MEMORANDUM

(Revised) Amended

TO: Honorable Chairman Bruno A. Barreiro and Members, Board of County Commissioners

DATE: April 8, 2008

FROM: R. A. Cuevas, Jr. County Attorney

SUBJECT: Agenda Item No. 5(C)(1)

R#318-08

Please note any items checked.

_____ "4-Day Rule" ("3-Day Rule" for committees) applicable if raised

_____ 6 weeks required between first reading and public hearing

_____ 4 weeks notification to municipal officials required prior to public hearing

_____ Decreases revenues or increases expenditures without balancing budget

_____ Budget required

_____ Statement of fiscal impact required

_____ Bid waiver requiring County Manager's written recommendation

_____ Ordinance creating a new board requires detailed County Manager's report for public hearing

_____ Housekeeping item (no policy decision required)

✓ No committee review

Approved_____ Mayor

Veto _____

Override _____

Amended
Agenda Item No. 5 (C) (1)
04-08-08

RESOLUTION NO. **318-08**

RESOLUTION ADOPTING REVISED PRELIMINARY ASSESSMENT ROLL PROVIDING FOR REVISED ANNUAL ASSESSMENTS AGAINST REAL PROPERTY LOCATED WITHIN BOUNDARIES OF A SPECIAL TAXING DISTRICT KNOWN AS ROYAL OAKS SECTION I SECURITY GUARD SPECIAL TAXING DISTRICT IN ACCORDANCE WITH PROVISIONS OF CHAPTER 18 OF THE CODE OF MIAMI-DADE COUNTY, FLORIDA AND ORDINANCE NO. 96-7 AS AMENDED BY ORDINANCE NO. _____

WHEREAS, pursuant to petition, notice and public hearing, the Board of County Commissioners by Ordinance No. 96-7, adopted on January 9, 1996, created and established a special taxing district in Miami-Dade County, Florida, known and designated as the ROYAL OAKS SECTION I SECURITY GUARD SPECIAL TAXING DISTRICT in accordance with the provisions of Chapter 18 of the Code of Miami-Dade County, Florida, enacted under and pursuant to the provisions of Section 1.01(A) (11) of the Home Rule Charter of Miami-Dade County, Florida; and

WHEREAS, upon the district being approved by the election held pursuant to Resolution No. R-21-96, by majority vote of qualified electors residing within the district, the visible safety and sentinel security guard system in the special taxing district was implemented in accordance with Ordinance No. 96-7; and

WHEREAS, pursuant to Ordinance No. 96-7, the Board of County Commissioners determined that special assessments in this special taxing district for furnishing visible safety and sentinel security guard service should be levied on a unit basis in accordance with Ordinance No. 96-7; and

WHEREAS, pursuant to Ordinance No.96-7, and Section 18-14(4) of the Code of Miami-Dade County, Florida, the County Manager caused an initial preliminary assessment roll to be prepared and filed with the Clerk of the County Commission; and

WHEREAS, a petition was submitted on August 29, 2007, by Betty L. Dunn, the sole property owner, requesting that the ROYAL OAKS SECTION I SECURITY GUARD SPECIAL TAXING DISTRICT be amended to include contiguous property; and

WHEREAS, pursuant to Ordinance No. , which additionally conditions approval for inclusion of the property in the taxing district on the recordation of final plats within 180 days of the effective date of that ordinance, amending Ordinance No. 96-7 and Section 18-14(4) of the Code of Miami-Dade County, Florida, the County Manager caused a revised preliminary assessment roll to be prepared and filed with the Clerk of the County Commission and pursuant to notice published, posted and mailed to all property owners within the special taxing district, the County Commission held a public hearing on this date upon the revised preliminary assessment roll submitted by the County Manager, and all interested persons were afforded the opportunity to present their objections, if any, in respect to their assessments on such revised assessment roll; and

WHEREAS, after due consideration, the County Commission found and determined that the assessments shown on the revised preliminary assessment roll were generally in direct proportion to the special benefits accruing to the respective parcels of real property appearing on said revised assessment roll; and

WHEREAS, each property owner was notified that the special assessments, when finally approved and confirmed pursuant to Section 18-14(6) of the Code of Miami-Dade County, Florida, will be placed on the November 2008, and subsequent real property tax bills and that, if these special assessments are not paid when due, the properties on which the special assessments are

levied will be respectively subject to the same collection procedures as for ad valorem taxes, including possible loss of title,

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF MIAMI-DADE COUNTY, FLORIDA:

Section 1. That the said revised preliminary assessment roll (a copy of which is made a part hereof by reference) is approved, adopted and confirmed pursuant to Section 18-14(6) of the Code of Miami-County, Florida.

Section 2. The Clerk of the Board of County Commissioners is directed to deliver to the Finance Director, on or before May 8, 2008, a copy of the revised assessment roll and to cause a duly certified copy of this resolution, together with the revised assessment roll, to be filed and recorded in the Office of the Clerk of the Circuit Court of Miami-Dade County, Florida.

Section 3. All assessments made upon said revised assessment roll shall constitute a special assessment lien upon the real property so assessed from the date of the confirmation of such assessments, in accordance with the provisions of Section 18-14(8) of the Code of Miami-Dade County, Florida.

Section 4. All assessments shall be payable in accordance with Section 18-14 (7) of the Code of Miami-Dade County, Florida. As authorized by Section 197.363, Florida Statutes, all special assessments levied and imposed under the provisions of Ordinance No. 96-7, as amended by Ordinance No. , which additionally conditions approval for inclusion of the property in the taxing district on the recordation of final plats within 180 days of the effective date of that ordinance, and this Resolution, shall be collected, subject to the provisions of Chapter 197, Florida Statutes, in the same manner and at the same time as ad valorem taxes. Unless paid when due, such assessments shall be deemed delinquent and payment thereof may be enforced

by means of the procedures provided by the provisions of Chapter 197, Florida Statutes, and/or Section 18-14(8) of the Code of Miami-Dade County, Florida.

The foregoing resolution was offered by Commissioner , who moved its adoption. The motion was seconded by Commissioner and upon being put to a vote, the vote was as follows:

Bruno A. Barreiro, Chairman
Barbara J. Jordan, Vice-Chairwoman

Jose "Pepe" Diaz	Audrey M. Edmonson
Carlos A. Gimenez	Sally A. Heyman
Joe A. Martinez	Dennis C. Moss
Dorrin D. Rolle	Natacha Seijas
Katy Sorenson	Rebeca Sosa
Sen. Javier D. Souto	

The Chairperson thereupon declared the resolution duly passed and adopted this 8th day of April, 2008. This resolution shall become effective ten (10) days after the date of its adoption unless vetoed by the Mayor, and if vetoed, shall become effective only upon an override by this Board.

MIAMI-DADE COUNTY, FLORIDA
BY ITS BOARD OF
COUNTY COMMISSIONERS

HARVEY RUVIN, CLERK

By: _____
Deputy Clerk

Approved by County Attorney as
to form and legal sufficiency.

James K. Kracht

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