

DOCUMENT ROUTING FORM

14 ✓ 7/24/13 (L)

NAME OF DOCUMENT: BROWARD COUNTY INTERLOCAL FOR NON-AD VALOREM ASSESSMENTS

Approved Comm. Mtg. on July 2, 2013 CAR# 13-0692

ITEM: [X] M - 3 [ ] PH - [ ] O - [ ] CR - [ ] R

Routing Origin: [X] CAO [ ] ENG. [ ] COMM. DEV. [ ] OTHER 1/27/14 processed original

Also attached: [X] copy of CAR [ ] copy of document [ ] ACM Form [ ] # originals

By: jkc forwarded to: Eric Czerniejewski
Initials

1.) Approved as to Content: [Signature] Department Director 7-8-13

Capital Improvements defined as having a life of at least 10 years and a cost of at least \$50,000 and shall mean improvements to real property (land, buildings, fixtures) that add value and/or extend useful life, inc. major repairs such as roof replacement, etc. Term "Real Property" include: land, real estate, realty, real.

Please Check the proper box: CIP FUNDED [ ] YES [X] NO Capital Improvement Projects

2.) Approved as to Funds Available: by [Signature] Finance Director Date: 7-9-13

Amount Required by Contract/Agreement \$ There is no resource impact at this time. Dept./Div.

FUNDING SOURCE: Index/Sub-object Project #

3.) City Attorney's Office: Approved as to Form # 5 Originals to City Mgr. By:

Harry A. Stewart Cole Copertino Robert B. Dunckel
Ginger Wald D'Wayne Spence X Paul G. Bangel
Carrie Sarver DJ Williams-Persad for DMS and RBD - meredith

4.) Approved as to content: Assistant City Manager:

By: Stanley Hawthorne, Assistant City Manager By: Susanne Torriente, Assistant City Manager

5.) City Manager: Please sign as indicated and forward # 5 originals to Mayor.

6.) Mayor: Please sign as indicated and forward # 5 originals to Clerk.

7.) To City Clerk for attestation and City seal.

INSTRUCTIONS TO CLERK'S OFFICE

8.) City Clerk: retains one copy and forwards ALL original documents to Eric Czerniejewski / Bobbi Williams 5 - Fully Expedited

[ ] Copy of document to [X] Original Route form to D'Wayne M. Spence
[ ] Attach certified copies of Reso. # [ ] Fill-in date

7/18



CITY CLERK

2013 AUG 16 PM 1:28

Finance and Administrative Services Department

**RECORDS, TAXES, AND TREASURY DIVISION – Tax Section**

115 S. Andrews Avenue, Room A100 • Fort Lauderdale, Florida 33301 • 954-357-6200 • FAX 954-357-5850

August 13, 2013

Jonda K. Joseph  
City Clerk  
100 North Andrews Avenue  
Fort Lauderdale, FL 33301

Please find enclosed an executed copy of the Inter Local Agreement for the 2013 tax roll, in reference to your Resolution NO. 12-241.

Please do not hesitate to contact us if we can be of any further assistance.

Sincerely,

A handwritten signature in black ink, appearing to read "C. Manicone", written over a horizontal line.

Claudio Manicone  
R.T.T. Operations Manager

CITY CLERK  
2013 AUG 16 PM 1:57

INTERLOCAL AGREEMENT

between

BROWARD COUNTY

and

CITY OF FORT LAUDERDALE

for

UNIFORM COLLECTION AND ENFORCEMENT OF NON-AD VALOREM  
ASSESSMENTS

7-2-13  
m-3

INTERLOCAL AGREEMENT

between

BROWARD COUNTY

and

CITY OF FORT LAUDERDALE

for

UNIFORM COLLECTION AND ENFORCEMENT OF NON-AD VALOREM  
ASSESSMENTS

WHEREAS, Florida Statutes provide for a uniform method for the levy, collection, and enforcement of non-ad valorem assessments and;

