



**CITY OF FORT LAUDERDALE
City Commission Agenda Memo
REGULAR MEETING**

#23-0357

TO: Honorable Mayor & Members of the
Fort Lauderdale City Commission

FROM: Greg Chavarria, City Manager

DATE: July 5, 2023

TITLE: Motion Establishing a Public Hearing Date for the Proposed Fiscal Year 2024
Non-Ad Valorem Assessment – Nuisance Abatement - **(Commission
Districts 1, 2, 3 and 4)**

Recommendation

Staff recommends the City Commission establish the date of Wednesday, September 13, 2023 at 5:01 P.M., The Parker, 707 Northeast 8th Street, Fort Lauderdale, FL 33304 to hold a public hearing to consider comments for the Proposed FY 2024 Non-Ad Valorem Assessment - Nuisance Abatement.

Background

On July 7, 2009, the City Commission enacted Ordinance C-09-18 and adopted a new Chapter 18 – Nuisances, within the Code of Ordinances of the City of Fort Lauderdale (Code) to refine the characterization of a public nuisance and improve the effectiveness of nuisance abatement action performed by the City. Chapter 18 of the Code requires staff to follow prescribed steps to notify the property owner to correct the violation within 10 days from the date of notice.

Some examples of nuisance violations that Chapter 18 allows the City to correct are abandoned or derelict motor vehicles, vacant and unoccupied buildings with window and door openings, unmaintained swimming pools, and overgrown lawns. If the violation remains uncorrected, the City takes action to have the nuisance abated. The City then sends the property owner a Statement of Assessed Costs and Expenses (SACE) and an invoice that includes the administrative costs. If the property owner does not contest the amount and/or fails to remit payment to the City within 30 days from the date of the SACE, the matter is scheduled before the City Commission for consideration and adoption of a resolution assessing the expenses and administrative costs against the property. If the City Commission approves the recommendation, the unpaid expenses and administrative costs are recorded in the public records of Broward County. Pursuant to Section 18-15 of the Code, once the special assessment lien is recorded in the public records, the assessed costs and liens may be foreclosed by the City.

The City is typically reimbursed for the described expenditures when the property is being sold. However, other liens may remain unpaid, and the statute of limitations, foreclosure, or bankruptcy may cause the liens to become unenforceable. By collecting these costs through a special assessment, the City will improve its collection rate by placing the special assessment on the property tax bill. The described approach compels the property owner to pay the assessment along with the ad valorem tax bill to avoid the issuance of a tax certificate against the property and loss of title to the property. As a result, the City may recover the public funds spent to remedy the nuisance and the neighborhood is protected from blight.

The proposed assessment rate per identified property will be equal to the actual costs paid by the City to abate the nuisance. The proposed assessment will generate an estimated \$31,666.88 in revenue, which will represent 100 percent cost recovery of the expenses made by the City to abate the identified nuisance.

The chair of the local governing board or his or her designee is required per Section 197.3632(5)(a), Florida Statutes to certify the non-ad valorem assessment roll to the Broward County Tax Collector no later than September 15, 2023.

Resource Impact

There is no fiscal impact associated with this action.

Strategic Connections

This item supports the *Press Play Fort Lauderdale 2024* Strategic Plan, specifically advancing:

- The Internal Support Focus Area
- Goal 8: Build a leading government organization that manages all resources wisely and sustainably.
- Objective: Maintain financial integrity through sound budgeting practices, prudent fiscal management, cost effective operations, and long-term planning.

This item advances the *Fast Forward Fort Lauderdale 2035* Vision Plan: We Are United.

Attachment

Exhibit 1 – FY 2024 Nuisance Abatement Roll

Prepared by: Charmaine Crawford, Senior Assistant to the Director, Office of Management and Budget

Department Director: Laura Reece, Office of Management and Budget