

Memorandum



Date: April 4, 2011

To: Honorable Chairman Joe A. Martinez
and Members, Board of County Commissioners

Agenda Item No. 8(N)(1)(B)

From: George M. Burgess
County Manager

A handwritten signature in black ink, appearing to read "Burgess", written over the printed name of George M. Burgess.

Subject: Historic Preservation Ad Valorem Tax Exemption for
841 19th Street, Miami Beach, Florida

Recommendation

It is recommended that pursuant to the provisions of Florida Statute Section 196.1997 and 196.1998 and Dade County Ordinance 16A-18 that the Board approves the resolution for the Ad Valorem Tax Exemption for the property located at 841 19th Street, Miami Beach, FL.

Scope

Impact of the agenda item is countywide and does not have a separate impact upon one or more commission districts.

Fiscal Impact

Annual taxes to be foregone if this Historic Preservation Exemption application is granted are estimated at \$1,502. (see the attached "Revenue Implications Report" provided by the Property Appraiser).

Track Record/Monitor

County Historic Preservation staff or the Preservation Officer of the municipality in which the property is located will conduct periodic reviews of the property to insure that the improvements are maintained for the duration of the tax abatement.

Enabling Legislation

In 1993, the State legislature approved Tax Exemptions for historic properties; and enabled local governments the option to provide property tax exemption for historic properties.

The purpose of this legislation is to encourage historic preservation by offering an economic incentive to those property owners who take on the responsibility of restoring and maintaining a designated historic structure. The exemption is not for the entire assessed value of the property. The tax exemptions are calculated from what the value of the renovations to the historic property were, and only apply to Miami-Dade County's portion of the taxes.

All applicants must meet certain criteria as set forth by the Florida Department of State, Division of Historical Resources in order for a tax exemption to be allowed, such as:

- Certification, by the applicable preservation board, that the property has been designated historic
- Certification, by the applicable preservation board, that the property has received approval for the improvements.
- Determination, by the applicable preservation board, that the planned improvements are consistent with the Secretary of the Interior's Standards for Rehabilitation.

Duration

The tax exemption takes effect on January 1 following substantial completion of the improvement and extends for a ten-year period. Failure by the owners to adhere to these standards would result in revocation of the exemption.

Project Details

This project was a restoration of a 1937 single family home, located on the south bank of Miami Beach's historic Dade Canal, within the "Palm View Historic District." The building is an excellent example of 1930s Streamline Moderne architecture which features glass block in the main façade, original metal casement windows and horizontal banding around the building.

The project involved extensive restoration of many of the original features which were in an advanced state of disrepair. This included the meticulous removal, repair and then reinstallation of many of the glass blocks and metal casement windows. The original French Doors from 1937 were badly damaged and were replaced with custom doors that retained the original design and light patterns. The house featured a round balcony with a concrete parapet, typical of the Art Deco houses of the period, had serious water intrusion which was creating problems within the walls, all of which was properly resealed and repaired. Many of the walls and ceilings throughout the house were water damaged from the roof leaks, and these were all structurally reinforced and repaired. Overall construction costs were \$260,000. Estimated annual exemption will be \$1,502.

Submittal Dates

For Historic Preservation Ad Valorem applications, Part I of the application is submitted prior to construction. Once construction is complete and the owner/applicant submits the Part II and a signed covenant, the item can then be placed on the County's Historic Preservation Board agenda. The County's portion of the review process is dependent upon when Part II of the application (and all other required documentation) is submitted.

The Property Appraiser prepares the Revenue Implications Report when construction is considered substantially complete, and the tax exemption is calculated using the millage rate for the year in which the project was completed.

This initial application was submitted previous to construction in August of 2007. The Part II Application was submitted as construction was nearing completion in March of 2010. The Local Historic Preservation Officer submitted the authorization in March 2010 and the Property Appraiser's Implication Report was received in August of 2010.

Attachments



Alex Muñoz
Assistant County Manager



MEMORANDUM

(Revised)

TO: Honorable Chairman Joe A. Martinez
and Members, Board of County Commissioners

DATE: April 4, 2011

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

SUBJECT: Agenda Item No. 8(N)(1)(B)

Please note any items checked.

