

MEMORANDUM

Agenda Item No. 5(H)

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

DATE: April 20, 2021

FROM: Geri Bonzon-Keenan
County Attorney

SUBJECT: Resolution directing the County Mayor to cease providing services within the Hainlin Reef North Multipurpose Special Taxing District, beginning at the earliest practicable time; declaring dormant the Hainlin Reef North Multipurpose Special Taxing District in order to allow the residents to provide multipurpose maintenance services within the subject area; authorizing the County Mayor to take actions necessary to accomplish such purposes; and directing the County Mayor to take actions necessary to recommence multipurpose maintenance services in the event the residents fail to adequately provide multipurpose maintenance services

Resolution No. R-261-21

The accompanying resolution was prepared by the Parks, Recreation and Open Spaces Department and placed on the agenda at the request of Prime Sponsor Commissioner Danielle Cohen Higgins.



Geri Bonzon-Keenan
County Attorney

GBK/smm

Date: April 20, 2021

To: Honorable Chairman Jose “Pepe” Diaz
and Members, Board of County Commissioners

From: Daniella Levine Cava
Mayor 

Subject: Declaring Dormant Ordinance No. 02-219 Relating to the Hainlin Reef North
Multipurpose Special Taxing District

Recommendation

It is recommended that the Board of County Commissioners (Board) approve the attached Resolution ceasing services and declaring dormant the Hainlin Reef North Multipurpose Special Taxing District (Special Taxing District) which was created by Ordinance No. 02-219, rescinding the Special Taxing District’s assessment roll, and refunding any excess monies in the Special Taxing District’s account.

Scope

This Special Taxing District lies within Commission District 8, which is represented by County Commissioner Danielle Cohen Higgins, and will be declared dormant if this Resolution is approved by the Board.

Fiscal Impact/Funding Source

The economic impact on the County’s budget will be from the Special Taxing District’s cash reserves. There will be no increase or decrease in County staffing as a result of placing the Special Taxing District dormant. Once final administrative and service costs are determined, the Parks, Recreation and Open Spaces Department will refund excess funds, if any, to the affected property owners. In the event final administrative and service costs exceed the monies in the Special Taxing District’s account, special assessments may be collected on the 2021-2022 combined real property tax bill to cover the expenses.

Social Equity Statement

The proposed Resolution declares dormant a Special Taxing District, pursuant to Article I, Section 1.01(A)(11) of the Miami-Dade County Home Rule Charter and Chapter 18 of the Code. If approved, the multipurpose maintenance services will cease at the earliest practicable time and property owners within the Special Taxing District will no longer be assessed a special assessment.

Track Record/Monitor

The Special Taxing District is managed by the Parks, Recreation and Open Spaces Department (PROS) and overseen by the Chief of the Special Assessment Districts Division (Division), Lorena Guerra-Macias.

Background

The Special Taxing District was created on October 24, 2002, by Ordinance No. 02-219 and provides multipurpose maintenance services. Contingent upon Board approval of the Resolution, the Special Taxing District’s multipurpose maintenance services will cease. The resident owners of

Honorable Chairman Jose "Pepe" Diaz
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property within the Special Taxing Districts will be responsible for the continuation of maintenance services as established by the creating Ordinance, and the petition. In the event the resident owners of property fail to adequately provide the multipurpose maintenance services, the County will take all actions necessary to recommence providing multipurpose maintenance services through the Special Taxing District.

Boundaries:	On the North, SW 208 Street; On the East, SW 129 Avenue. On the South, theo. SW 209 Street; On the West, theo. SW 129 Path
Number of Parcels:	10
Number of Resident Owners:	10
Number of Owners With Homestead Exemption Signing Petition:	Signed by 7 or 70.0% of the resident property owners (See attached petition).
Public Hearing Notification:	A public notice will be duly published in a newspaper of general circulation published in Miami-Dade County, Florida, and copies thereof will be mailed to all owners of taxable real property within the boundaries of the Special Taxing District as their names and addresses appear on the latest Miami-Dade County Real Property Tax Roll.

In compliance with the provisions of Section 18-3(c) of the Code, I have reviewed the facts submitted by PROS and concur with their recommendation of ceasing multipurpose maintenance services within the Special Taxing District be approved.

