Memorandum

MIAMI-DADE COUNTY

(Public Hearing 7-21-09)

Date: June 30, 2009

Agenda Item No. 5(B)

To: Honorable Chairman Dennis C. Moss
and Members, Board of County Commissioners

From: George M. Burgess
County Manager

Subject: Amendment to Ordinance No. 89-36, as amended by Ordinance No. 00-182 relating to the Keystone Point Security Guard Special Taxing District

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RECOMMENDATION

It is recommended that the Board of County Commissioners (BCC) adopt an ordinance amending Ordinance No. 89-36, as amended by Ordinance No. 00-182, creating the Keystone Point Security Guard Special Taxing District for the purpose of upgrading the scope of service to furnish and install cameras and recording devices in the guardhouses.

SCOPE

This Special Taxing District lies within Commission District Four (4) and will be amended if this ordinance is approved by the BCC and such action ratified by the District's electors through a subsequent special election.

Fiscal Impact/Funding Source

The current year's unit assessment costs for guard service, excluding camera operations, is $623.79 annually. If this amendment is approved, an additional cost estimated to be $95.00 per unit for the first year and $6.00 per unit each year thereafter, which will be collected to provide the security camera service. The additional upgraded operation and maintenance costs will be included with the District's annual operating budget. This cost will be collected in each District property owner's annual Combined Real Property Tax Bill in addition to the annual service costs for the District.

Track Record/Monitor

The Special Taxing Districts Division of the Public Works Department will monitor the contract with the private service provider.

BACKGROUND

The Keystone Point Security Guard Special Taxing District was created by BCC Ordinance No. 89-36 on May 16, 1989. The District's creation was subsequently ratified through a special election. On

December 19, 2000, it was amended by BCC Ordinance No. 00-182 to authorize Miami-Dade County and the City of North Miami to enter into written agreements to provide improvements, maintenance, and/or services for the District.

The ordinance originally provided for unarmed stationary service 24 hours per day, 365 days a year, operating from the guardhouses located on Ixora Lane, Keystone Boulevard, and North Bayshore Drive.

The proposed amendment to Ordinance No. 89-36, as amended by Ordinance No. 00-182 modifies the scope of service for the District to furnish, install, operate, and maintain security cameras with electronic recording and storage devices and appurtenances on every vehicular lane adjacent to the guardhouses to record the auto license plates and a portion of the rear of all vehicles entering and exiting the District.

By adopting Resolution No. R-2009-56, the City of North Miami consented to the District's amendment and placement of security cameras within City right-of-way.

This amendment is subject to approval by the District's electors wherein every qualified registered voter residing within the District limits will be afforded the opportunity to vote at an election conducted by mail, estimated to be held in September 2009. Following that election, if approved, installation and service would commence at the earliest practicable time.

As required by the provisions of Section 18-3(c) of the Code, I have reviewed the facts submitted by the Public Works Director and concur with her recommendations that this amendment be adopted, if approved by the referendum subsequent to this public hearing.

Assistant County Manager

RESOLUTION NO. R-2009-56

A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF NORTH MIAMI, FLORIDA, A REQUEST FROM KEYSTONE POINT SECURITY GUARD SPECIAL TAXING DISTRICT TO PROCEED WITH MIAMI-DADE COUNTY IN AMENDING AN AMENDMENT TO COUNTY ORDINANCE 89-36, WHICH CREATED THE KEYSTONE POINT SECURITY GUARD SPECIAL TAXING DISTRICT TO INCLUDE THE INSTALLATION OF CAMERAS IN THE EXISTING GUARDHOUSE, AND TO INCLUDE THE ASSOCIATED COSTS IN THE SPECIAL TAXING DISTRICT ASSESSMENTS; PROVIDING THAT THE CITY'S APPROVAL IS SUBJECT TO AND CONTINGENT UPON SAID DISTRICT'S COMPLIANCE WITH ALL MIAMI-DADE COUNTY'S REQUIREMENTS RELATIVE TO THE CREATION AND/OR AMENDMENT OF SPECIAL TAXING DISTRICTS; AND PROVIDING FOR AN EFFECTIVE DATE AND ALL OTHER PURPOSES.

