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)(2)

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 _____

Agenda Item No.5 (B) (2)
07-21-09

RESOLUTION NO. _____

RESOLUTION ADOPTING REVISED PRELIMINARY ASSESSMENT ROLL PROVIDING FOR REVISED ANNUAL ASSESSMENTS AGAINST REAL PROPERTY LOCATED WITHIN BOUNDARIES OF A SPECIAL TAXING DISTRICT KNOWN AS KEYSTONE POINT SECURITY GUARD SPECIAL TAXING DISTRICT IN ACCORDANCE WITH PROVISIONS OF CHAPTER 18 OF THE CODE OF MIAMI-DADE COUNTY, FLORIDA AND ORDINANCE NO. 89-36 AMENDED BY ORDINANCE NOS. 00-182 AND

WHEREAS, pursuant to petition, notice and public hearing, the Board of County Commissioners adopted Ordinance No. 89-36 which created a special taxing district in Miami-Dade County, Florida, known and designated as the KEYSTONE POINT 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, which was amended by Ordinance No. 00-182; and

WHEREAS, pursuant to Ordinance No. 89-36 and Ordinance No. 00-182, the Board of County Commissioners determined that special assessments in this special taxing district for furnishing a visible safety security guard service should be levied on a per unit basis; and

WHEREAS, pursuant to Ordinance No. 89-36 and Ordinance No. 00-182 and Section 18-14(4) of the Code of Miami-Dade County, Florida, the County Manager caused initial and revised preliminary assessment rolls to be prepared and filed with the Clerk of the County Commissioner; and

WHEREAS, on December 1, 2008, the district homeowners submitted a petition signed by 53.6% of the residents requesting the installation of cameras and recording devices in the guardhouses; and

WHEREAS, pursuant to Ordinance No. and Section 18-14(4) of the Code of Miami-Dade County, Florida, the County Manager caused a second 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 second 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 assessment roll; and

WHEREAS, after due consideration, the County Commission found and determined that the assessments shown on the second revised preliminary assessment roll were generally in direct proportion to the special benefits accruing to the respective parcels of real property appearing on said 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 2009, 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, that:

Section 1. The said second 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-Dade County, Florida.

Section 2. If the second amendment to the ordinance creating this special taxing district is approved by the election held pursuant to Resolution No. , the Clerk of the Board of County Commissioners is directed to deliver to the Finance Director, on or before

October 15, 2009, a copy of the second revised assessment roll, and to cause a duly certified copy of this resolution, together with the second 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 second 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. 89-36 as amended by Ordinance No. 00-182 and further amended by Ordinance No. 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 Statues, and/or Section 18-14(8) of the Code of Miami-Dade County, Florida.

Section 5. Implementation of this resolution pertaining to the said second revised assessment roll shall take effect following ratification of the district through a special election as called for by Resolution No. R- on September 15, 2009.

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:

Dennis C. Moss, Chairman
Jose "Pepe" Diaz, Vice-Chairman

Bruno A. Barreiro	Audrey M. Edmonson
Carlos A. Gimenez	Sally A. Heyman
Barbara J. Jordan	Joe A. Martinez
Dorrin D. Rolle	Natacha Seijas
Katy Sorenson	Rebeca Sosa
Sen. Javier D. Souto	

The Chairperson thereupon declared the resolution duly passed and adopted this 21st day of July, 2009. 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