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

Memorandum

MIAMI-DADE COUNTY

(Public Hearing 4-8-14)

Date: March 18, 2014

Agenda Item No. 5(H)

To: Honorable Chairwoman Rebeca Sosa
and Members, Board of County Commissioners

From: Carlos A. Gimenez
Mayor

Subject: Highland Gardens
Security Guard Special Taxing District

Ordinance No. 14-32

Recommendation

It is recommended that the Board of County Commissioners (BCC) approve a petition submitted in accordance with Article 1, Chapter 18 of the Miami-Dade County Code amending Ordinance No. 89-35, which created the Highland Gardens Security Guard Special Taxing District (District). Implementation of this ordinance is contingent upon subsequent ratification through mailed ballot referendum by all qualified electors within the District boundary.

Scope

This District lies within Commissioner Sally A. Heyman's District 4, and will upgrade District services to furnish, install, operate, and maintain cameras and recording devices at the guardhouse.

Fiscal Impact/Funding Source

Amendment of this District's ordinance will result in no economic impact on the County's budget.

At this time there will be no increase or decrease in County staffing due to this District upgrade.

The economic impact on the private sector will be a perpetual annual special assessment for the upgraded service costs to all property owners within the District.

If this amendment is approved, additional annual costs estimated to be $273.00 per unit of assessment for the first year and $1.00 per unit each year thereafter will be collected to provide security camera services. In addition to the annual security guard service costs for the District, the installation, operational and maintenance costs will be included in the District's annual operating budget and will be collected in each District property owner's annual combined Real Property tax bill once camera services are provided. These additional costs are expected to occur in the 2014-15 fiscal year.

Track Record/Monitoring

The Public Works and Waste Management Department is the managing entity overseeing this item and the person responsible is Donald L. Tock, Jr., Chief, Special Taxing Districts Division.

Background

The Highland Gardens Security Guard Special Taxing District was created by Ordinance No. 89-35 on May 16, 1989, and subsequently ratified on June 20, 1989, by qualified electors residing within the District boundary through a special election by mailed ballot, with service commencing in July 1990.

The Ordinance originally provided for a visible safety and sentinel security program initially to consist of one unarmed uniformed security guard operating from a guardhouse located on NE 211 Street. Service is provided 24 hours per day, 365 days a year. The proposed amendment to Ordinance No. 89-35 modifies the scope of service for the District to furnish, install, operate, and maintain high definition, infrared security cameras with electronic recording, 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. 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 and estimated to be held on June 3, 2014. If approved at election, installation and services will commence at the earliest practicable time.

As required by the provisions of Section 18-3(c) of the Code, I have reviewed the facts submitted by the Public Works and Waste Management Department and concur with their recommendations that this amendment be adopted, if approved by referendum subsequent to this public hearing.

Alina T. Hudak
Deputy Mayor

MEMORANDUM
(Revised)

TO: Honorable Chairwoman Rebeca Sosa
and Members, Board of County Commissioners

DATE: April 8, 2014

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 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)
4-8-14

ORDINANCE NO. 14-32

ORDINANCE AMENDING ORDINANCE NO. 89-35 RELATING TO THE HIGHLAND GARDENS SECURITY GUARD SPECIAL TAXING DISTRICT ADDING INSTALLATION OF CAMERAS AND RECORDING DEVICES IN THE GUARDHOUSE, PROVIDING FOR AN ELECTION; 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 May 16, 1989, this Board created the HIGHLAND GARDENS SECURITY GUARD SPECIAL TAXING DISTRICT; and

WHEREAS, on June 20, 1989, the District was approved by a majority vote of qualified electors residing within the District; and

WHEREAS, in accordance with the provisions of Chapter 18 of the Code of Miami-Dade County, Florida, a petition requesting installation of cameras and recording devices in the guardhouse in the existing HIGHLAND GARDENS 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,

BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF MIAMI-DADE COUNTY, FLORIDA:

Section 1. Sections 3 and 4 of Ordinance No. 89-35 are hereby amended to read as follows:[1]

