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CLERK OF THE BOARD
OF COUNTY COMMISSIONERS
MIAMI-DADE COUNTY, FLORIDA

Memorandum

MIAMI-DADE COUNTY

Agenda Item No.5(H)

Date: July 3, 2012

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

From: Carlos A. Gimenez
Mayor

Subject: Revised Preliminary Assessment Roll for the Carol City Street Lighting Improvement District

Resolution No. R-530-12

Recommendation

In accordance with the provisions of Article 1, Section 18-14 of the Code of Miami-Dade County, Florida, it is recommended that the Board of County Commissioners adopt a revised preliminary assessment roll for the Carol City Street Lighting Improvement District (District) to include properties annexed on July 19, 2011, pursuant to Ordinance No. 11-50.

Scope

The District lies wholly within Commission District 1 and the municipal limits of the City of Miami Gardens. Public Notices advertising this hearing will be mailed to approximately 9,500 property owners within the District boundary.

Fiscal Impact/Funding Source

The economic impact on the private sector is a perpetual annual special assessment for the cost of the street lighting to all property owners within the District. The Florida Power and Light Company is the owner of the system and will derive revenues from it.

At this time there will be no change in County staffing. However the private sector may increase staffing to provide the service requirements in the expanded District's boundary.

There is no additional cost to the property owners in the original Carol City Street Lighting Improvement District as a result of the District's boundary expansion. Noticing costs for this hearing, along with the administration and capital costs associated with the installation of the new street lights, are paid by the property owners from the annexed Venetian Gardens area from previous collections.

Track Record/Monitoring

The Public Works and Waste Management Department's Special Taxing Districts Division will monitor the Florida Power and Light Company's agreement, installation and billing processes.

Background

The Florida Power and Light Company will install approximately 144 additional street lights serving the 652 annexed parcels prior to October 1, 2012. As referenced above, the cost for this installation was paid by the property owners from the annexed Venetian Gardens area from previous collections.

Alina T. Hudak
County Manager/Deputy Mayor

MEMORANDUM
(Revised)

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

DATE: July 3, 2012

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

SUBJECT: Agenda Item No. 5(H)

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. 5(H)
7-3-12

RESOLUTION NO. R-530-12

RESOLUTION ADOPTING PRELIMINARY ASSESSMENT ROLL PROVIDING FOR ANNUAL ASSESSMENTS AGAINST REAL PROPERTY LOCATED WITHIN BOUNDARIES OF A SPECIAL TAXING DISTRICT KNOWN AS CAROL CITY STREET LIGHTING IMPROVEMENT DISTRICT IN ACCORDANCE WITH PROVISIONS OF CHAPTER 18 OF THE CODE OF MIAMI-DADE COUNTY, FLORIDA AND RESOLUTION NO. 9165

WHEREAS, pursuant to petition, notice and public hearing, the Board of County Commissioners by Resolution No. 9165, adopted on October 22, 1963, created and established a special taxing district in Miami-Dade County, Florida, known and designated as the CAROL CITY STREET LIGHTING IMPROVEMENT 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; and

WHEREAS, pursuant to petition, notice and public hearing, and in accordance with the provisions of Sections 18-3 and 18-16(i), the Board of County Commissioners by Ordinance No. 11-50, adopted on July 19, 2011, amended Resolution No. 9165 to expand the boundaries of the CAROL CITY STREET LIGHTING IMPROVEMENT DISTRICT to include contiguous real property within the Venetian Gardens area, which area lies wholly within the limits of the City of Miami Gardens, Florida; and

WHEREAS, the streetlights in the annexed Venetian Gardens area will be installed and put into operation; and

WHEREAS, pursuant to Resolution No. 9165, the Board of County Commissioners determined that special assessments in this special taxing district for furnishing street lighting

facilities and services should be levied on a per front footage basis in accordance with Resolution No. 9165; and

WHEREAS, pursuant to Resolution No. 9165, and Section 18-14(4) of the Code of Miami-Dade County, Florida, the County Mayor caused a 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 preliminary assessment roll submitted by the County Mayor, and all interested persons were afforded the opportunity to present their objections, if any, with 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 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 2012, 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. That the said 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. The Clerk of the Board of County Commissioners is directed to deliver to the Finance Director, on or before August 2, 2012, a copy of the assessment roll, and to cause a duly certified copy of this resolution, together with the 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 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 Resolution No.9165, 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(8) of the Code of Miami-Dade County, Florida.

The foregoing resolution was offered by Commissioner **Audrey Edmonson**, who moved its adoption. The motion was seconded by Commissioner **José "Pepe" Diaz** and upon being put to a vote, the vote was as follows:

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

The Chairperson thereupon declared the resolution duly passed and adopted this 3rd day of July, 2012. 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: Christopher Agrippa
Deputy Clerk

Approved by County Attorney as
to form and legal sufficiency.

Jorge Martinez-Esteve