WHEREAS, the City of Fort Lauderdale, Florida, (hereinafter referred to as "CITY") desires to utilize the provisions set forth in Florida Statutes relating to the procedures for levy, collection, and enforcement of non-ad valorem assessments; and

WHEREAS, Section 197.3632, Florida Statutes, requires that a local governing board shall enter into a written agreement with the tax collector which provides for reimbursement of necessary administrative and actual collection costs incurred in employing the uniform method of collection; and

WHEREAS, pursuant to the Broward County Charter, the Broward County Finance and Administrative Services Department performs all functions and duties of the office of tax collector, (hereinafter referred to as "COUNTY"); NOW, THEREFORE,

IN CONSIDERATION, of the promises, covenants, and obligations contained herein, and subject to all requirements of state law relating to the levy of non-ad valorem assessments, the parties hereto agree as follows:

1. Uniform Method. Commencing with the tax roll of 2013 and continuing year-to-year, unless and until COUNTY shall receive timely written notice from CITY electing to discontinue using the uniform method of collection of non-ad valorem assessments, Broward County shall collect the non-ad valorem assessments provided to COUNTY from CITY pursuant to the procedures set forth in Section 197.3632, Florida Statutes.

2. Compliance with Uniform Method. CITY shall comply, at all times, with the requirements, obligations, duties, and procedures set forth in Section 197.3632, Florida Statutes, as currently enacted or as may be amended from time-to-time, and such requirements, obligations, duties, and procedures are incorporated herein by reference as if set forth in full.
3. County Collection Actions are Ministerial. The parties acknowledge and agree that non-ad valorem assessments are imposed by CITY and not Broward County; all actions of Broward County in conjunction with the uniform collection of any non-ad valorem assessments imposed by CITY are and shall be construed at all times as purely ministerial acts.
4. Reimbursement. The CITY shall be responsible for all necessary administrative and actual collection costs which are incurred by COUNTY for performing the activities contemplated herein and authorized in Section 197.3632, Florida Statutes. The COUNTY shall distribute to CITY the non-ad valorem assessments collected pursuant to this Agreement in substantial compliance with the provisions of Section 197.383, Florida Statutes, less the necessary administrative and actual collection costs.
5. Entire Agreement This Agreement supersedes all prior negotiations, correspondence, conversations, agreements, or understandings applicable to the matters contained herein, and there are no commitments, agreements, or understandings concerning the subject matter of this Agreement that are not contained in this document. Accordingly, no deviation from the terms hereof shall be predicated upon any prior representations or agreements whether oral or written.

No modification, amendment, or alteration in the terms or conditions contained herein shall be effective unless contained in a written document executed with the same formality and of equal dignity herewith.

Neither this Agreement nor any term or provision hereof or right hereunder shall be assignable by either party and any attempt to make such assignment shall be void.

6. Notice. Whenever either party desires to give notice unto the other, it must be given by written notice, sent by registered United States mail, with return receipt requested, or by a nationally recognized overnight express mail service (e.g. Federal Express), addressed to the party for whom it is intended, at the place last specified, and the place for giving of notice shall remain such until it shall have been changed by written notice in compliance with the provisions of this paragraph. For the present, the parties designate the following as the respective places for giving of notice:

FOR BROWARD COUNTY:

Office of the County Administrator  
Broward County Governmental Center  
115 South Andrews Avenue, Room 409  
Fort Lauderdale, Florida 33301

With a copy to the County Attorney's Office  
and Records, Taxes & Treasury Division Director

FOR CITY:

City Manager  
City of Fort Lauderdale  
100 North Andrews Avenue  
Fort Lauderdale, Florida 33301