Attachments



Jimmy Morales
Chief Operations Officer

1 of 8

PETITION TO DISCONTINUE THE MULTIPURPOSE MAINTENANCE SERVICES OF THE
HAINLIN REEF NORTH
 MULTIPURPOSE SPECIAL TAXING DISTRICT
 MIAMI-DADE COUNTY PARKS, RECREATION AND OPEN SPACES DEPARTMENT
 SPECIAL ASSESSMENT DISTRICTS DIVISION

Petition Issue Date 05/11/20

Petition Receive Date 07/10/20
 (TO BE COMPLETED BY THE DIVISION)

To the Petitioner: You are recommended to circulate this petition among all property owners within the boundaries listed below. In order for the petition to be considered a valid current indicator of community preference, it must be completed and returned within two months from the date of issue. All submitted petition forms must be original and completed in ink.

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NOTE: Only one resident owner's signature per household will count toward the 50% Code requirement for petition validation. Altering this form in any way invalidates the entire petition.

OWNER'S NAME		TAX FOLIO AND PROPERTY ADDRESS	DATE SIGNED
Print: <u>Achille T. Vassallo</u>	Address: <u>12901 sw 208 lane</u>	6/17/20	
Sign: <u>[Signature]</u>	Folio: <u>30-6911-011-0010</u>		
Print: <u>Obdulia Vassallo</u>	Address: <u>12901 sw 208 lane</u>	6/17/20	
Sign: <u>[Signature]</u>	Folio: <u>30-6911-011-0010</u>		
Print:	Address:		
Sign:	Folio:		
Print:	Address:		
Sign:	Folio:		

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OWNER'S NAME	TAX FOLIO AND PROPERTY ADDRESS	DATE SIGNED
Print: <u>Carlos Contreras Jr.</u>	Address: <u>1294 SW 208 Lane</u>	<u>7/9/2020</u>
Sign: <u>[Signature]</u>	Folio: <u>30-6911-011-0030</u>	
Print: <u>Maribel A. Garcia</u>	Address: <u>1294 SW 208 Lane</u>	<u>7/9/2020</u>
Sign: <u>[Signature]</u>	Folio: <u>30-6911-011-0030</u>	
Print: <u>[Signature]</u>	Address:	
Sign:	Folio:	
Print:	Address:	
Sign:	Folio:	

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PETITION TO DISCONTINUE THE MULTIPURPOSE MAINTENANCE SERVICES OF THE
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MIAMI-DADE COUNTY PARKS, RECREATION AND OPEN SPACES DEPARTMENT
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OWNER'S NAME		TAX FOLIO AND PROPERTY ADDRESS	DATE SIGNED
Print: <u>LAZARO RIVERA ACOSTA</u>	Address: <u>12982 SW 208 LN</u>	<u>7-7-2020</u>	
Sign: <u>[Signature]</u>	Folio: <u>30-8911-011-0060</u>		
Print:	Address:		
Sign:	Folio:		
Print:	Address:		
Sign:	Folio:		
Print:	Address:		
Sign:	Folio:		

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OWNER'S NAME		TAX FOLIO AND PROPERTY ADDRESS	DATE SIGNED
Print: <u>ARMANDO L. CALZADILLA</u>	Address: <u>12962 S.W. 208 LN</u>	Folio: <u>30-6911-011-0070</u>	<u>5/27/20</u>
Sign: <u>[Signature]</u>			
Print: <u>IRMA H. CALZADILLA</u>	Address: <u>12962 S.W. 208 LN</u>	Folio: <u>30-6911-011-0070</u>	<u>5/27/20</u>
Sign: <u>[Signature]</u>			
Print:	Address:		
Sign:	Folio:		
Print:	Address:		
Sign:	Folio:		

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PETITION TO DISCONTINUE THE MULTIPURPOSE MAINTENANCE SERVICES OF THE
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OWNER'S NAME		TAX FOLIO AND PROPERTY ADDRESS	DATE SIGNED
Print: <u>Juan W. Deig</u>	Address: <u>12942 S.W. 208th Lane</u>		
Sign: <u>[Signature]</u>	Folio: <u>30-6911-011-0080</u>		
Print:	Address:		
Sign:	Folio:		
Print:	Address:		
Sign:	Folio:		
Print:	Address:		
Sign:	Folio:		