- "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
- Ordinance creating a new board requires detailed County Manager's report for public hearing
- No committee review
- Applicable legislation requires more than a majority vote (i.e., 2/3's ____, 3/5's ____, unanimous ____) to approve
- Current information regarding funding source, index code and available balance, and available capacity (if debt is contemplated) required

Approved _____ Mayor
Veto _____
Override _____

Agenda Item No. 8(N)(1)(B)
4-4-11

RESOLUTION NO. _____

RESOLUTION AUTHORIZING HISTORIC PRESERVATION
AD VALOREM TAX EXEMPTION FOR THE
REHABILITATION TO 841 19TH STREET, MIAMI BEACH,
FLORIDA PURSUANT TO SECTION 196.1997, AND 196.1998
FLORIDA STATUTE AND SECTION 16A-18, MIAMI-DADE
COUNTY CODE

WHEREAS, the Florida Legislature has authorized counties and local governments to grant tax exemptions to historic properties for the incremental value added by approved restoration work, provided that the owner covenants to maintain the historic nature of the property during the term of the tax exemption; and Miami-Dade County has enacted enabling legislation to provide such exemption, codified at section 16A-18, Miami-Dade County code; and

WHEREAS, the residence at 841 19th Street, Miami Beach, Florida is a contributing historic property within the “Palm View Historic District” designated by Miami Beach; and

WHEREAS, the Miami-Dade County Historic Preservation Board recommended that the exemption be allowed and certified to the Board of County Commissioners that 841 19th Street, Miami Beach, Florida is a contributing property with the City of Miami Beach’s “Palm View Historic District” and that the proposed improvements are consistent with the United States Secretary of the Interior’s Standards for Rehabilitation and meet the criteria established in the rules adopted by the Department of State; and

WHEREAS, the property owner(s) have executed the necessary covenant, which is attached and made part of this resolution,

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF MIAMI-DADE COUNTY, FLORIDA, that this Board finds that this property meets the requirements of section 16A-18, Miami-Dade County code and therefore the application for a historic preservation tax exemption, pursuant to those provisions, is hereby granted to Friedrich Koesters and Michael Jarboe as the owners of 841 19th Street, Miami Beach, Florida. The owner shall have recorded the original of the attached covenant with the deed for the property in the official records of Miami-Dade County and Miami-Dade County hereby accepts the covenant. The exemption shall run for ten years beginning on January 1st following substantial completion of the improvements. The County Mayor or his designee is hereby authorized and directed to sign the attached covenant on behalf of Miami-Dade County. If any section, subsection, sentence, clause or provision of this resolution is held invalid, the remainder of this resolution shall not be affected by such invalidity.

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:

Joe A. Martinez, Chairman	
Audrey M. Edmonson, Vice Chairwoman	
Bruno A. Barreiro	Lynda Bell
Jose "Pepe" Diaz	Carlos A. Gimenez
Sally A. Heyman	Barbara J. Jordan
Jean Monestime	Dennis C. Moss
Rebeca Sosa	Sen. Javier D. Souto

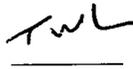
The Chairperson thereupon declared the resolution duly passed and adopted this 4th day of April, 2011. This resolution shall become effective ten (10) days after the date of its adoption unless vetoed by the Mayor, and if vetoed, shall become effective only upon an override by this Board.

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

HARVEY RUVIN, CLERK

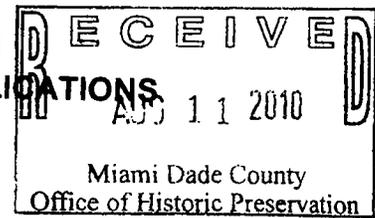
By: _____
Deputy Clerk

Approved by County Attorney as
to form and legal sufficiency.



