

MEMORANDUM

Agenda Item No. 5(C)

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

DATE: February 15, 2022

FROM: Geri Bonzon-Keenan
County Attorney

SUBJECT: Resolution approving, adopting, and confirming an assessment roll providing for annual assessments against real property located within the amended boundaries of the Andover 1st Addition Street Lighting Improvement Special Taxing District in Miami-Dade County, Florida, generally bounded on the north by theoretical NE 214 Street, on the east by theoretical NE 2 Court, on the south by NE 199 Street, and on the west by NW 2 Avenue; providing that assessments made shall constitute a special assessment lien on real property; and providing for the collection of such assessments

Resolution No. R-157-22

The accompanying resolution was prepared by the Parks, Recreation and Open Spaces Department and placed on the agenda at the request of Prime Sponsor Vice-Chairman Oliver G. Gilbert, III.



Geri Bonzon-Keenan
County Attorney

GBK/smm



MEMORANDUM

(Revised)

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

DATE: February 15, 2022

FROM: 
Gen Bonzon-Keenan
County Attorney

SUBJECT: Agenda Item No. 5(C)

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(C)
2-15-22

RESOLUTION NO. _____ R-157-22

RESOLUTION APPROVING, ADOPTING, AND CONFIRMING AN ASSESSMENT ROLL PROVIDING FOR ANNUAL ASSESSMENTS AGAINST REAL PROPERTY LOCATED WITHIN THE AMENDED BOUNDARIES OF THE ANDOVER 1ST ADDITION STREET LIGHTING IMPROVEMENT SPECIAL TAXING DISTRICT IN MIAMI-DADE COUNTY, FLORIDA, GENERALLY BOUNDED ON THE NORTH BY THEORETICAL NE 214 STREET, ON THE EAST BY THEORETICAL NE 2 COURT, ON THE SOUTH BY NE 199 STREET, AND ON THE WEST BY NW 2 AVENUE; 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 on December 19, 1972, adopted Resolution No. R-1863-72, creating the special taxing district in Miami-Dade County, Florida, known and designated as the Andover 1st Addition Street Lighting Improvement Special Taxing District (“Special Taxing District”); and

WHEREAS, this Board adopted Ordinance No.22-17 , amending Resolution No. R-1863-72 such that the Special Taxing District amended boundaries will be wholly within unincorporated Miami-Dade County; and

WHEREAS, in accordance with the provisions of Chapter 18 of the Code, the County Mayor or County Mayor’s designee caused an assessment roll to be prepared and filed with the 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 amended 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 amended Andover 1st Addition Street Lighting Improvement 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.

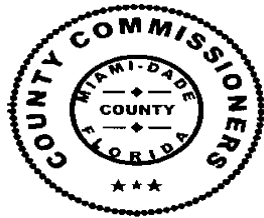
Section 4. All assessments shall be payable in accordance with section 18-14(7) of the Code. As authorized by section 197.3632, Florida Statutes, all special assessments levied and imposed shall be collected, subject to the provisions of Chapter 197, Florida Statutes, in the same

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 **Rebeca Sosa** , who moved its adoption. The motion was seconded by Commissioner **Oliver G. Gilbert, III** 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	absent	Danielle Cohen Higgins	aye
Eileen Higgins	absent	Joe A. Martinez	absent
Kionne L. McGhee	absent	Jean Monestime	aye
Raquel A. Regalado	aye	Rebeca Sosa	aye
Sen. Javier D. Souto	absent		

The Chairperson thereupon declared this resolution duly passed and adopted this 15th day of February, 2022. 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.

DPL

Daija Page Lifshitz