> Section 3. The improvements to be provided within this proposed special taxing district will consist of the following:
>
> A visible safety and sentinel security program, initially to consist of one unarmed uniformed security guard operating from the guardhouse located at N.E. 211th Street and east of N.E. 19th Court. >>Proposed services will include the operation and maintenance of 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.<< Construction of the guardhouse and the installation of gates will be capital improvement items of this district. Service will be provided 24 hours per day, 365 days a year. The petitioned request for heightening of the wall along N.E. 215th Street will not be provided since the wall is situated on private property.
>
> 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 $131,820.00 and $91,710.00 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 $836.07 and $581.67 for the second and succeeding years. It is estimated that the cost per vacant/underdeveloped parcel of real property within the proposed district for the first year is $278.69 and $193.89 for the second and succeeding years. >>The estimated cost to the property owners to furnish, install, maintain, and operate security cameras with electronic recording and storage devices and appurtenances on every vehicular lane adjacent to the guardhouse to record the auto tag

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[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.

license plates and a portion of the rear of all vehicles entering and exiting the District is $273.00 per unit the first year and $1.00 per unit each year thereafter following the services upgrade. The additional upgraded operation and maintenance costs will be included in the District's annual operating budget. These costs will be collected in each District property owner's annual combined Real Property tax bill in addition to the annual service costs for the District. <<

Section 2. A duly certified copy of this Ordinance shall be filed in the Office of the Clerk of the Circuit of Miami-Dade County, Florida, and recorded in the appropriate book of records.

Section 3. The provisions of this Ordinance shall take effect when approved at an election to be formally called by this Board and noticed and conducted at this Board shall determine by Resolution, and after adoption of the revised assessment roll, 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 8, 2014

Approved by County Attorney as
to form and legal sufficiency:

Prepared by:

Jorge Martinez-Esteve

Memorandum

MIAMI-DADE COUNTY

Date: January 16, 2014

To: Christopher Agrippa
Division Chief
Office of the Clerk of the Board
Attn: Keith Knowles

From: Donald L. Tock, Jr.
Chief, Special Taxing Districts Division
PWWM Department

Subject: Amendment to Highland Gardens Security Guard Special Taxing District

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In reference to the subject petition, we hereby certify that, in compliance with Chapter 18 of the Miami-Dade County Code, this Department has checked the names on the attached petition against the records of the Property Appraisal Department, and is submitting the following information:

1. Total number of parcels of land within district boundaries 163
2. Total number of resident owners of property within district boundaries 140
3. Total number of resident owners signing the attached petition 84
4. Percentage of resident owners signing the attached petition 60%
5. Net Property Valuation $40,392,850

Utilizing Homestead Exemption as the basis for the resident owner requirement, we certify that this petition does contain the signatures of at least the minimum 50% of the resident property owners within the proposed District boundaries as required by the Code; therefore, the subject petition is valid.

Attachment

PETITION TO AMEND HIGHLAND GARDENS SECURITY GUARD SPECIAL TAXING DISTRICT
MIAMI-DADE COUNTY PUBLIC WORKS AND WASTE MANAGEMENT DEPARTMENT
SPECIAL TAXING DISTRICTS DIVISION

Petition Issue Date 07 / 22 / 2013

Petition Received Date 12 / 20 / 13
(TO BE COMPLETED BY THE DEPARTMENT)

To the Petitioner: You are required to circulate this petition among all property owners and residents within the district boundary as shown on the attached Exhibit A. In order for the petition to be considered a valid current indicator of community preference, it must be completed and returned to Miami-Dade County within four months from the date of issue. All submitted petition forms must be original and completed in ink.

To the Board of County Commissioners of Miami-Dade County, Florida: We, the undersigned, do hereby petition Miami-Dade County, Florida, to amend Ordinance No. 89-35 pursuant to Chapter 18 of the Code of Miami-Dade County, Florida, to include the installation and operation of security cameras in the Highland Gardens Security Guard Special Taxing District. If approved by the Board, a subsequent special election will be held for all registered voters residing in the District to ratify the Board's decision.

Proposed Public Improvement: Furnish, install, operate, and maintain high definition, infrared security cameras with electronic recording and storage devices and appurtenances on every vehicular lane adjacent to the guardhouse to record the auto license plates and a portion of the rear of all vehicles entering and exiting the District.

District Boundary: On the North, NE 215 Street; On the South, NE 210 Street; On the East, NE 19 Court; On the West, Interstate 95.

