



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

#24-0382

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

FROM: Susan Grant, Acting City Manager

DATE: July 2, 2024

TITLE: Preliminary Rate Resolution for the Fiscal Year 2025 Non-Ad Valorem Assessment for Utility Undergrounding and Authorizing a Public Hearing on September 12, 2024 – **(Commission District 2)**

Recommendation

Staff recommends the City Commission adopt a preliminary rate resolution for the Fiscal Year (FY) 2025 Non-Ad Valorem Assessment for Utility Undergrounding and set a date of Thursday, September 12, 2024, at 5:01 P.M. to hold a public hearing at the Broward Center for the Performing Arts, Mary N. Porter Riverview Ballroom – 201 SW 5th Avenue, Fort Lauderdale FL 33312 to consider public comments.

Background

On May 18, 2010, the City Commission enacted Ordinance C-10-12 creating Chapter 25, Article IV, Division 2 – Undergrounding within the Code of Ordinances of the City of Fort Lauderdale (Code) that established a process for communities to underground overhead utilities (power, telephone, cable TV, etc.) and created a mechanism for the benefited neighborhood to pay the associated costs through a special assessment.

On November 6, 2012, the City Commission (CAM #12-2384) approved amendments to the special assessment program for the undergrounding of overhead utilities. Section 25-129, Code of Ordinances of the City of Fort Lauderdale requires approval from at least 70 percent of signed and timely returned ballots from property owners in the assessment area and City Commission approval before a special assessment can be levied upon real properties benefitting from the undergrounding of utilities.

City staff received an application from the Las Olas Isles neighborhood to establish an underground utility line assessment. Staff worked with the utility companies on topographic surveys and designs. In accordance with the ordinance, staff issued ballots to property owners within the proposed underground utility assessment area providing an estimate of the total underground utility assessment costs and drawings depicting the location and dimensions of all associated above-grade structures. Almost 90 percent of the property owners that responded to the ballot supported establishing an underground utility line assessment.

The proposed assessment for FY 2025 is \$526,473.68 or \$1,709.33 per Equivalent Benefit Unit (EBU), which will generate an estimated \$500,150.00 in revenue. This figure represents the FY 2025 debt service payment for a 25-year special obligation bond with a par value of \$7.9 million. Exhibit 1 details the assessment rate per property in the Utility Undergrounding Assessment Roll.

Section 25-131.1(a) provides that the underground utility line assessments may be collected pursuant to the uniform method provided in the Uniform Assessment Collection Act, and the City shall comply with all applicable provisions of the Uniform Assessment Collection Act.

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, 2024.

Resource Impact

There is no fiscal impact associated with this action.

Strategic Connections

This item supports the *Press Play Fort Lauderdale 2029* Strategic Plan, specifically advancing:

- The Infrastructure Focus Area, Goal 3: Be a sustainable and resilient community

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

This item supports the *Advance Fort Lauderdale 2040* Comprehensive Plan specifically advancing:

- The Infrastructure Focus Area
- The Sanitary Sewer, Water & Stormwater Element
- Goal 6: Ensure that all areas of the City are reasonably protected from flooding, giving due consideration to the City's natural and built environment.

Attachments

Exhibit 1 - Utilities Undergrounding Assessment Roll

Exhibit 2 - Resolution

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

Acting Department Director: Yvette Matthews, Office of Management and Budget