WHEREAS, on May 16, 1989, pursuant to Chapter 18 of the Miami-Dade County Code, the Miami-Dade Board of County Commissions passed and adopted Ordinance No. 89-36 creating the "Keystone Point Security Guard Special Taxing District" to provide twenty-four (24) hour guard services; and

WHEREAS, on December 19, 2000 Ordinance 89-36 was amended by the passage and adoption of Ordinance No. 00-182 to allow for agreements between the County and City for maintenance, improvements and off-duty police; and

WHEREAS, residents owners within the Keystone Point Security Guard Special Taxing District have petitioned the County to amend County Ordinances 89-36 and 00-182 to allow for the installation of cameras in the existing guardhouse; and

WHEREAS, the Special Taxing Districts Division of the County's Public Works Department has certified to the Clerk for the Board of County Commissioners that Keystone Point Security Guard Special Taxing District has obtained in excess of fifty percent (50%) of the residential property owners within the District boundaries as required by the Code and that the petition is valid; and

WHEREAS, pursuant to Chapter 18 of the County Code, the County requires the City's approval of the request to amend said Special Taxing District for it to proceed.

NOW THEREFORE, BE IT DULY RESOLVED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF NORTH MIAMI, FLORIDA:

Section 1. **Approval of Amendment.** The Mayor and City Council of the City of North Miami hereby approve the request of the Keystone Point Security Guard Special Taxing District to proceed with Miami-Dade County, in amending the amendment to County Ordinance 89-36 which created Keystone Point Security Guard Special Taxing District to include the installation of cameras in the existing guardhouse, and to include the associated costs in the Special Taxing District assessments; provided that the City's approval is subject to and contingent upon said District's compliance with all Miami-Dade County' requirements relative to the creation and/or amendment of Special Taxing Districts.

Section 2. **Effective Date.** This Resolution shall take effect immediately upon adoption.

PASSED AND ADOPTED by a 5-0 vote of the Mayor and City Council of the City of North Miami, Florida, this 14 day of April, 2009.

KEVIN A. BURNS
MAYOR

ATTEST:

Deputy for FRANK WOLLAND
CITY CLERK

APPROVED AS TO FORM AND
LEGAL SUFFICIENCY:

V. LYNN WHITFIELD
CITY ATTORNEY

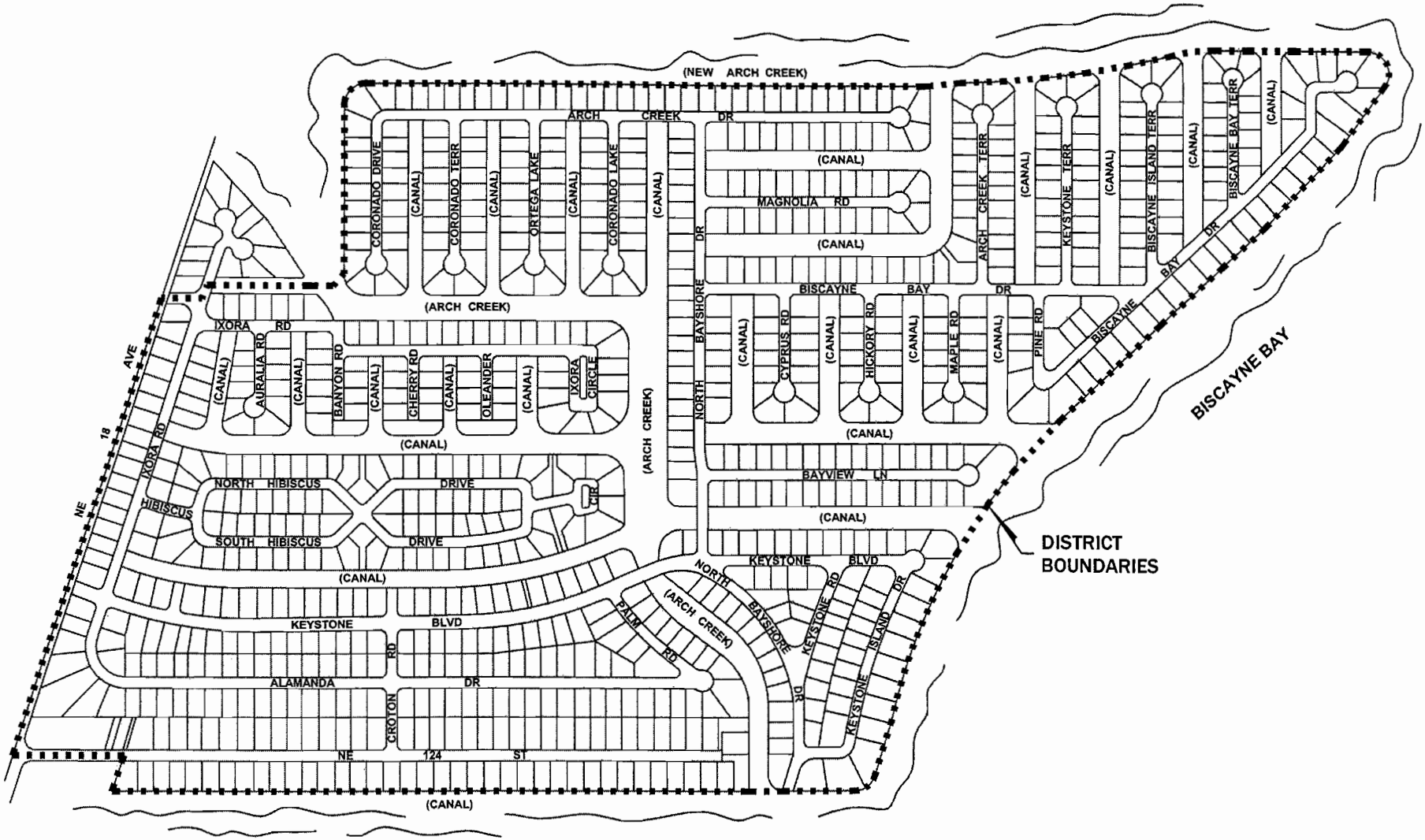
SPONSORED BY: CITY ADMINISTRATION

Moved by: Councilman Galvin

Seconded by: Councilman Despinosse

Vote:

Mayor Kevin A. Burns	X (Yes)	____ (No)
Vice Mayor Michael R. Blynn	X (Yes)	____ (No)
Councilperson Scott Galvin	X (Yes)	____ (No)
Councilperson Jacques A. Despinosse	X (Yes)	____ (No)
Councilperson Marie Erlande Steril	X (Yes)	____ (No)



KEYSTONE POINT

SECURITY GUARD SPECIAL TAXING DISTRICT

N

G-193 (COMM. 0004)
SECTIONS: 27 - 52 - 42 & 28 - 52 - 42

EXHIBIT "A"

MEMORANDUM
(Revised)

TO: Honorable Chairman Dennis C. Moss and Members, Board of County Commissioners

DATE: July 21, 2009

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

SUBJECT: Agenda Item No. 5(B)

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 Mayor'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 _____

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7-21-09

ORDINANCE NO. _____

ORDINANCE AMENDING ORDINANCE NO. 89-36, AS AMENDED BY ORDINANCE NO. 00-182 RELATING TO THE KEYSTONE POINT SECURITY GUARD SPECIAL TAXING DISTRICT ADDING INSTALLATION OF CAMERAS AND RECORDING DEVICES IN THE GUARDHOUSES, PROVIDING FOR AN ELECTION; AND PROVIDING AN EFFECTIVE DATE

WHEREAS, the Home Rule Charter adopted by the electors of Miami-Dade County on May 21, 1957, provides that the Board of County Commissioners, as the legislative and governing body of Miami-Dade County, shall have the power to establish and govern special taxing districts within Miami-Dade County, Florida; and

