

**From:** "Freeland, Jorge L." <jfreeland@whitecase.com>  
**Date:** October 21, 2008 11:52:50 AM EDT  
**To:** "cmo@coralgables.com" <'cmo@coralgables.com'>,  
"Cc: Elizabeth M. Hernandez"  
<ehernandez@coralgables.com>, "Bill Ogden"  
<Billo1@bellsouth.net>, "Jeff Bartell"  
<jeff\_bartel@fpl.com>, "Brian D. Hart"  
<bahart@hartattorneys.com>  
**Subject: Hammock Lakes Guard Gate City of Coral  
Gables Resolution**

Dear Mr. Brown,

I am the president of the Hammock Lakes Homeowners Association. As you may recall, several months ago the City of Coral Gables passed a resolution authorizing the establishment of a special taxing district for purposes of constructing and maintaining a guard gate to our neighborhood. This resolution was passed with a condition that another taxing district, for the purpose of funding a roving patrol, remain intact. Our City Attorney, Elizabeth Hernandez, has tried to confirm the acceptability of this condition to Dade County, but Dade County has indicated that they will not accept this condition. Attached hereto is a copy of the letter we received from the county confirming this position. Therefore, we would like to get on the City's agenda for the commissioners to have a hearing to remove the condition so that the remainder of the City's resolution can get carried out. Would you kindly advise me as to the earliest date that we can be heard by the Commission as to this matter? Many thanks.

Jorge Freeland

(o) 305-995-5247

**CITY OF CORAL GABLES, FLORIDA**

**RESOLUTION NO. 2008-54 (As Amended)**

A RESOLUTION APPROVING CREATION OF A SPECIAL TAXING DISTRICT BY MIAMI-DADE COUNTY FOR HAMMOCK LAKES, CORAL GABLES, FLORIDA, FOR PURPOSE OF PROVIDING FOR TWENTY-FOUR HOUR STATIONARY SECURITY GUARD SERVICE, SUBJECT TO COMPLIANCE WITH APPLICABLE MIAMI-DADE COUNTY REQUIREMENTS, APPROVING CONSTRUCTION OF A GUARD HOUSE FACILITY, A ROAD CLOSURE WITH AN EMERGENCY ACCESS GATE, OPERATION OF TRAFFIC CONTROL DEVICES AND REQUIRING EXECUTION OF INTERLOCAL AGREEMENT BETWEEN CITY AND MIAMI-DADE COUNTY; FURTHER INCLUDING THE FOLLOWING CONDITIONS THAT A ROVING GUARD PROGRAM BE CONTINUED AS PART OF THE CITY'S CONCURRENCE WITH SAID SPECIAL TAXING DISTRICT; THAT THERE BE ALLOWED SPECIFIC PROVISIONS FOR UNABATED ACCESS TO PEDESTRIANS AND BIKE TRAFFIC, THAT AN ELECTRONICALLY CONTROLLED GATE TO BE LOCATED ON OLD CUTLER ROAD BE PERMITTED FOR UNEXPECTED AND EMERGENCY OCCURRENCES.

**WHEREAS**, some of the citizens of Coral Gables residing in Hammock Lakes have petitioned Miami-Dade County under Chapter XVIII of the Miami-Dade County Code to create a Special Taxing District to provide Stationary Security Guard Service for Hammock Lakes; and

**WHEREAS**, the Hammock Lakes Homeowners Association has requested the approval of the Coral Gables City Commission for Miami-Dade County to hold a referendum vote of the residents of Hammock Lakes, at no expense to the City of Coral Gables, to determine whether a Special Taxing District should be created in Hammock Lakes;

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

**SECTION 1.** The foregoing "Whereas" clauses are hereby ratified and confirmed as being true and correct and hereby made a specific part of this Resolution upon adoption hereof.

**SECTION 2.** That the creation of a Special Taxing District by Miami-Dade County for Hammock Lakes, Coral Gables, Florida, in accordance with Chapter XVIII of the Miami-Dade Charter and Sections 18-2 and 18-3 of the Miami-Dade County Code, for the purpose of providing twenty-four hour stationary security guard service, is hereby approved, subject to the requirements set forth herein.

