



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

#18-0847

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

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

DATE: September 12, 2018

TITLE: Resolution Adopting the Final Fiscal Year 2019 Non-Ad Valorem
Assessment – Nuisance Abatement

Recommendation

It is recommended that the City Commission hold a public hearing and adopt a resolution approving the Nuisance Abatement Assessment Roll for Fiscal Year (FY) 2019, beginning October 1, 2018 and ending September 30, 2019.

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 Ordinance 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 these 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 is able to 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 \$82,065.50, 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, 2018.

Resource Impact

There is no fiscal impact for FY 2019. This Non-Ad Valorem Assessment will generate approximately \$82,065.50 in revenue collected.

Strategic Connections

This item is a *Press Play Fort Lauderdale Strategic Plan 2018* initiative, included within the Internal Support Cylinder, specifically advancing:

- Goal 12: Be a leading government organization, managing our resources wisely and sustainably.
- Objective 1: Ensure sound fiscal management

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

Attachment

Exhibit 1 – Nuisance Abatement Roll

Prepared by: Laura Reece, Budget Manager

Department Director: Lee R. Feldman, ICMA-CM, City Manager's Office