A sketch showing the location and boundary of the District is attached on the reverse side as Exhibit "A"

ESTIMATED ANNUAL ASSESSMENTS IF CAMERA INSTALLATION IS APPROVED

ASSESSABLE UNIT	CURRENT	1ST YEAR IF APPROVED	2ND YEAR & THEREAFTER
DEVELOPED UNIT	$1,284.90	$1,558 ($273 increase)	$1,286 ($1 increase)

NOTE: Only signatures of resident property owners, and only one resident owner's signature per household, will count towards the 50% Code requirement for petition validation. However, circulation of petition among non-owner residents is urged to ensure these persons are informed of this proposal on which they may be called to vote. **Altering this form in any way invalidates the entire petition.**

OWNER'S NAME	TAX FOLIO AND PROPERTY ADDRESS	DATE SIGNED
Print: [illegible] SNYDER Sign: [signature]	Address: 21324 NE 19TH COURT HS (1) Folio: 30-1233-034-0080 ✓	JULY 28, 2013
Print: PATRICIA FLOAZE Sign: [signature]	Address: 21304 NE 19 Ct HS (2) Folio: 30-1233-034-0060 ✓	7/28/13
Print: Dale Friedman Sign: [signature]	Address: 21305 NE 19 Ct HS (3) Folio: 30-1233-034-0050 ✓	7/28/2013
Print: ROBERT [illegible] LENSTAIN Sign: [signature]	Address: 21201 NE 19 AVE HS (4) Folio: 30-1233-036-0200 ✓	7/28/2013
Print: DEBORAH HERSTEIN Sign: [signature]	Address: 21235 NE 19 Ct (5) Folio: 30-1233-036-0090 HS	7/28/13
Print: JEFFREY R MAZOR Sign: [signature]	Address: 21200 NE 19 Ave (6) Folio: 30-1233-036-0320 ✓ HS	7-28-13

PETITION TO AMEND HIGHLAND GARDENS SECURITY GUARD SPECIAL TAXING DISTRICT

MIAMI-DADE COUNTY PUBLIC WORKS AND WASTE MANAGEMENT DEPARTMENT SPECIAL TAXING DISTRICTS DIVISION

Petition Issue Date 07 / 22 / 2013

Petition Received Date 12 / 20 / 13
(TO BE COMPLETED BY THE DEPARTMENT)

To the Petitioner: You are required to circulate this petition among all property owners and residents within the district boundary as shown on the attached Exhibit A. In order for the petition to be considered a valid current indicator of community preference, it must be completed and returned to Miami-Dade County within four months from the date of issue. All submitted petition forms must be original and completed in ink.

To the Board of County Commissioners of Miami-Dade County, Florida: We, the undersigned, do hereby petition Miami-Dade County, Florida, to amend Ordinance No. 89-35 pursuant to Chapter 18 of the Code of Miami-Dade County, Florida, to include the installation and operation of security cameras in the Highland Gardens Security Guard Special Taxing District. If approved by the Board, a subsequent special election will be held for all registered voters residing in the District to ratify the Board's decision.

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District Boundary: On the North, NE 215 Street; On the South, NE 210 Street; On the East, NE 19 Court; On the West, Interstate 95.

A sketch showing the location and boundary of the District is attached on the reverse side as Exhibit "A"

ESTIMATED ANNUAL ASSESSMENTS IF CAMERA INSTALLATION IS APPROVED

ASSESSABLE UNIT	CURRENT	1ST YEAR IF APPROVED	2ND YEAR & THEREAFTER
DEVELOPED UNIT	$1,284.90	$1,558 ($273 increase)	$1,286 ($1 increase)

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OWNER'S NAME	TAX FOLIO AND PROPERTY ADDRESS.	DATE SIGNED
Print: ~~[illegible]~~	Address: ~~[illegible] NE 214 Terrace~~	~~10/19/13~~
Sign: ~~[illegible]~~	Folio: ~~30-1233-054-0140~~	
Print: WALTER J GROSSON	Address: 1845 NE 214 TERR HS (57)	10-19-13
Sign: [illegible]	Folio: 30-1233-054-0150	
Print: MARIA VERONICA ENOARA	Address: 1864 NE 214th Ter VS (58)	10-19-13
Sign: [illegible]	Folio: 30-1233-048-0150	
Print: JOEL TANGER	Address: 1874 N.E. 214 TERR HNOR	10-19-13
Sign: [illegible]	Folio: 30-1233-048-0140 (59)	
Print: ~~[illegible]~~	Address: ~~1845 NE 214 Ter~~	
Sign: ~~[illegible]~~	Folio:	
Print: ALBERT ANGEL	Address: 1895 NE 214th Ter HS	10-19-13
Sign: [illegible]	Folio: 30-1233-054-0100 (60)	

