

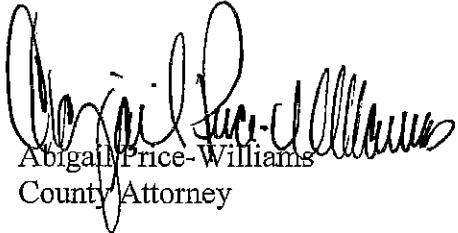


MEMORANDUM

(Revised)

TO: Honorable Chairman Esteban L. Bovo, Jr.
and Members, Board of County Commissioners

DATE: March 7, 2017

FROM: 
Abigail Price-Williams
County Attorney

SUBJECT: Agenda Item No. 5(H)(2)

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
- Statement of social equity required
- Ordinance creating a new board requires detailed County Mayor'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. 5(H)(2)
3-7-17

RESOLUTION NO. _____

RESOLUTION APPROVING, ADOPTING, AND CONFIRMING A REVISED PRELIMINARY ASSESSMENT ROLL PROVIDING FOR ANNUAL ASSESSMENTS AGAINST REAL PROPERTY LOCATED WITHIN THE BOUNDARIES OF THE BISCAYNE BEACH SECURITY GUARD SPECIAL TAXING DISTRICT, LOCATED ON STILLWATER DRIVE, GENERALLY BOUNDED BY BISCAYNE BAY ON THE NORTH, WEST, AND SOUTH, AND HAWTHORNE AVENUE ON THE EAST; PROVIDING THAT ASSESSMENTS MADE SHALL CONSTITUTE A SPECIAL ASSESSMENT LIEN ON REAL PROPERTY; AND PROVIDING FOR THE COLLECTION OF SUCH ASSESSMENTS

WHEREAS, pursuant to a petition duly signed by more than 50 percent of the resident owners of property within the BISCAYNE BEACH SECURITY GUARD SPECIAL TAXING DISTRICT in Miami-Dade County, Florida (“Special Taxing District”), and in accordance with the provisions of Chapter 18 of the Code of Miami-Dade County, Florida (“Code”), this Board amended Ordinance No. 89-126, which created and established the Special Taxing District; and

WHEREAS, the amendment, which is subject to approval by a majority vote of the qualified electors residing in the Special Taxing District at an election, amends the scope, and therefore the cost, of the improvement(s) and/or services to be provided; and

WHEREAS, in accordance with the provisions of Chapter 18 of the Code, the County Mayor or County Mayor’s designee caused a revised preliminary assessment roll to be prepared and filed with the Clerk of the Board (“Clerk”); and

WHEREAS, in accordance with the provisions of Chapter 18-14 of the Code, notice of the public hearing on the revised preliminary assessment roll was provided; and

WHEREAS, this Board held a public hearing on this date upon the revised preliminary assessment roll submitted by the County Mayor or County Mayor's designee, and all interested persons were afforded the opportunity to present their objections, if any, with respect to such assessment roll; and

WHEREAS, each property owner within the Special Taxing District was notified that the special assessments, when finally approved pursuant to Chapter 18 of the Code, may be placed on their 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 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. The revised preliminary assessment roll for the Special Taxing District (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.

Section 2. Within 30 days from the effective date of this resolution, the Clerk is directed to deliver to the Finance Director 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 the 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.

Section 4. All assessments shall be payable in accordance with Section 18-14(7) of the Code. As authorized by Section 197.3632, Florida Statutes, all special assessments levied and imposed under the provisions of the Ordinance creating the Special Taxing District, the Ordinance amending the Special Taxing District, 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 of the Code.

Section 5. Implementation of this resolution pertaining to the revised assessment roll shall take effect following ratification of the amending Ordinance through a special election as called for by Resolution No. R- on .

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:

Esteban L. Bovo, Jr., Chairman	
Audrey M. Edmonson, Vice Chairwoman	
Bruno A. Barreiro	Daniella Levine Cava
Jose "Pepe" Diaz	Sally A. Heyman
Barbara J. Jordan	Joe A. Martinez
Jean Monestime	Dennis C. Moss
Rebeca Sosa	Sen. Javier D. Souto
Xavier L. Suarez	

The Chairperson thereupon declared the resolution duly passed and adopted this 7th day of March, 2017. This resolution shall become effective upon the earlier of (1) 10 days after the date of its adoption unless vetoed by the County Mayor, and if vetoed, shall become effective only upon an override by this Board, or (2) approval by the County Mayor of this Resolution and the filing of this approval with the Clerk of the 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.



Daija Page Lifshitz