residents of the District. The Advisory Council shall perform such duties as may be prescribed by the Board and shall submit within the time specified by the Board a report on the district's activities and a proposed budget to accomplish its objectives. In formulating a plan for services or improvements, the ad-

visory council shall consult in public session with the appropriate staff or consultants of the City responsible for the District's plan. The Advisory Council shall operate under the following procedures:

- (1) The Advisory Council shall select its own Chairman, Vice-Chairman and other officers, unless such officers are designated by the Board of Directors.
- (2) It is suggested that the Advisory Council meet not less than once every other month, and more frequently if the press of business requires. Notice to the members shall be given by the Chairman or his/her designated representative.
- (3) Absence by any Advisory Council member from three (3) consecutive regular meetings shall constitute an automatic resignation of such member.
- (4) A majority of the members of the Advisory Council shall constitute a quorum at any of its meetings, and no action shall be taken by it except at a meeting as herein provided and duly recorded in the minutes of said meeting.
- (5) The minutes of the proceedings of the Advisory Council shall be made by its secretary and the original of such minutes shall be kept in the offices of the City Clerk and shall be open to inspection at all times.
- (6) All meetings shall be open to the press and general public and all persons desiring to appear before the Advisory Council shall be given reasonable time to present their views on any matters being considered by the Advisory Council.
- (7) The Chairman shall act as presiding officer at all meetings of the Advisory Council but may designate another member to preside as Chairman Pro Tem during the Chairman's absence.
- (8) A written report, including a one-page summary, shall be submitted to the Board of Directors not more than thirty (30) working days following any meeting setting forth the matters considered by the Advisory Council along with its recommendations to the Board of Directors.

#### ARTICLE IX

##### SAFE NEIGHBORHOOD IMPROVEMENT PLAN

- (1) The NWNID shall prepare or cause to be prepared a Safe Neighborhood Improvement Plan in compliance with Sec. 163.516 F.S.

- (2) The Board shall adopt a Safe Neighborhood Improvement Plan pursuant to Sec. 163.516 F.S. which includes written approval by the City Commission as to its consistency with the City's Comprehensive Plan, and the following:
  - (a) The public hearing and adoption shall occur at a meeting held after 5:00 p.m. on a weekday; and
  - (b) A concurring vote of at least three (3) Board members.
- (3) The procedure for amending the Safe Neighborhood Improvement Plan by the Board shall be as for the original adoption.
- (4) There shall be no levy nor expenditure of any proceeds of any tax assessment nor fees authorized, other than for the preparation of the Plan, unless and until the Plan has been adopted by the City.

## ARTICLE X

### FINANCES

- (1) All NWNID funds shall be received, held and secured under the auspices of the City Finance Department in accordance with Sec. 163.151, F.S. and with generally accepted accounting procedures. This includes internal supervision and control of NWNID accounts as approved by the City Finance Director.
- (2) Requisitions for purchases or other dispersals shall be signed by the NWNID Manager or his/her designee and countersigned by the Chairman of the Board, or in his/her absence, the Vice-Chairman or Chairman Pro Tem.
- (3) The work year and fiscal year of the NWNID shall be twelve (12) months, commencing and ending concurrently with the fiscal year of the City of Fort Lauderdale.
- (4) By July 1 of each year, the Advisory Board shall submit to the Board a report on the year's activities and a proposed budget for the ensuing year to accomplish the objectives. The NWNID Manager shall assist the Advisory Board in formulating a plan for improvements and coordinate the activities of the Advisory Board with those of other consultants or affected agencies in the development and preparation of the proposed budget.
- (5) The Board shall meet at least once in July to discuss the report and proposed budget submitted by the Advisory Board.
- (6) Prior to adoption, the Board shall submit the proposed annual budget to the Commission for approval by resolution.



- (7) In September the Board shall hold a public hearing after 5:00 p.m. on a weekday to consider the Commission-approved budget of NWNID for the ensuing year, after which the annual budget as proposed, changed or amended, may be adopted by a concurring vote of at least three (3) Board members. Adoption shall occur during a meeting after 5:00 p.m. that includes a public hearing on the budget, and that has been advertised by a small display ad in a local newspaper at least ten (10) days prior to the meeting. The adopted budget shall be in compliance with the monetary constraints approved by the Commission.
- (8) The budget and such other changes, amendments or supplements as may be necessary to conduct the fiscal affairs of NWNID may be amended at a regular meeting by majority vote only when the proposed change and/or aggregation of current fiscal year changes amount to five (5) percent or less of the total budget.
- (9) The Board shall ensure that an external audit of financial books and records of NWNID be conducted annually by an independent certified public accountant who has no personal interest, direct or indirect, in the fiscal affairs of NWNID.
- (10) The annual audit shall be prepared in a timely manner so that a copy of the external audit will be filed with the City Clerk by December 30.

## ARTICLE XI

### AMENDMENTS

These By-Laws may be altered, amended or added to by vote of the Board, provided that:

- (1) Notice of the proposed changes shall contain a full statement of the proposed amendment and be mailed or delivered to each Board member at least twenty (20) days prior to action;
- (2) The proposed amendment is placed on the agenda of the next scheduled meeting following such notice;
- (3) Board members may propose relevant changes from the floor to any proposed amendment on the agenda;
- (4) The Board adopts the proposed amendment by a concurring vote of at least three (3) members.

## ARTICLE XII

### INFORMATION REQUEST

The principal office of the Northwest Neighborhood Improvement District is located in the City Clerk's Office, City Hall, 100 North

Andrews Avenue, Fort Lauderdale, Florida. The office of the NWNID Manager and the location of official forms, documents or publications are on file and posted with the principal office.

Adopted this 4th day of OCTOBER 1988 by the Board of Directors of the NWNID.

  
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for Chairman

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