

**CITY OF CORAL GABLES, FLORIDA**

**RESOLUTION NO. 2021-63**

A RESOLUTION OF THE CITY COMMISSION APPROVING THE PETITION LANGUAGE FOR THE PINE BAY ESTATES SECURITY GUARD SPECIAL TAXING DISTRICT TO PROVIDE ADDITIONAL SECURITY AND MAINTENANCE.

**WHEREAS**, on January 26, 2021, the City of Coral Gables received a letter of intent from over 20% of the homeowners within the Pine Bay Estates Special Taxing District (“Pine Bay”) requesting a modification to Pine Bay to expand the services in the District to allow for additional security guard hours on an as need basis and maintenance of the entrance features and common areas located around the District; and

**WHEREAS**, City staff has reviewed this request and, in accordance with the Special Taxing District Amendment process as adopted the City of Coral Gables Commission, as the governing body of Pine Bay, a petition was created to be circulated to all the properties located within the boundaries of Pine Bay; and

**WHEREAS**, in accordance with the Special Taxing District Amendment process once the petition has been created it must be brought before the City of Coral Gables Commission for approval prior to distribution to the petitioners; and

**WHEREAS**, the City of Coral Gables Commission has reviewed the petition and believes that it provides sufficient information for all residents of Pine Bay to make an informed decision and therefore wishes to approve the petition as presented for modifications to Pine Bay;

**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 are hereby made a specific part of this Resolution upon adoption hereof.

**SECTION 2.** The City Commission of the City of Coral Gables hereby approves the petition in substantially the same form as “Exhibit A”, attached hereto, and approves its distribution to the members of Pine Bay.

**SECTION 3.** This resolution shall become effective upon the date of its passage and adoption herein.

PASSED AND ADOPTED THIS TWENTY-THIRD DAY OF MARCH, A.D., 2021.

(Moved: Lago / Seconded: Keon)

(Yeas: Lago, Fors, Jr., Keon, Valdes-Fauli)

(Absent: Mena)

(Unanimous: 4-0 Vote)

(Agenda Item: I-8)

APPROVED:



RAUL VALDES-FAULI  
MAYOR

ATTEST:



BILLY Y. URQUIA  
CITY CLERK

APPROVED AS TO FORM  
AND LEGAL SUFFICIENCY:



MIRIAM SOLER RAMOS  
CITY ATTORNEY

**PINE BAY ESTATES SECURITY GUARD DISTRICT**  
**PROPOSED SERVICES EXPANSIONS**  
**CITY OF CORAL GABLES**

Petition Issue Date MM/DD/YYYY

Petition Received Date   /  /    
**(TO BE COMPLETED BY THE DEPARTMENT)**

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

**To the District Resident:** On behalf of the Pine Bay Estates Homeowners Association, Mr. Javier E. Codeso(jcodeso@bellsouth.net) and Mr. Chad S. Friedman(cfriedman@wsh-law.com), submitted a letter of intent in accordance with the City of Coral Gables policy for an amendment to Special Taxing Districts. Attached to this petition is a copy of the amendment policy. This petition is listed as step number 2 in the amendment process and all further steps are delineated in the attached policy.

**To the City Commission of Coral Gables, Florida:** We, the undersigned, do hereby petition the City of Coral Gables, as the governing body of the Pine Bay Estates Security Guard Special Taxing District, to expand the existing roving security guard district to provide additional hours as needed, and include maintenance service, which was not contemplated in the original County Ordinance 93-66 nor Amended County Ordinance 17-35. Expansion includes landscaping, repair, and maintenance to the perimeter, perimeter wall, and entry features.