Thomas W. Logue

**HISTORIC PRESERVATION EXEMPTION
PROPERTY TAX ASSESSMENTS / REVENUE IMPLICATIONS**



Property Address: 841 19 ST
Folio # 02-3234-007-0140

2010
Estimate

1. Total Value of the Property	\$1,144,038
2. Value of the Improvements to the Property (The change in value due to the renovation as determined by the Property Appraiser):	\$310,442
3. Summary of annual taxes levied on these improvements (Taxes = value change x 2009 millage):	\$6,386
a) Countywide Operating	\$1,502
b) Unincorporated Municipal Service Area	\$0
c) Debt Service	\$88
d) City Operating	\$1,756
e) All other property taxes	<u>\$3,040</u>
	\$6,386 Total taxes

County Revenue Implications	
Annual taxes to be foregone if this Historic Preservation Exemption application is granted (estimate).	
a) County	\$1,502
b) UMSA	\$0

Date: 8/9/10

Signed:
Property Appraiser

Covenant of Agreement

MIAMI-DADE COUNTY

HISTORIC PRESERVATION PROPERTY TAX EXEMPTION COVENANT

This Covenant is made the 19 day of June, 2007,
by Friedrich Koesters + Michael Jarboe (hereinafter referred to as
the Owner) and in favor of MIAMI-DADE COUNTY

(hereinafter referred to as the Local Government) for the purpose
of the restoration, renovation or rehabilitation, of a certain
Property located at 841 19th street, Miami Beach, FL 33139

which is owned in fee simple by the Owner and is listed in the
National Register of Historic Places or locally designated under
the terms of a local preservation ordinance or is a contributing
property to a National Register listed district or a contributing
property to a historic district under the terms of a local
preservation ordinance. The areas of significance of this
property, as identified in the National Register nomination or
local designation report for the property or the district in
which it is located are X architecture, X history,
 archaeology.

The Property is comprised essentially of grounds, collateral,
appurtenances, and improvements. The property is more
particularly described as follows (include city reference,
consisting of repository, book, and page numbers): The west 1/2 Block
of "Amended Plat of Golf Course Subdivision", according to the
Plat thereof, as recorded in Plat Book 6, Page 26, of the
Public Records of Miami-Dade County.

Page Two

In consideration of the exemption granted by the Local Government, the Owner hereby agrees to the following for the ten year period beginning on January 1st after the improvements are substantially completed:

1. The Owner agrees to assume the cost of the continued maintenance and repair of said Property so as to preserve the architectural, historical, or archaeological integrity of the same in order to protect and enhance those qualities that made the Property eligible for listing in the National Register of Historic Places or designation under the provisions of the local preservation ordinance.

2. The Owner agrees that no visual or structural alterations will be made to the Property without prior written permission of the Local Historic Preservation Office.

The address of the certified Local Historic Preservation Office is, if one exists in the jurisdiction:

Name of Office/Agency: MIAMI-DADE OFFICE OF HISTORIC PRESERVATION

Address: Stephen P. Clark Ctr., 111 NW 1st ST., Ste. 695

City: MIAMI Zip: 33128

Telephone: 305-375-4958 fax: 305-372-6394

Page Three

3. (Only for properties of archaeological significance) The Owner agrees to ensure the protection of the site against willful damage or vandalism. Nothing in this Covenant shall prohibit the Owner from developing the site in such a manner that will not threaten or damage the archaeological resource, provided that permission for alteration of the site is obtained pursuant to 2. above.

4. The Owner agrees that the Local Historic Preservation Office and appropriate representatives of the Local Government, their agents and designees shall have the right to inspect the Property at all reasonable times in order to ascertain whether or not the conditions of this Covenant are being observed.

5. In the event of the non-performance or violation of the maintenance provision of the Covenant by the Owner or any successor-in-interest during the term of the Covenant, the Local Historic Preservation Office will report such violation to the Property Appraiser and Tax Collector who shall take action pursuant to s.196.1997 (7), F.S. The Owner shall be required to pay the difference between the total amount of taxes which would have been due in March in each of the previous years in which the Covenant was in effect had the property not received the exemption and the total amount of taxes actually paid in those

Page Four

years, plus interest on the difference calculated as provided in s.212.12(3), F.S.

6. If the Property is damaged by accidental or natural causes during the Covenant period, the Owner will inform the Local Historic Preservation Office in writing of the damage of the Property, including (1) an assessment of the nature and extent of the damage; and (2) an estimate of the cost of restoration or reconstruction work necessary to return the Property to the condition existing at the time of project completion. In order to maintain the tax exemption, the Owner shall complete the restoration or reconstruction work necessary to return the Property to the condition existing at the time of project completion on a time schedule agreed upon by the Owner and the Local Historic Preservation Office.