**SECTION 3.** That the formal creation of a Special Taxing District and the levying of annual assessments to support this service and the construction and maintenance of the improvements shall require the execution of an inter-local agreement between the City of Coral Gables, the (City) and Miami-Dade County, the (County), wherein the City will furnish and install for the subject district all capital improvements necessary to complete the construction of a guard house, traffic control devices (gates) and road closure with emergency access gate system, including the necessary road improvements, water, sewer, electrical and telephone connections, concrete pads, sidewalk, curbing and required drainage improvements, lighting, landscaping, signage and striping as required by the Director of the Miami-Dade County Public Works Department to ensure the safe operation of said facilities in the public right-of-way.

**SECTION 4.** That the inter-local agreement will provide that the County shall reimburse the City for all of the City's costs of labor, materials, and supplies necessary to provide the capital improvements described herein.

**SECTION 5.** That title to the guard house and emergency access gate facilities shall remain with the City or its assignee and said facilities shall be leased in perpetuity to Miami-Dade County for \$10.00 per annum until such time as the district is legally abolished.

**SECTION 6.** That the guard house on School House Road south of N. Kendall Drive and the road closure with emergency access gate on Hammock Lakes Drive west of Old Cutler Road herein approved to be constructed shall be located within the public right-of-way.

**SECTION 7.** That the County shall be responsible for operating traffic control devices to enable guards to record the date and time of entry, vehicle make, model, color and license tag number, it being understood and agreed that no visitor to the District will be denied access or entry to the District under any condition.

**SECTION 8.** That the County shall be responsible for contracting for a uniformed commercial security guard service, duly licensed and bonded and State of Florida approved, for the purpose of providing service at the approximate location specified herein, twenty-four (24) hours a day, seven (7) days a week, three hundred sixty-five (365) days a year; or in the alternative the same services may be provided using uniformed off-duty police officers.

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**SECTION 9.** That the approval for the creation of said taxing district be conditioned upon the following:

- (1) the roving guard program be continued.
- (2) there be allowed unabated access to pedestrian and bike traffic and
- (3) that an electronic gate be installed on old Cutler Road to address any unexpected and emergency occurrences.

**SECTION 10.** That the approvals herein granted shall be further conditioned upon the affirmative vote of the residents of Hammock Lakes in an election to be conducted according to the Miami-Dade County Code and further subject to the approval of the Miami-Dade County Commission.

**SECTION 11.** That this resolution shall become effective upon the date of its passage and adoption herein.

PASSED AND ADOPTED THIS TWENTY-NINTH DAY OF APRIL, A.D., 2008.

(Moved: Cabrera / Seconded: Kerdyk)

(Yeas: Cabrera, Kerdyk, Slesnick)

(Nays: Anderson, Withers)

(Majority: (3-2) Vote)

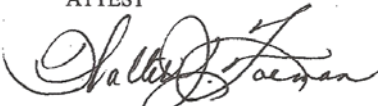
(Agenda Item: H-1)

APPROVED:



