

ORDINANCE NO. 2025-__

AN ORDINANCE OF THE CITY OF HALLANDALE BEACH, FLORIDA, RELATING TO THE IMPOSITION AND COLLECTION OF NON-AD VALOREM SPECIAL ASSESSMENTS TO FUND ROAD, CURB, CROSSWALK, LANDSCAPING AND OTHER TRAFFIC AND SAFETY IMPROVEMENTS IN THE THREE ISLANDS NEIGHBORHOOD; ESTABLISHING THE THREE ISLANDS ASSESSMENT AREA; DETERMINING THAT CERTAIN REAL PROPERTY THEREIN WILL BE SPECIALLY BENEFITED BY THE IMPROVEMENTS; CONFIRMING THE METHOD OF ASSESSING THE COSTS OF THE IMPROVEMENTS AGAINST THE REAL PROPERTY THAT WILL BE SPECIALLY BENEFITED THEREBY; ESTABLISHING OTHER TERMS AND CONDITIONS OF THE ASSESSMENTS; APPROVING THE ASSESSMENT ROLL; IMPOSING ASSESSMENTS UPON ALL TAX PARCELS DESCRIBED IN THE ASSESSMENT ROLL; PROVIDING THE METHOD OF COLLECTION; AND PROVIDING AN EFFECTIVE DATE.

BE IT ORDAINED BY THE MAYOR AND THE CITY COMMISSION OF THE CITY OF HALLANDALE BEACH, FLORIDA:

SECTION 1. AUTHORITY. This Ordinance of the City of Hallandale Beach, Florida (the "City") is adopted pursuant to Chapter 10, Article IV of the City Code, City Resolution No. 2025-059 (the "Initial Assessment Resolution"), Sections 166.021 and 166.041, Florida Statutes, the Uniform Assessment Collection Act, and other applicable provisions of law.

SECTION 2. DEFINITIONS. This Ordinance is the Final Assessment Ordinance for the Three Islands Assessment Area. All capitalized terms not otherwise defined in this Ordinance shall have the meanings assigned in the Initial Assessment Resolution.

SECTION 3. FINDINGS. It is hereby ascertained, determined and declared that:

(A) Pursuant to Article VIII, Section 2(b) of the Florida Constitution, and Sections 166.021 and 166.041, Florida Statutes, the City Commission has all powers of local self-government to perform municipal functions except when prohibited by law and such powers may be exercised in the form of City ordinances and resolutions. Such powers include the power to levy and collect non-ad valorem assessments to fund costs associated with the provision of capital improvements.

(B) On May 21, 2025, the City Commission adopted the Initial Assessment Resolution which proposed the Three Islands Improvements and the funding thereof through Assessments, described the proposed Three Islands Assessment Area and the real property therein to be subject to the Assessments, established a public hearing to consider imposition of the Assessments, and directed mailed and published notice of such hearing and preparation of the preliminary Assessment Roll.

(C) The City Commission proposed the Three Islands Improvements for the benefit of the residents and property owners of the Three Islands neighborhood, and this Final Assessment Ordinance is adopted pursuant to Section 10-110 of the Assessment Ordinance to impose the Assessments against Assessed Parcels to fund a portion of the costs of the Three Islands Improvements.

(D) The Three Islands Improvements will provide special benefits to the Assessed Parcels comprising the Three Islands Assessment Area which include, but are not limited to, the provision of a safe, adequate road and traffic system with traffic control, traffic calming, safety and other security features, which conforms to sound and generally accepted traffic standards and principles, promotes sound transportation management, improves accessibility, increases use and enjoyment of the property, and increases the utility, marketability and value of the property.

(E) As further described in the Initial Assessment Resolution, the Assessed Cost of the Project Cost will be funded by the Assessments imposed hereunder.

(F) Pursuant to Section 2.03 of the Initial Assessment Resolution, the City Commission is required to confirm, modify or repeal the terms of the Assessment proposed by the Initial Assessment Resolution after hearing concerns and receiving comments or objections of interested parties.

(G) The Assessment Roll has heretofore been filed at the offices of the City Clerk and made available for public inspection.

(H) As required by the Initial Assessment Resolution, notice of a public hearing has been published and mailed to each property owner proposed to be assessed notifying such property owner of the opportunity to be heard; the proof of publication and an affidavit of mailing are on file in the offices of the City Clerk.

(I) The public hearing was duly held on June 18, 2025 and comments and objections of all interested persons have been heard and considered as required by law.

(J) The Assessments imposed pursuant to this Ordinance will be imposed by the City Commission, not the Property Appraiser or Tax Collector. Any activity of the Property Appraiser or Tax Collector under the provisions of this Ordinance shall be construed solely as ministerial.

(K) The benefits derived from the Three Islands Improvements equal or exceed the amount of the Assessments levied and imposed hereunder. Each Assessed Parcel included on the Assessment Roll is hereby determined to specially benefit from the Improvements in an amount equal to or in excess of the amount of the Assessment included for such parcel in the Assessment Roll. The Assessment for any Tax Parcel included on the Assessment Roll does not exceed the proportional benefits that such Tax Parcel will receive compared to any other Tax Parcel included on such roll.

(L) The City Commission hereby finds and determines that the Assessments to be imposed in accordance with this Ordinance provide an equitable method of funding the Three

Islands Improvements by fairly and reasonably allocating the costs and benefits thereof among specially benefited property.

