



CITY OF FORT LAUDERDALE
City Commission Agenda Memo
REGULAR MEETING

#15-0908

8-18-15
OFR-2
REVISED
CAM

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

FROM: Lee R. Feldman, ICMA-CM, City Manager *L.R. Feldman*

DATE: August 18, 2015

TITLE: **REVISED OFR-2** - Ordinance Amending Code Enforcement Lien Process
to Establish Application Fees for Lien Reduction Requests

Recommendation

It is recommended that the City Commission adopt an ordinance establishing application fees for the processing of lien reduction requests.

Background

At the April 21, 2015 City Commission meeting, the City Commission approved an amendment to the Code of Ordinances of the City of Fort Lauderdale which expanded the authority of the Special Magistrate to settle requests for fine and lien reductions. This amendment also allowed for an application fee to be collected for each application.

The first fine reduction hearing was held on August 13, 2015. During the August 13th hearing, the backlog of requests from Special Magistrates agreed to hold a separate hearing to clear the backlog of requests from 2014. Both magistrates were given a copy of the case file to review prior to the hearing. The adopted fees will be applied to lien reduction requests submitted to the Code Compliance Division as of September 15, 2015.

In conjunction with this process, the payment of an application fee is intended to cover the overhead costs of the employees who handle these requests, conduct the necessary research for the respective files, and schedule the matter before the Special Magistrate for determination. The recommended fee schedule allows for equitable treatment of these requests so that a petitioner with numerous cases will pay a higher fee to the City for processing the additional load of cases for the fine reduction hearing. The payment of \$175.00 is required for one application. If the petitioner has more than one case associated with the same property, a \$25.00 per case fee will be assessed for each additional application. Furthermore, if the petitioner owns other properties within the City that have open code cases, the \$25.00 fee applies to these cases.

The City's contractual staff conducted a time study to establish the \$175.00 and \$25.00 fee for the processing of lien reduction requests. The results of the study established that it takes an average of 1.5 hours to process the initial lien reduction application with

one case, 0.5 hour to research a single case, and 1 hour to process a case after the hearing. Processing the application includes, but is not limited to a review of the application for completeness, researching property ownership, and identifying interested parties, foreclosure research, and research of the violation that led to the fine/lien on the property. The processing time prior to and after the hearing, and the average time of City staff and contractual staff established the processing fees.

Resource Impact

Based on the Code Compliance Division receiving three requests per week, the anticipated fiscal impact on an annual basis is as follows:

Fee Type	Average Requests	Estimate
Administrative Fee of \$175.00	150	\$ 26,250.00
Additional Process Fee of \$25.00	300	\$ 7,500.00
	Forecasted Revenue	\$ 33,750.00

WaterWorks liens will be exempt from the payment of application fees since a matrix was adopted by the City Commission to calculate the lien reduction.

The staff resources involved in processing lien settlement requests is critical to collect the revenue projected. Temporary or permanent staff resources for this service is critical to achieving timely compliance during the code enforcement compliance process.

Strategic Connections

This item is a *Commission Annual Action Plan* priority, included within the Management Agenda, advancing the Code Compliance Process Improvement effort.

This item is a *Press Play Fort Lauderdale Strategic Plan 2018* initiative, included within the Neighborhood Enhancement Cylinder of Excellence, specifically advancing:

- Goal 5: Be a community of strong, beautiful, and healthy neighborhoods.
- Objective 2: Enhance the beauty, aesthetics, and environmental quality of neighborhoods.
- Initiative 4: Implement the finding from the Code Compliance Process Improvement.

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

Related CAM: 15-0527

Attachments:

Exhibit 1 – Proposed Ordinance

Prepared by: Sharon P. Ragoonan, Code Compliance Manager

Department Director: Jenni Morejon, Sustainable Development
 08/18/2015
 CAM #15-0908