DONALD D. SLESNICK II  
MAYOR

ATTEST



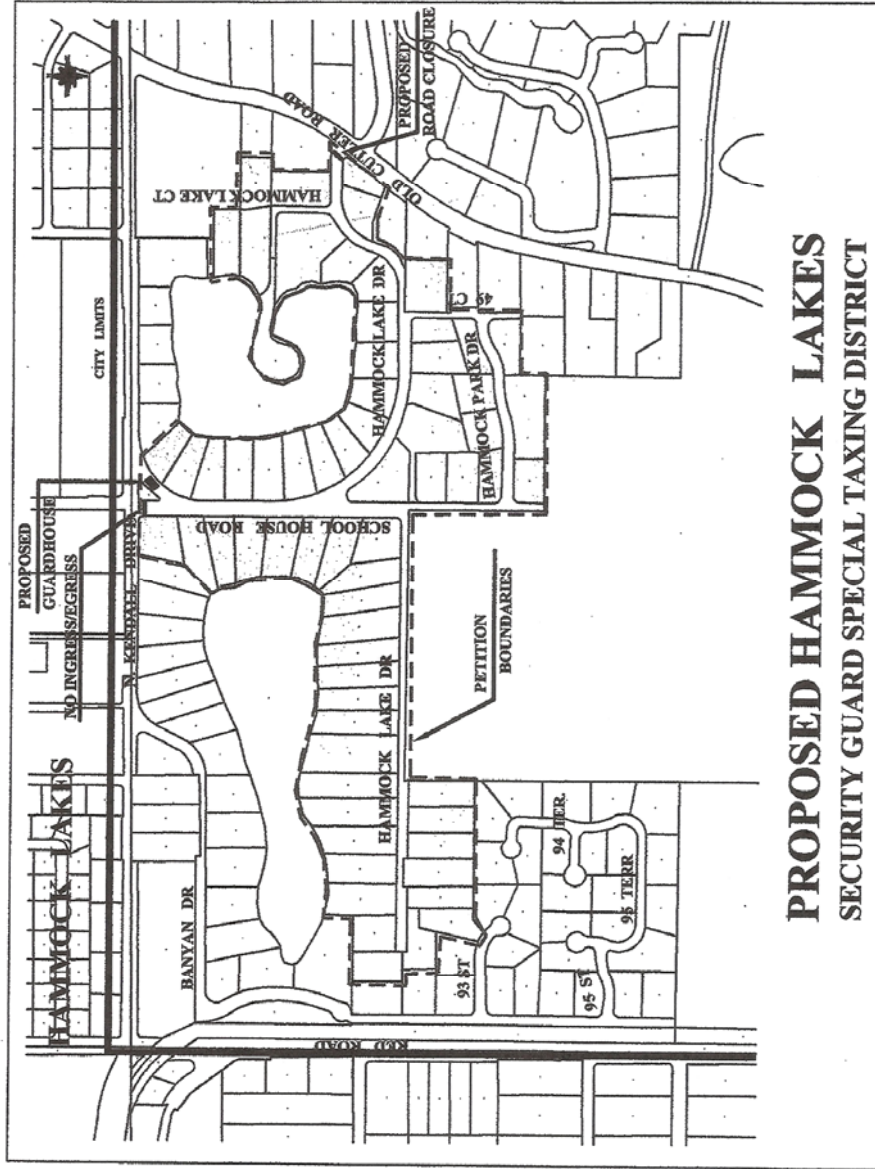
WALTER J. FOEMAN  
CITY CLERK

APPROVED AS TO FORM  
AN LEGAL SUFFICIENCY:



ELIZABETH M. HERNANDEZ  
CITY ATTORNEY





**PROPOSED HAMMOCK LAKES**  
**SECURITY GUARD SPECIAL TAXING DISTRICT**



**Public Works**  
Special Taxing Districts Division  
701 NW 1st Court • 4th Floor  
Miami, Florida 33136  
T 786-469-2029 F 305-375-3338

miamidade.gov

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Property Appraisal  
Public Library System  
Public Works  
Safe Neighborhood Parks  
Seaport  
Solid Waste Management  
Strategic Business Management  
Team Metro  
Transit  
Task Force on Urban Economic Revitalization  
Vizcaya Museum And Gardens  
Water & Sewer

October 15, 2008

Mr. Jorge L. Freeland, President  
Hammock Lakes I & II Homeowners Association, Inc.  
8901 Hammock Lakes Court  
Coral Gables, FL 33156

Re: Proposed Hammock Lake Banyan Sentinel Security Guard Special  
Taxing District

Dear Mr. Freeland:

I have been informed by Assistant County Attorney Mr. James K. Kracht that the County Attorney has met with the attorney for the City of Coral Gables and advised her that the County cannot accept a conditioned City resolution to authorize the creation of a special taxing district within City boundaries.

If you have any questions or need additional information, please call me at (786) 469-2026.

Sincerely,

Donald L. Tock, Jr.  
Chief, Special Taxing Districts Division

cc: Bill Ogden, Vice President  
James K. Kracht, Assistant County Attorney