SECTION 4. ESTABLISHMENT OF ASSESSMENT AREA. The Three Islands Assessment Area as described and proposed by the Initial Assessment Resolution is hereby established for purposes of funding the Improvements.

SECTION 5. APPROVAL OF ASSESSMENT ROLL. The Assessment Roll for the Three Islands Assessment Area, a copy of which is on file in the offices of the City Clerk and incorporated herein by reference, is hereby approved. The Assessment Roll shall be retained by the City Clerk and shall be available for public inspection.

SECTION 6. ASSESSMENTS.

(A) The estimated Assessed Cost of the Improvements, in the amount of \$3,500,013, is hereby approved.

(B) The apportionment methodology described in the Initial Assessment Resolution is hereby ratified and confirmed as the method utilized by the City for allocating the costs and benefits of the Three Islands Improvements among specially benefitted property.

(C) In accordance with such methodology:

(1) The principal amount of the Assessment imposed against each Assessed Parcel is \$875.66 per Dwelling Unit. Each Assessed Parcel is developed with one (1) Dwelling Unit.

(2) The maximum annual installment of the Assessment for each Assessed Parcel is \$211.51 per Dwelling Unit based upon an interest rate of 4.00% per annum, a payment term of five (5) years, and a share of Collection Costs.

(D) A non-ad valorem special assessment computed in the manner described in the Initial Assessment Resolution and approved herein is hereby levied and imposed on all Tax Parcels described in the Assessment Roll to fund the Improvements.

(E) The Assessments shall constitute a lien against Assessed Parcels equal in rank and dignity with the liens of all state, county, City or municipal taxes, and other non-ad valorem assessments. Except as otherwise provided by law, such lien shall be superior in dignity to all other liens, titles and claims, until paid.

SECTION 7. COLLECTION OF ASSESSMENTS.

(A) Assessments shall be collected in five (5) annual installments. The first installment shall be direct billed to the owner of each Assessed Parcel pursuant to Section 10-119 of the Assessment Ordinance. The Assessment Coordinator is hereby authorized and directed to facilitate direct billing of the first annual installment on or before November 7, 2025.

(B) Thereafter, the remaining installments and any payment delinquencies from the first annual billing cycle shall be collected pursuant to the Uniform Assessment Collection Act commencing with the tax bill mailed in November 2026. Upon enactment of this Final Assessment Ordinance, the Assessment Coordinator is authorized and directed to facilitate the actions required by the Uniform Assessment Collection Act in order for the City Commission to consider approving use of the tax bill collection method, including but not limited to adoption of a resolution on or before December 31, 2025, expressing intent to use such collection method.

(C) Each annual installment shall be increased as necessary to account for Collection Costs incurred by the City in collecting the annual installments and to account for any applicable early payment discounts. Annual Collection Costs are estimated not to exceed 7% of the principal and interest due on the Debt Obligation each year.

(D) The Assessment imposed against Assessed Parcels may be prepaid in full at any time at the option of affected property owners. In the event prepayment occurs during any period commencing on the date the annual Assessment Roll is certified for collection pursuant to the Uniform Assessment Collection Act and ending on the next date on which unpaid ad valorem taxes become delinquent, the City may reduce the amount required to prepay the Assessment imposed against any parcel of property by the principal amount of the Assessment certified for collection with respect to such parcel.

(E) Upon adoption of this Final Assessment Ordinance and an annual assessment resolution approving the Assessment Roll for each Fiscal Year, the City Manager shall cause the certification and delivery of the Assessment Roll to the Tax Collector by September 15, in the manner prescribed by the Uniform Assessment Collection Act.

SECTION 8. EFFECT OF FINAL ASSESSMENT ORDINANCE. The adoption of this Final Assessment Ordinance shall be the final adjudication of the issues presented herein and in the Initial Assessment Resolution (including, but not limited to, the special benefits conveyed by the Improvements, the method by which the Assessments are computed, the Assessment Roll, the levy and lien of the Assessments and the terms for prepayment of the Assessments), unless proper steps are initiated in a court of competent jurisdiction to secure relief within twenty (20) days from the date of City Commission's adoption of this Final Assessment Ordinance.

SECTION 9. RATIFICATION AND CONFIRMATION OF PRIOR ACTIONS AND INITIAL ASSESSMENT RESOLUTION.

(A) Any and all prior actions of the City Commission and City staff associated with the imposition of the Assessments to fund the Improvements are hereby approved, ratified and confirmed in their entirety.

(B) The Initial Assessment Resolution, as supplemented by this Final Assessment Ordinance, is hereby ratified, confirmed and incorporated herein by reference.

SECTION 11. EFFECTIVE DATE. This Ordinance shall take effect immediately upon adoption.

195 PASSED AND ADOPTED on 1st reading, on June 4, 2025.
196 PASSED AND ADOPTED on 2nd reading, on June 18, 2025.

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202 _____
203 JOY F. COOPER
204 MAYOR

205 ATTEST:

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209 JENORGEN GUILLEN
210 CITY CLERK

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213 APPROVED AS TO LEGAL SUFFICIENCY
214 AND FORM

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216 _____
217 JENNIFER MERINO
218 CITY ATTORNEY