

CITY OF CORAL GABLES, FLORIDA

ORDINANCE NO. 2021-37

AN ORDINANCE OF THE CITY COMMISSION AMENDING THE COCOPLUM PHASE 1 STREET LIGHTING SPECIAL TAXING DISTRICT, AS CREATED BY MIAMI-DADE COUNTY PURSUANT TO COUNTY ORDINANCE 20-114, TO INCREASE THE PROPOSED STREETLIGHTS FROM 55 TO 123 LIGHTS AND CHANGE THE METHOD OF ASSESSMENT FROM ASSESSING ON THE BASIS OF LOT FRONTAGE TO APPLYING A PER PARCEL CHARGE; PROVIDING FOR A REPEALER PROVISION, SEVERABILITY CLAUSE, AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the Cocoplum Phase 1 Street Lighting Special Taxing District (the “District”), which is located completely within the municipal boundaries of the City of Coral Gables, was created in 2020 by Miami-Dade County pursuant to County Ordinance No. 20-114 for the purpose of upgrading the streetlights in the Cocoplum Phase 1 Community; and

WHEREAS, pursuant to County Resolution R-1073-20, Miami-Dade County transferred the ownership of assets and control of the District from the County to the City and designated the City as the governing body of the Special Taxing District with the ability to amend the District Creation Ordinance; and

WHEREAS, on April 1, 2021 the City of Coral Gables received a letter of intent from over 20% of the homeowners (“Petitioner”) within the Cocoplum Phase One Street Lighting Special Taxing District requesting a modification to the District to increase the proposed streetlights from 55 to 123 lights and changing the method of assessment from assessing on the basis of lot frontage to applying a per parcel charge; and

WHEREAS, City staff has reviewed this request and, in accordance with the Special Taxing District Amendment process, as adopted by the City, a petition was created to be circulated to all the properties located within the boundaries of the District; and

WHEREAS, pursuant to the City of Coral Gables Special Taxing District amendment policies, notice of the petition was sent to all properties within the District and the petition was presented to the City Commission on May 11, 2021 and approved pursuant to Resolution No. 2021-75; and

WHEREAS, the Petitioner then circulated the approved petition to all of the homeowners within the District and has acquired the signatures of 105 out of 149 homeowners (70.47%) which, pursuant to the City’s Special Taxing District Amendment process, allows for the requested amendment to the District Creation Ordinance to be brought before the City Commission for approval and adoption; and

WHEREAS, prior to second reading, mailed notice was sent to all properties within the Special Taxing District, specifically to all property addresses and mailing addresses for owners;

NOW, THEREFORE, BE IT ORDAINED BY THE COMMISSION OF THE CITY OF CORAL GABLES:

SECTION 1. That the foregoing recitals are hereby ratified and confirmed as being true and correct and are hereby made a part of this Ordinance upon its adoption hereof.

SECTION 2. That the Cocoplum Phase 1 Street Lighting Special Taxing District, as created by Miami-Dade County pursuant to County Ordinance 20-114, is hereby amended to increase the proposed streetlights from 55 to 123 lights and change the method of assessment from assessing on the basis of lot frontage to applying a per parcel charge.

SECTION 3. If any section, sentence, clause, or phrase of this Ordinance is held to be invalid or unconstitutional by any court of competent jurisdiction, then said holding shall in no way affect the validity of the remaining portions of this Ordinance.

SECTION 4. All Ordinances or parts of Ordinances in conflict herewith, are hereby repealed.

SECTION 5. That this Ordinance shall become effective upon the date of its passage and adoption herein.

PASSED AND ADOPTED THIS NINTH DAY OF NOVEMBER, A.D., 2021.


(Moved: Mena / Seconded: Anderson)

(Yeas: Menendez, Anderson, Fors, Jr., Mena, Lago)


(Unanimous: 5-0 Vote)

(Agenda Item: F-1)


APPROVED:

DocuSigned by:

53B880AB93824A5...
VINCE LAGO
MAYOR

APPROVED AS TO FORM AND
LEGAL SUFFICIENCY:

DocuSigned by:

03A0CB1421E64AC...
MIRIAM SOLER RAMOS
CITY ATTORNEY

ATTEST:

DocuSigned by:

358417D2FA884FF...
BILLY Y. URQUIA
CITY CLERK