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PETITION TO DISCONTINUE THE MULTIPURPOSE MAINTENANCE SERVICES OF THE
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OWNER'S NAME		TAX FOLIO AND PROPERTY ADDRESS	DATE SIGNED
Print: <u>Sandra De Varona</u>	Address: <u>12922 S.W. 208th Miami 33177</u>		<u>6/29/2020</u>
Sign: <u>[Signature]</u>	Folio: <u>30-6911-011-0090</u>		
Print: <u>Bernard M. Trujillo</u>	Address: <u>12922 S.W. 208th Miami 33177</u>		<u>6/29/2020</u>
Sign: <u>[Signature]</u>	Folio: <u>30-6911-011-0090</u>		
Print:	Address:		
Sign:	Folio:		
Print:	Address:		
Sign:	Folio:		

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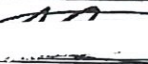
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Print: Carlos G Garcia Rubio	Address: 12902 SW 208th LN	5/27/2020	
Sign: 	Folio: 30-6911-011-0100		
Print: Yaret Betille	Address: 12902 SW 208th LN	5/27/2020	
Sign: 	Folio: 30-6911-011-0100		
Print:	Address:		
Sign:	Folio:		
Print:	Address:		
Sign:	Folio:		

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To the Petitioner: You are recommended to circulate this petition among all property owners within the boundaries listed below. In order for the petition to be considered a valid current indicator of community preference, it must be completed and returned within two months from the date of issue. All submitted petition forms must be original and completed in ink.

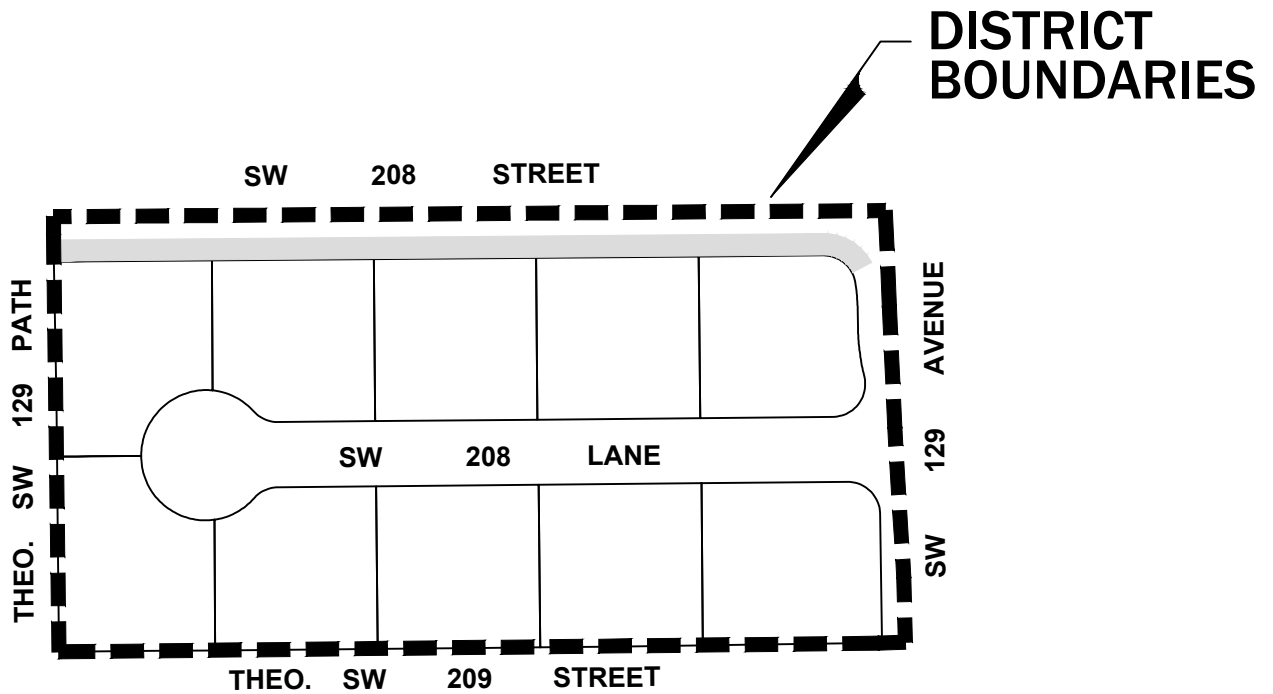
To the Board of County Commissioners of Miami-Dade County, Florida: We, the undersigned property owners, do hereby petition Miami-Dade County, Florida, to deactivate the Hainlin Reef North Multipurpose Special Taxing District (District), created by the Board of County Commissioners (the Board) pursuant to Ordinance No. 02-219. We understand that the signatures of at least 50% of the resident property owners with homestead exemption within the District's boundaries signing the petition will validate the petition. We also understand that if approved by the Board at a public hearing; 1) all multipurpose maintenance services provided by the Special Assessment Districts Division will cease; 2) Miami-Dade County will continue to provide lawn maintenance on the south side of S.W. 208th Street between S.W. 129th Avenue and Theoretical S.W. 129th Path in accordance with the County's budgeted maintenance cycles. Therefore, the property owners will be responsible for all other maintenance services not performed by the County (i.e. pruning, fertilizing, and mulching of trees and hedges, removing any trash and debris in the swale area, and maintaining the exterior of any walls or columns; 3) The District will not be dissolved but rather made dormant until such time as any property owner or association fails to provide the required maintenance services.

