



City of Coral Gables
City Commission Meeting
October 11, 2022

ITEM TITLE:

Resolution. A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF CORAL GABLES, FLORIDA, AUTHORIZING THE CITY ATTORNEY TO TAKE LEGAL ACTION, INCLUDING THE FILING OF A LAWSUIT, IF IT BECOMES NECESSARY, AGAINST THE BUSINESS IMPROVEMENT DISTRICT OF CORAL GABLES AND/OR THE BUSINESS IMPROVEMENT DISTRICT OF CORAL GABLES, INC.

BRIEF HISTORY:

The 2022 petition process to ascertain support for the continued existence of the Business Improvement District of Coral Gables (the "CG BID") failed to pass, resulting in a dissolution of the BID. Based on records reviewed by the City and representations made by representatives of the CG BID, the City believes that the CG BID and/or Business Improvement District of Coral Gables, Inc. (the 501(c)(6)) (the "Corporate BID") has funds in its account(s) from assessments that occurred prior to 2022. Because those funds were collected by the City as a special assessment, under Chapter 170, F.S., the City has a responsibility to ensure that the funds are used for their authorized purpose or returned to the property owner.

Since the September 13, 2022 City Commission meeting, where the petition results were ratified, the CG BID/Corporate BID has been unresponsive to the City's requests for information and wholly uncooperative. Therefore, should this course of conduct continue, it may become necessary for the City to take legal action against the CG BID/Corporate BID to ensure that the funds are used for their authorized purpose or returned to the property owners.

This resolution authorizes the City Attorney to take legal action, including the filing of a lawsuit, if necessary, against the CG BID and/or Corporate BID.

ATTACHMENT(S):

Draft Resolution