7. If the Property has been destroyed or severely damaged by accidental or natural causes, that is, if the historical integrity of the features, materials, appearance, workmanship, and environment, or archaeological integrity which made the property eligible for listing in the National Register of Historic Places or designation under the terms of the local preservation ordinance have been lost or so damaged that restoration is not feasible, the Owner will notify the Local Historic Preservation Office in writing of the loss. The Local

Page Five

Historic Preservation Office will evaluate the information provided and notify the Owner in writing of its determination regarding removal of the Property from eligibility for tax exemption. If the Local Historic Preservation Office determines that the property should be removed from eligibility for tax exemption, it will notify the Property Appraiser of the county in which the Property is located in writing so that the tax exemption can be cancelled for the remainder of the Covenant period. In such cases, no penalty or interest shall be assessed against the Owner.

8. If it appears that the historical integrity of the features, materials, appearance, workmanship, and environment, or archaeological integrity which made the Property eligible for listing in the National Register of Historic Places or designation under the terms of the local preservation ordinance have been lost or damaged deliberately or through gross negligence of the Owner, the Local Historic Preservation Office shall notify the Owner in writing. The Owner shall have 30 days to respond indicating any extenuating circumstances which show that the damage was not deliberate or due to gross negligence. If the Owner cannot show such extenuating circumstances, he shall develop a plan for restoration of the Property and a schedule for completion of the restoration. In order to maintain the tax

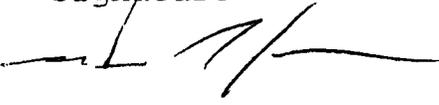
Page Six

exemption, the Owner shall complete the restoration work necessary to return the Property to the condition existing at the time of project completion on a time schedule agreed upon by the Owner and the Local Historic Preservation Office. If the owner does not complete the restoration work on the agreed upon time schedule, the Local Historic Preservation Office will report such violation to the Property Appraiser and Tax Collector who shall take action pursuant to s.196.1997 (7), F.S. The Owner shall be required to pay the difference between the total amount of taxes which would have been due in March in each of the previous years in which the Covenant was in effect had the property not received the exemption and the total amount of taxes actually paid in those years, plus interest on the difference calculated as provided in s.212.12(3), F.S.

9. The terms of this Covenant shall be binding on the current Property owner, transferees, and their heirs, successors, or assigns.

This Covenant shall be enforceable in specific performance by a court of competent jurisdiction.

OWNER(S) :

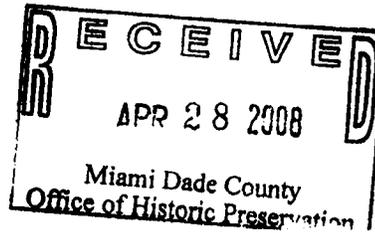
<u>Friedrich Koesters</u> Name	<u></u> Signature	<u>June 19, 2007</u> Date
<u>Michael Jarboe</u>	<u></u>	<u>June 19, 2007</u>



**MIAMI-DADE COUNTY
 HISTORIC PRESERVATION BOARD
 STEPHEN P. CLARK CENTER
 111 N. W. FIRST STREET
 SUITE 695
 MIAMI, FLORIDA 33128
 305-375-4958
 Facsimile 305- 372-6394**



**CFN 2008R029461
 OR Bk 26317 Pgs 4151 - 4153;
 RECORDED 04/10/2008 11:07:4
 HARVEY RUVIN, CLERK OF COUR
 MIAMI-DADE COUNTY, FLORIDA**



MIAMI-DADE HISTORIC PRESERVATION BOARD

RESOLUTION NO. 2008-05

**841 19th STREET
 CITY OF MIAMI BEACH
 A LOCALLY DESIGNATED HISTORIC DISTRICT PROPERTY**

WHEREAS, the Miami-Dade Historic Preservation Board has determined that the property located at 841 19th Street, Miami Beach, Florida, is of architectural and historic significance and is a contributing property within a locally designated historic district; and,

WHEREAS, the improvements to this property have generally met the Secretary of the Interior's Standards for Rehabilitation to the satisfaction of this Board; and,

WHEREAS, the property is located at:

Legal Description: THE WEST ½ OF BLOCK 8-A OF "AMENDED PLAT OF GOLF COURSE SUBDIVISION," ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 6, PAGE 26, OF THE PUBLIC RECORDS OF MIAMI-DADE COUNTY.