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PETITION TO AMEND HIGHLAND GARDENS
SECURITY GUARD SPECIAL TAXING DISTRICT
MIAMI-DADE COUNTY PUBLIC WORKS AND WASTE MANAGEMENT DEPARTMENT
SPECIAL TAXING DISTRICTS DIVISION

Petition Issue Date 07 / 22 / 2013

Petition Received Date 12/20/13
(TO BE COMPLETED BY THE DEPARTMENT)

To the Petitioner: You are required to circulate this petition among all property owners and residents within the district boundary as shown on the attached Exhibit A. In order for the petition to be considered a valid current indicator of community preference, it must be completed and returned to Miami-Dade County within four months from the date of issue. All submitted petition forms must be original and completed in ink.

To the Board of County Commissioners of Miami-Dade County, Florida: We, the undersigned, do hereby petition Miami-Dade County, Florida, to amend Ordinance No. 89-35 pursuant to Chapter 18 of the Code of Miami-Dade County, Florida, to include the installation and operation of security cameras in the Highland Gardens Security Guard Special Taxing District. If approved by the Board, a subsequent special election will be held for all registered voters residing in the District to ratify the Board's decision.

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OWNER'S NAME	TAX FOLIO AND PROPERTY ADDRESS	DATE SIGNED
Print: ALBERTO DESMERCH Sign: [signature]	Address: HS 1900 NE 210 St. Folio: (64) 30-1233-030-0250	11/17/13
Print: HOWARD KONEFSKY Sign: [signature]	Address: 1881 NE 210. ST. HS (65) Folio: 30-1233-030-0160	11-17-13
Print: Avital Alkoby Sign: [signature]	Address: 1921 N.E 210 St miami FL (66) Folio: 30-1233-030-0200 HS	11-17-13
Print: MIRIAM WIENER Sign: [signature]	Address: 1880 N.E 211 St. HS (67) Folio: 30-1233-030-0110	11-17-13
Print: Jersica Laverde-Perez Sign: [signature]	Address: 1870 NE 211 St. HS (68) Folio: 30-1233-030-0120	11-17-13
Print: Diana S. Heinrich Sign: [signature]	Address: 1861 NE 211 St HS Folio: 30-1233-030-0440 (69)	11/17/13

PETITION TO AMEND HIGHLAND GARDENS SECURITY GUARD SPECIAL TAXING DISTRICT

MIAMI-DADE COUNTY PUBLIC WORKS AND WASTE MANAGEMENT DEPARTMENT SPECIAL TAXING DISTRICTS DIVISION

Petition Issue Date 07 / 22 / 2013

Petition Received Date 12/20/13
(TO BE COMPLETED BY THE DEPARTMENT)

To the Petitioner: You are required to circulate this petition among all property owners and residents within the district boundary as shown on the attached Exhibit A. In order for the petition to be considered a valid current indicator of community preference, it must be completed and returned to Miami-Dade County within four months from the date of issue. All submitted petition forms must be original and completed in ink.

To the Board of County Commissioners of Miami-Dade County, Florida: We, the undersigned, do hereby petition Miami-Dade County, Florida, to amend Ordinance No. 89-35 pursuant to Chapter 18 of the Code of Miami-Dade County, Florida, to include the installation and operation of security cameras in the Highland Gardens Security Guard Special Taxing District. If approved by the Board, a subsequent special election will be held for all registered voters residing in the District to ratify the Board's decision.