WHEREAS, on May 16, 1989 this Board created the KEYSTONE POINT SECURITY GUARD SPECIAL TAXING DISTRICT. On December 19, 2000, this Board adopted Ordinance No. 00-182 amending Ordinance No. 89-36, which established the KEYSTONE POINT SECURITY GUARD SPECIAL TAXING DISTRICT; and

WHEREAS, in accordance with the provisions of Chapter 18 of the Code of Miami-Dade County, Florida, a petition requesting installation of cameras and recording devices in the guardhouses in the existing KEYSTONE POINT SECURITY GUARD SPECIAL TAXING DISTRICT, duly signed by more than 50% of the resident owners of the property within the district, was filed with the Clerk of the County Commission; and

WHEREAS, in accordance with Chapter 18, the City of North Miami has adopted a resolution, Resolution No. R-2009-56, consenting to installation of cameras and recording devices in the guardhouses in Keystone Point Security Guard Special Taxing District within the City right-of-way,

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

Section 1. Sections 3 and 4 of Ordinance No. 89-36, as amended by Ordinance No. 00-182, are hereby amended to read as follows:[1]

> Section 3. The improvements and services to be provided within this [[~~proposed~~]] special taxing district will consist of the following:
>
> A visible safety and sentinel security program, [[~~initially~~]] to consist of three unarmed security guards operating from the guardhouse located on Ixora Lane west of Ixora Road, on Keystone Boulevard west of Ixora Road, and North Bayshore Drive south of Keystone Island Drive. Construction of the 0guardhouses and installation of gates will be capital improvement items of this district. Service will be provided 24 hours per day, 365 days a year. >>In addition, furnish, install, operate and maintain security cameras with electronic recording and storage devices and appurtenances on every vehicular lane adjacent to the guardhouses to record the auto tag license plates and a portion of the rear of all vehicles entering and exiting the district. <<

[1] Words stricken through and/or [[double bracketed]] shall be deleted. Words underscored and/or >>double arrowed<< constitute the amendment proposed. Remaining provisions are now in effect and remain unchanged.

Section 4. The estimated net cost to the property owners for the security guard services including engineering and administrative, and billing, collecting and processing for the first year is $434,120 and $261,400 for each year thereafter. The County will advance funds for this program, which sum shall be reimbursed by special assessments. It is estimated that the cost per developed parcel of real property within the proposed district for the first year is $493.32 and $293.05 for the second and succeeding years. It is estimated that the cost per vacant/underdeveloped parcel of real property within the proposed district for the first year is $164.27 and $97.50 for the second and succeeding years >>The current year's unit assessment costs for guard service, excluding camera operations, is $623.79 annually. The estimated cost to the property owners to furnish, install, operate and maintain security cameras with electronic recording and storage devices and appurtenances on every vehicular lane adjacent to the guardhouses to record the auto tag license plates and a portion of the rear of all vehicles entering and exiting the district is $95.00 per unit the first year after the upgraded service and an additional $6.00 per unit each year thereafter, which will be collected to provide the security camera service. The additional upgraded operation and maintenance costs will be included with the district's annual operating budget. This cost will be collected in each district property owner's annual Combined Real Property Tax Bill in addition to the annual service costs for the district.<<

Section 2. A duly certified copy of this Ordinance shall be filed in the Office of the Clerk of the Circuit Court of Miami-Dade County, Florida, and recorded in the appropriate book of records.

Section 3. The provisions of this Ordinance shall take effect when approved at an election to be formally called by this Board and noticed and conducted as this Board shall determine by Resolution, and after adoption of the revised assessment roll, unless vetoed by the Mayor, and if vetoed, shall become effective only upon an override by this Board and an approval by a majority of those voting at the election referred to herein.

PASSED AND ADOPTED:

Approved by County Attorney as
to form and legal sufficiency:

Prepared by:

James K. Kracht