Folio Number: 02-3234-007-0140

NOW, THEREFORE, BE IT RESOLVED, that the Historic Preservation Board on February 20, 2008, voted to approve the Ad Valorem Tax Exemption for 841 19th Street, Miami Beach, Florida and, therefore, recommends to the Board of County Commissioners of Miami-Dade County, Florida, that the property receive the tax exemption for historic properties for the County's portion of the millage pursuant to 16A-18 Miami-Dade County Code. This recommendation is conditioned upon:





**MIAMI-DADE COUNTY
 HISTORIC PRESERVATION BOARD
 STEPHEN P. CLARK CENTER
 111 N. W. FIRST STREET
 SUITE 695
 MIAMI, FLORIDA 33128
 305-375-4958
 Facsimile 305- 372-6394**

**Resolution No. 2008-05
 Page 2 of 3**

1. The completed rehabilitation project is reviewed and approved by the municipal Historic Preservation Officer and is in accordance with the documents and plans presented to and approved by this Board.
2. The filing of an appropriate covenant approved by the County Attorney.
3. The Historic Preservation Board recommends that this tax exemption be in effect beginning January 1 after the City of Miami Beach Historic Preservation Officer certifies to the Miami-Dade County Property Appraiser that the rehabilitation is complete and in accordance with the plans approved by this Board.
4. The rehabilitation project is reviewed and evaluated by the county Property Appraiser with the completion of a "Historic Preservation Tax Assessment / Revenue Implications" report.

Alberta W. Godfrey

 Alberta Godfrey, Chair
 Miami-Dade County Historic Preservation Board

03/17/08

 Date

Prepared by:

Subrata Basu *3/25/08*

 Subrata Basu, Director
 Office of Historic and Archaeological Resources



MIAMI-DADE COUNTY
HISTORIC PRESERVATION BOARD
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Resolution No. 2008-05
Page 3 of 3

<u>Board Members</u>	<u>Vote</u>
Ruth Campbell	yes
Richard Cohen	yes
Alberta Godfrey, Chair	yes
Hyacinth Johnson	yes
Robert McKinney	yes
Mitch Novick	absent
JoEllen Phillips	yes
Enid Pinkney	yes
Paul George	absent

STATE OF FLORIDA
COUNTY OF MIAMI-DADE

The foregoing instrument was acknowledged before me this March 31, 2008
by, Alberta Godfrey, Chair, Miami-Dade County Historic Preservation Board.

Dianne Hough
Notary Public



DIANNE HOUGH
MY COMMISSION # DD 504191
EXPIRES: December 6, 2010
Bonded Thru Budget Notary Services

Personally Known Yes

OR Produced Identification N/A Type of Identification Produced N/A.

STATE OF FLORIDA, COUNTY OF DADE
I HEREBY CERTIFY that this is a true copy of the
original filed in this office on 10 day of
April, A.D. 2008
WITNESS my hand and Official Seal.
HARVEY RUVIN, CLERK, of Circuit and County Courts
By (14) D.C.



MIAMI-DADE COUNTY
BOARD OF COUNTY COMMISSIONERS
OFFICE OF THE COMMISSION AUDITOR



Legislative Notes

Agenda Item: 8(N)1(A) and 8(N)1(B)
File Number: 110376 and 110377
Committee(s) of Reference: Board of County Commissioners
Date of Analysis: March 21, 2011
Type of Item: Resolution Authorizing Historic Preservation Ad Valorem Tax Exemption

Summary

The following resolutions authorize Historic Preservation Ad Valorem Tax Exemptions for the following properties:

- 3012 Granada Boulevard, Coral Gables, Florida
- 841 19th Street, Miami Beach, Florida

Background and Relevant Legislation

Pursuant to Chapter 16A of the Miami-Dade County Code, a method is provided for the Board of County Commissioners (BCC) to allow tax exemptions for the restoration, renovation and rehabilitation of historic properties (Ordinance 93-15).

The Miami-Dade County Historic Tax Exemption Program offers exemptions to eligible properties listed on the National Register of Historic Places (as a historic site, structure or contributing property in a historic district) or locally designated as historic within a municipality.

