



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

**#22-0648**

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

**FROM:** Greg Chavarria, City Manager

**DATE:** September 12, 2022

**TITLE:** Public Hearing - Resolution Adopting the Fiscal Year 2023 Non-Ad Valorem Assessment – Nuisance Abatement - **(Commission Districts 1, 2, 3 and 4)**

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**Recommendation**

Staff recommends the City Commission hold a public hearing and adopt a resolution approving the Nuisance Abatement Assessment Roll for Fiscal Year (FY) 2023, beginning October 1, 2022 and ending September 30, 2023.

**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 of Ordinances of the City of Fort Lauderdale requires City 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 or vessels, 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 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 roll. This approach compels the property owner to pay the assessment along with the ad valorem tax bill in order to avoid the issuance of a tax certificate against the property and loss of title to the property. As a result, the City can recover the public funds spent to remedy the nuisance and the neighborhood is protected from blight.

The assessment rate per identified property will be equal to the actual costs paid by the City to abate the nuisance. The assessment will total \$37,100.75, which will represent 100% 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, 2022.

### **Resource Impact**

There is no fiscal impact for FY 2023. This Non-Ad Valorem Assessment will generate approximately \$37,100.75 in revenue collected.

### **Strategic Connections**

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

- The Internal Support Focus Area
- Goal 8: Be 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.

### **Attachments**

Exhibit 1 – FY 2023 Nuisance Abatement Roll

Exhibit 2 – Resolution

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Prepared by: Laura Reece, Director, Office of Management and Budget

Charter Officer: Greg Chavarria, City Manager