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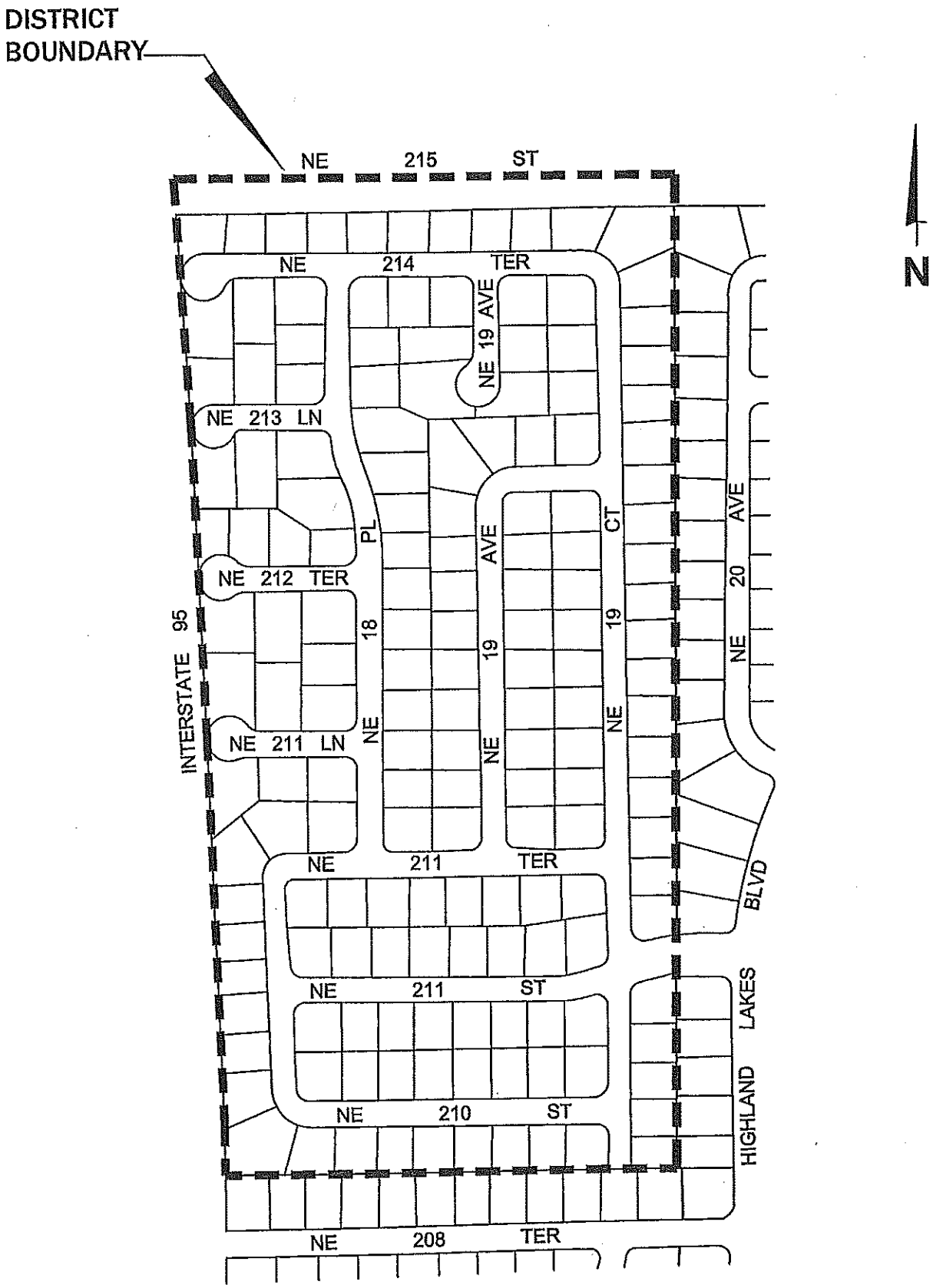
OWNER'S NAME	TAX FOLIO AND PROPERTY ADDRESS	DATE SIGNED
Print: Matthilde Ackenine	Address: 21221 NE 19th Ave - Miami - FL 33179	12/15/13
Sign:	Folio: 30-1233-036-0180 HS (94)	
Print: [illegible]	Address: [illegible]	
Sign:	Folio: [illegible]	
Print: Edward Howard	Address: 21300 NE 19 Avenue 33179 HS (94)	
Sign:	Folio: 30-1233-036-0180	12/15/13
Print: Miguel Gutierrez	Address: 21220 NE 19th Ave, Miami FL 33179	12/15/13
Sign:	Folio: 30-1233-036-0300 HS (94)	
Print: Ariel Aharoni	Address: 21130 NE 19th Ave Miami FL 33179	12/15/13
Sign: Ariel Aharoni	Folio: 30-1233-036-0330 HS (94)	
Print: NADAV Gosher	Address: 1930 NE 211th Ter Miami FL 33179	12/15/13
Sign:	Folio: 30-1233-036-0080 HS (94)	



HIGHLAND GARDENS

SECURITY GUARD SPECIAL TAXING DISTRICT

G-194 (COMM. 0004)
SECTION: 33 - 51 - 42

EXHIBIT "A"