The exemption amount only applies to the increase in assessed value of the historic property resulting from qualifying and eligible improvements. The qualifying improvements must be determined by the Historic Preservation Board (HPB) or Department of Planning/Zoning staff (DPZ). The HPB and DPZ evaluate each application to determine whether the property improvements are consistent with the Secretary of Interior's State of Florida Standards for Rehabilitation and Certificate of Appropriateness Criteria for Miami-Dade County.

The exemption will remain in effect for up to ten (10) years, regardless of any changes in ownership of the property.

The Supplemental Information for Historic Ad Valorem Tax Exemption Program prepared by the Department of Planning and Zoning and Property Appraisers Office, dated March 3, 2009, provides the following improvements as eligible for tax exemptions:

- Structural restoration and upgrades of mechanical, electrical, and plumbing systems for the historic residence;
- Restoration or replacement of window, doors, and roofs to match their original conditions;
- Attached additions that are compatible with the historic character of the residence in terms of size, scale, design, and materials;
- Restoration of architectural features or materials on the exterior elevation of the residence that are historically significant (original keystone and tile details, carved wooden details, etc.);
- Restoration of architectural features or materials on the interior of the residence that are historically significant (decorative fireplaces, original stair railings, etc.); and
- Restoration of site features that are historically significant to the property (fountains, decorative walls and gates, etc.).

Application Process

According to the Historic Preservation Office, an applicant may apply and receive tax exemptions for both the city and county for the respective property.

The County continues to collect taxes on the property prior to the qualifying improvements and for the duration of the exemption (up to 10 years).

Once the exemption time period expires, the property will be assessed with the full value of improvements.

Enforcement is conducted by historic preservation officers (city or county) and by code enforcement officers (city or county).

According to the Historic Preservation Office, in the last five years there have been no instances where a property lost its exemption for failure of the property owner to maintain the standards required by the abatement program.

Budgetary Impact

The fiscal impact of the tax exemptions for the following properties is as follows:

Item No.	Property	Total Investment to the Property	Value of Improvements to the Property	Annual Exemption Amount (County)	Annual Exemption Amount (City)
3(A)	3012 Granada Boulevard, Coral Gables, Florida	\$1,503,483	\$564,962	\$2,733	\$3,330
3(B)	841 19 th Street, Miami Beach, Florida	\$260,000	\$310,442	\$1,502	\$1,756

Summary of Historical Properties

Pursuant to a request made to the Miami-Dade County Property Appraisers Office on March 1, 2011, the following information shows multiyear summary of the historical exemptions for the past seven years, starting in 2004 and ending in 2010.

Year	Properties With Abatements	Total Value of Historic Improvements	County Taxes Abated	City Taxes Abated
2004	98	\$25,096,106	\$153,473.01	\$36,120.75
2005	104	\$26,836,588	\$161,119.11	\$44,370.71
2006	156	\$31,913,524	\$183,721.99	\$44,886.44
2007	144	\$31,189,170	\$146,236.33	\$35,116.37
2008	153	\$33,884,304	\$167,275.66	\$43,547.99
2009 ¹	120	\$28,354,151	\$140,521.33	\$49,577.46
2010 ²	124	\$49,610,249	\$269,259.63	\$52,126.97

¹ The 2009 counts and values are based on the 2009 First Certified Roll (October 2009.) Values may change when the 2009 Final Assessment Roll is certified after the completion of the 2009 Value Adjustment Board hearings.

² The 2010 counts and values are based on the 2010 First Certified Roll (October 2010.) Values may change when the 2010 Final Assessment Roll is certified after the completion of the 2010 Value Adjustment Board hearings.

Note: From 2004-2008, Only Coral Gables abated city taxes. For 2009 & 2010, Miami Beach abates city taxes for certain single family residences.

2009 City Taxes

Abated:	Coral Gables	\$43,026.33
	Miami Beach	\$6,551.13

2010 City Taxes

Abated:	Coral Gables	\$45,599.63
	Miami Beach	\$6,527.34

Additional Information

There following ten (10) municipalities have their own Historic Preservation Ordinance:

- Miami
- Miami Beach
- South Miami
- Coral Gables
- Homestead
- Miami Springs

- Sunny Isles Beach
- Hialeah
- Miami Shores
- Opa Locka

However, the following four (4) municipalities offer exemptions:

- City of Coral Gables
- City of Miami
- City of Miami Beach
- City of South Miami

Analysis Prepared by: Mia Marin