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OF COUNTY COMMISSIONERS
MIAMI-DADE COUNTY, FLORIDA

(Public Hearing 4-24-07)

Memorandum

MIAMI-DADE COUNTY

Date: March 20, 2007

Agenda Item No. 5(C)

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

From: George M. Burgess
County Manager

Subject: Amendment to Ordinance No. 90-52 Relating to the Biscayne Point Security Guard Special Taxing District

O#07-62

Recommendation

It is recommended that the Board approve an amendment to the Biscayne Point Security Guard Special Taxing District, Ordinance No. 90-52 for the purpose of amending the scope of service to furnish and install cameras and a recording device in the guardhouse.

Scope

This Special Taxing District is within Commission District 5.

Fiscal Impact/Funding Source

The estimated costs to provide security cameras is $94 per unit the first year, future operation and maintenance will be included with the district's annual operating budget. This cost will be collected in each district property owners annual Combined Real Property Tax Bill in addition to the annual service costs.

Track Record/Monitor

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

Background

A petition signed by more than 50% of the resident property owners requesting that the district be amended to furnish and install cameras and a recording device in the guardhouse was validated and filed with the Clerk of the Board of County Commissioners on December 28, 2005.

The Biscayne Point Security Guard Special Taxing District was created by the Board of County Commissioners on June 5, 1990, when it approved Ordinance N0. 90-52. The district's creation was subsequently ratified through a special election.

The ordinance originally provided for stationary service 24 hours per day, 365 days a year, operating from a guardhouse located on S.E. 32nd Road, to be constructed by the Homeowners Association.

The proposed amendment to Ordinance No. 90-52 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 guardhouse to record the auto tag license plates and a portion of the rear of all vehicles entering and exiting the district.

By adopting Resolution No. 2006-26201, the City of Miami Beach 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 June 2007. Following that election, if approved, installation and service would commence at the earliest practicable time.

Assistant County Manager

MEMORANDUM

(Revised)

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

DATE: April 24, 2007

FROM: Murray A. Greenberg County Attorney

SUBJECT: Agenda Item No. 5(C)

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 _____

Agenda Item No. 5(C)
4-24-07

ORDINANCE NO. 07-62

ORDINANCE AMENDING ORDINANCE NO. 90-52, RELATING TO THE BISCAYNE POINTE SECURITY GUARD SPECIAL TAXING DISTRICT TO ADD INSTALLATION OF CAMERAS AND A RECORDING DEVICE IN THE GUARDHOUSE IN ACCORDANCE WITH PROVISIONS OF CHAPTER 18 OF THE CODE OF MIAMI-DADE COUNTY, FLORIDA 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 June 5, 1990, this Board adopted Ordinance No. 90-52 establishing the BISCAYNE 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 increased services, including installation of cameras and a recording device in the guardhouse in the existing BISCAYNE 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 Miami Beach has adopted an authorizing resolution, Resolution No. 2006-26201, approving installation of cameras and a recording device in the guardhouse in Biscayne Point Security Guard Special Taxing District within 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. 90-52 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 service, [[~~initially~~]] provided by a private security company, which may be upgraded to off-duty police officers, operating from the guardhouse located at South Biscayne Point Drive east of Noremac Avenue. [[~~All capital improvement items of this district will be provided by the property owners~~]] 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 guardhouse to record the auto tag license plates and a portion of the rear of all vehicles entering and exiting the district.<<
>
> 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 $100,946 and $94,600 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 $308.70 and $289.30 for the second and succeeding years. >>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 guardhouse to record the auto tag license plates and a portion of the rear of all vehicles entering and exiting the district is an additional $94 per

[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.

unit the first year of funding this increased service, future operation and maintenance will be included with the district's annual operating budget. This additional cost will be collected in each district property owners annual Combined Real Property Tax Bill in addition to the district's annual service costs.<<

Section 2. These cameras and device installations shall be effective only after the adoption of an approved Assessment Roll Resolution by the Miami-Dade County Board of County Commissioners and ratification of the amendment by the voters within the district.

Section 3. 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 4. 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 determined by Resolution, 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: April 26, 2007

Approved by County Attorney as
To form and legal sufficiency. _____

Prepared by: _____

James K. Kracht