



**MEMORANDUM**  
(Revised)

**TO:** Honorable Chairman Jose "Pepe" Diaz  
and Members, Board of County Commissioners

**DATE:** November 16, 2021

**FROM:**   
Gen Bonzon-Keenan  
County Attorney

**SUBJECT:** Agenda Item No. 5(D)(1)

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 present \_\_\_\_, 2/3 membership \_\_\_\_, 3/5's \_\_\_\_, unanimous \_\_\_\_, CDMP 7 vote requirement per 2-116.1(3)(h) or (4)(c) \_\_\_\_, CDMP 2/3 vote requirement per 2-116.1(3)(h) or (4)(c) \_\_\_\_, or CDMP 9 vote requirement per 2-116.1(4)(c)(2) \_\_\_\_ ) 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(D)(1)  
11-16-21

RESOLUTION NO. \_\_\_\_\_

RESOLUTION APPROVING, ADOPTING, AND CONFIRMING A PRELIMINARY ASSESSMENT ROLL PROVIDING FOR ANNUAL ASSESSMENTS AGAINST REAL PROPERTY LOCATED WITHIN THE BOUNDARIES OF THE HIBISCUS GARDENS II AND HIBISCUS GARDENS III MULTIPURPOSE MAINTENANCE AND STREET LIGHTING SPECIAL TAXING DISTRICT IN MIAMI-DADE COUNTY, FLORIDA, GENERALLY BOUNDED ON THE NORTH BY THEORETICAL SW 249 TERRACE, ON THE EAST BY THEORETICAL SW 133 PLACE, ON THE SOUTH BY THEORETICAL SW 250 LANE, AND ON THE WEST BY THEORETICAL SW 134 COURT; PROVIDING THAT ASSESSMENTS MADE SHALL CONSTITUTE A SPECIAL ASSESSMENT LIEN ON REAL PROPERTY; AND PROVIDING FOR THE COLLECTION OF SUCH ASSESSMENTS

**WHEREAS**, in accordance with the provisions of Chapter 18 of the Code of Miami-Dade County, Florida (“Code”), this Board created and established a special taxing district in Miami-Dade County, Florida, known and designated as the Hibiscus Gardens II and Hibiscus Gardens III Multipurpose Maintenance and Street Lighting Special Taxing District (“Special Taxing District”); and

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

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

**WHEREAS**, this Board held a public hearing on this date upon the 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 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**, that:

**Section 1.** The preliminary assessment roll for the Hibiscus Gardens II and Hibiscus Gardens III Multipurpose Maintenance and Street Lighting 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 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.

**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, 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 section 18-14 of the Code.

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:

Jose "Pepe" Diaz, Chairman	
Oliver G. Gilbert, III, Vice-Chairman	
Sen. René García	Keon Hardemon
Sally A. Heyman	Danielle Cohen Higgins
Eileen Higgins	Joe A. Martinez
Kionne L. McGhee	Jean Monestime
Raquel A. Regalado	Rebeca Sosa
Sen. Javier D. Souto	

The Chairperson thereupon declared this resolution duly passed and adopted this 16<sup>th</sup> day of November, 2021. 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.

MSM

Michael J. Mastrucci