With a copy to the City Attorney

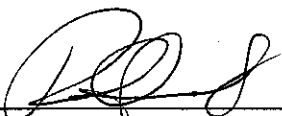
7. Governing Law. This Agreement shall be construed in accordance with the laws of the state of Florida, and any proceedings arising in any matter pertaining to this Agreement shall, to the extent permitted by law, be held in Broward County, Florida.
8. Execution Date. The date of the execution of this Agreement shall mean the last day upon which it becomes fully executed by COUNTY and CITY.
9. Joint Preparation. The preparation of this Agreement has been a joint effort of the parties and the resulting document shall not, solely as a matter of judicial construction, be construed more severely against one of the parties than the other.
10. Counterparts. This Agreement may be executed in one or more counterparts, each of which shall be deemed to be an original but all of which shall constitute one and the same Agreement.
11. Filing Required. This Agreement shall be filed with the Clerk of the Circuit Court as required by Section 163.01(11), Florida Statutes, as currently enacted and as may be amended from time-to-time.
12. Gender. All terms and words used in this Agreement, regardless of the number and gender in which used, shall be deemed to include any other gender or number as the context or use thereof may require.

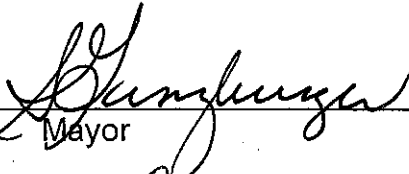
IN WITNESS WHEREOF, the parties hereto have made and executed this Agreement on the respective dates under each signature: Broward County through its BOARD OF COUNTY COMMISSIONERS, signing by and through its Mayor or Vice-Mayor authorized to execute same by the adoption of Broward County Resolution 96-0547 on the 25 day of June, 1996, and the City of Fort Lauderdale, signing by and through its Mayor and City Manager, duly authorized to execute same.

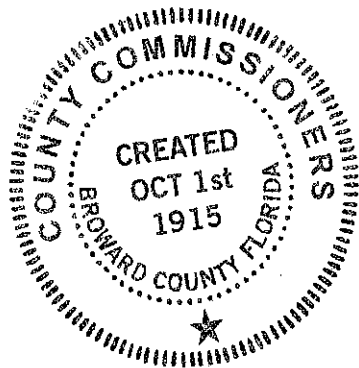
COUNTY

ATTEST:

BROWARD COUNTY, through its  
BOARD OF COUNTY COMMISSIONERS

*for*   
\_\_\_\_\_  
County Administrator and Ex-  
Officio Clerk of the Board of  
County Commissioners of Broward  
County, Florida

By   
\_\_\_\_\_  
FOR Mayor  
5<sup>th</sup> day of August, 2013



Approved as to form  
Office of County Attorney  
for Broward County, Florida  
JONI ARMSTRONG COFFEY, County Attorney  
Governmental Center, Suite 423  
115 South Andrews Avenue  
Fort Lauderdale, Florida 33301  
Telephone: (954) 357-7600  
Telecopier: (954) 357-6968

By   
\_\_\_\_\_  
Sharon V. Thorsen  
Senior Assistant County Attorney

INTERLOCAL AGREEMENT BETWEEN BROWARD COUNTY AND CITY OF FORT LAUDERDALE FOR UNIFORM COLLECTION AND ENFORCEMENT OF NON-AD VALOREM ASSESSMENTS

CITY OF FORT LAUDERDALE

ATTEST:

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

By   
\_\_\_\_\_  
JOHN P. "JACK" SEILER, Mayor

By   
\_\_\_\_\_  
LEE R. FELDMAN, City Manager

(SEAL)

\_\_\_ day of \_\_\_\_\_, 2013.

Approved as to form:

  
\_\_\_\_\_  
ROBERT B. DUNCKEL  
Assistant City Attorney



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**CERTIFICATION**

I certify this to be a true and correct copy of the record of the City of Fort Lauderdale, Florida.

WITNESSETH my hand and official seal of the City of Fort Lauderdale, Florida, this the 6 day of JUNE, 20 13  
[Signature] City Clerk

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.

  
\_\_\_\_\_  
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

## REVISED 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> Avenue 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 SW17th 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.