District Boundaries: On the North, SW 208th Street; On the East, SW 129th Avenue;
 On the South, Theo. SW 209th Street; On the West, Theo. SW 129th Path.
 (See district boundaries and geographical location sketch, Exhibit A, on reverse side)

IF THE MULTIPURPOSE MAINTENANCE SERVICES ARE MADE DORMANT, A REIMBURSEMENT WOULD OCCUR TO EACH PROPERTY OWNER FOR UNEXPENDED SPECIAL ASSESSMENTS, LESS THE COSTS OF CEASING THE MAINTENANCE SERVICES. SPECIAL ASSESSMENTS MAY BE COLLECTED ON THE 2020-2021 COMBINED REAL PROPERTY TAX BILL TO COVER DISTRICT EXPENSES IN THE EVENT DISTRICT DEACTIVATION COSTS EXCEED DISTRICT FUNDS HELD IN ACCOUNT OR THE MAINTENANCE SERVICES REMAIN IN OPERATION. WE UNDERSTAND THAT SHOULD THE MULTIPURPOSE MAINTENANCE SERVICES BE CEASED, THE STREET LIGHTING SERVICES WILL REMAIN IN OPERATION.

NOTE: Only one resident owner's signature per household will count toward the 50% Code requirement for petition validation. Altering this form in any way invalidates the entire petition.

OWNER'S NAME		TAX FOLIO AND PROPERTY ADDRESS	DATE SIGNED
Print: <u>DERAINNA VILLAVENDE F ETAL</u>	Address: <u>12921 SW 208 LN.</u>	Folio: <u>30-6911-011-0020</u>	<u>6/29/2020</u>
Sign: <u>[Signature]</u>			
Print:	Address:		
Sign:	Folio:		
Print:	Address:		
Sign:	Folio:		
Print:	Address:		
Sign:	Folio:		



HAINLIN REEF NORTH

MULTIPURPOSE SPECIAL TAXING DISTRICT



SHADING DENOTES LANDSCAPE MAINTENANCE
SERVICE AREA TO BE DISCONTINUED.



MEMORANDUM

(Revised)

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

DATE: April 20, 2021

FROM: 
Gen Bonzon-Keenan
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
- ☐ 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(H)
4-20-21

RESOLUTION NO. _____ R-261-21

RESOLUTION DIRECTING THE COUNTY MAYOR OR COUNTY MAYOR'S DESIGNEE TO CEASE PROVIDING SERVICES WITHIN THE HAINLIN REEF NORTH MULTIPURPOSE SPECIAL TAXING DISTRICT, BEGINNING AT THE EARLIEST PRACTICABLE TIME; DECLARING DORMANT THE HAINLIN REEF NORTH MULTIPURPOSE SPECIAL TAXING DISTRICT IN ORDER TO ALLOW THE RESIDENTS TO PROVIDE MULTIPURPOSE MAINTENANCE SERVICES WITHIN THE SUBJECT AREA; AUTHORIZING THE COUNTY MAYOR OR COUNTY MAYOR'S DESIGNEE TO TAKE ACTIONS NECESSARY TO ACCOMPLISH SUCH PURPOSES; AND DIRECTING THE COUNTY MAYOR OR COUNTY MAYOR'S DESIGNEE TO TAKE ACTIONS NECESSARY TO RECOMMENCE MULTIPURPOSE MAINTENANCE SERVICES IN THE EVENT THE RESIDENTS FAIL TO ADEQUATELY PROVIDE MULTIPURPOSE MAINTENANCE SERVICES

WHEREAS, on October 24, 2002, this Board passed Ordinance No. 02-219, creating the Hainlin Reef North Multipurpose Special Taxing District ("Special Taxing District"); and

WHEREAS, on October 24, 2002, the Board adopted the Special Taxing District's Preliminary Assessment Roll per Resolution No. R-1241-02; and

WHEREAS, in accordance with the provisions of Chapter 18 of the Code of Miami-Dade County, Florida ("Code"), a petition to discontinue the multipurpose maintenance services withing the Special Taxing District, duly signed by a majority of the resident owners of property within the Special Taxing District, was filed with the Clerk of the Board ("Clerk"); and

WHEREAS, upon receipt of such petition the Clerk transmitted a copy thereof to the County Mayor or County Mayor's designee who examined it and filed with the Clerk a memorandum, a copy of which is incorporated in this Resolution by reference, setting forth the background of the Special Taxing District and recommending that the Special Taxing District be declared dormant; and

WHEREAS, the memorandum of the County Mayor or County Mayor's designee recommends declaring dormant the Special Taxing District and discontinuing all multipurpose maintenance services provided within the Special Taxing District; and

WHEREAS, the Board desires to comply with the wishes of the majority of the resident owners of property within the Special Taxing District,

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF MIAMI-DADE COUNTY, FLORIDA, that:

Section 1. This Board incorporates the matters set forth in the foregoing recitals as if set forth herein.

Section 2. This Board: (1) declares dormant the Hainlin Reef North Multipurpose Special Taxing District; and, (2) directs the County Mayor or County Mayor's designee to cease providing multipurpose maintenance services within the Hainlin Reef North Multipurpose Special Taxing District, beginning at the earliest practicable time, in order to allow the resident owners of property of the Hainlin Reef North Multipurpose Special Taxing District to provide such services.

Section 3. This Board authorizes the County Mayor or County Mayor's designee to take all actions necessary to accomplish these actions, including, but not limited to, refunding any excess assessments received after all expenses incurred by the Hainlin Reef North Multipurpose Special Taxing District have been covered.

Section 4. This Board directs the County Mayor or County Mayor's designee to monitor the Hainlin Reef North Multipurpose Special Taxing District and, in the event the resident owners fail to adequately provide the multipurpose maintenance services, hereby directs the County Mayor or County Mayor's designee to take all actions necessary to recommence providing multipurpose maintenance services through the Hainlin Reef North Multipurpose Special Taxing District.

The foregoing resolution was offered by Commissioner **Danielle Cohen Higgins** ,
 who moved its adoption. The motion was seconded by Commissioner **Rebeca Sosa**
 and upon being put to a vote, the vote was as follows:

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

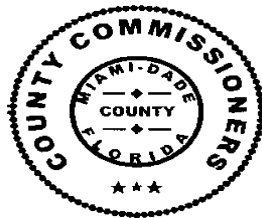
The Chairperson thereupon declared this resolution duly passed and adopted this 20th day of April, 2021. This resolution shall become effective upon the earlier of (1) 10 days after the date of its adoption unless vetoed by the County Mayor, and if vetoed, shall become effective only upon an override 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

Melissa Adames

By: _____
 Deputy Clerk



Approved by County Attorney as
 to form and legal sufficiency.

MSM

Michael J. Mastrucci