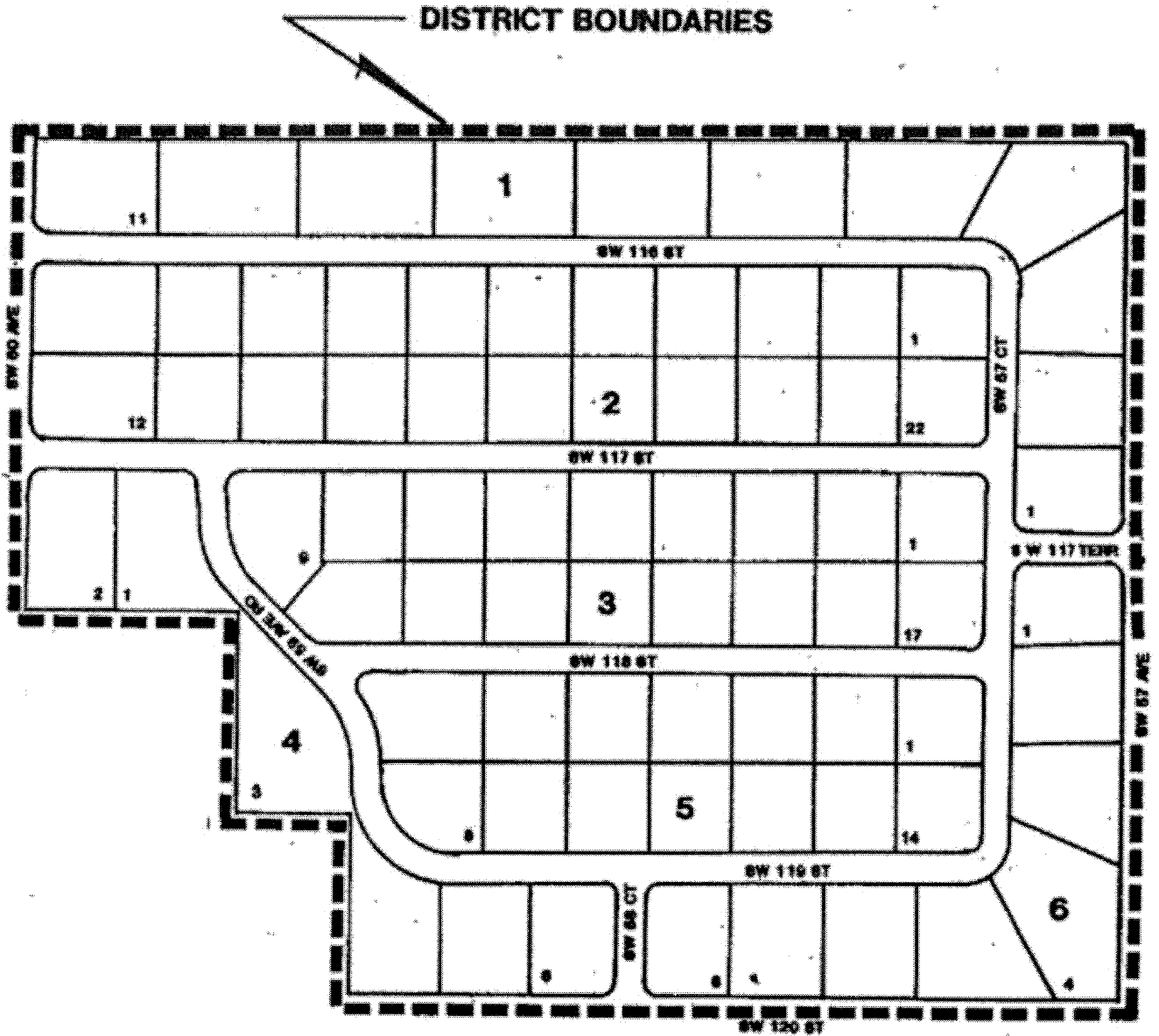
**Proposed Public Improvement:**

The roving security hours currently allow for 12 hours per day, 365 days per year. This will remain as a minimum, however, additional hours may be added on an as needed basis to improve security of the district. In addition to the modification to roving patrol, the landscaping and common area features within the district will be maintained, repaired, and replaced as needed.

**Proposed Assessment Change:**

<u>City of Coral Gables</u> <u>Pine Bay Estates Security Guard Special Taxing District</u>		
	<u>Existing FY 2020</u>	<u>Proposed FY2021</u>
<u>Units</u>	<u>77</u>	<u>77</u>
<u>Assessment</u>	<u>\$2,305.28</u>	<u>\$2,755.28</u>
<u>Revenue Total</u>	<u>\$177,506.56</u>	<u>\$212,156.56</u>

Special Taxing District Boundaries:



**PINE BAY ESTATES  
SECURITY GUARD  
SPECIAL TAXING DISTRICT**



NOTE : Only signatures of property owners, and only one signature per household, will count toward the 50% Code requirement for petition validation. However, circulation of petition among non-owner residents is urged to ensure these persons are informed of this proposal on which they may be called to vote. **[Altering this form in any way invalidates the entire petition.]**

<u>Folio Number</u>	<u>Site Address</u>	<u>Homeowner (Print Name)</u>	<u>Signature</u>	<u>Date Signed</u>
0350120300010	11701 SW 57 CT			
0350120300020	11621 SW 57 CT			
0350120300030	11601 SW 57 CT			
0350120300040	5751 SW 116 ST			
0350120300050	5761 SW 116 ST			
0350120300060	5781 SW 116 ST			
0350120300070	5821 SW 116 ST			
0350120300080	5841 SW 116 ST			
0350120300090	5881 SW 116 ST			
0350120300100	5901 SW 116 ST			
0350120300110	5941 SW 116 ST			
0350120300120	5740 SW 116 ST			
0350120300130	5760 SW 116 ST			
0350120300140	5780 SW 116 ST			
0350120300150	5800 SW 116 ST			
0350120300160	5820 SW 116 ST			
0350120300170	5840 SW 116 ST			
0350120300180	5860 SW 116 ST			
0350120300190	5880 SW 116 ST			
0350120300200	5900 SW 116 ST			

<u>Folio Number</u>	<u>Site Address</u>	<u>Homeowner (Print Name)</u>	<u>Signature</u>	<u>Date Signed</u>
0350120300210	5920 SW 116 ST			
0350120300220	5940 SW 116 ST			
0350120300230	5925 SW 117 ST			
0350120300240	5905 SW 117 ST			
0350120300250	5895 SW 117 ST			
0350120300260	5885 SW 117 ST			
0350120300270	5865 SW 117 ST			
0350120300280	5845 SW 117 ST			
0350120300290	5825 SW 117 ST			
0350120300300	5805 SW 117 ST			
0350120300310	5785 SW 117 ST			
0350120300320	5765 SW 117 ST			
0350120300330	5745 SW 117 ST			
0350120300340	5740 SW 117 ST			
0350120300350	5760 SW 117 ST			
0350120300360	5780 SW 117 ST			
0350120300370	5800 SW 117 ST			
0350120300380	5820 SW 117 ST			
0350120300390	5840 SW 117 ST			
0350120300400	5860 SW 117 ST			
0350120300410	5880 SW 117 ST			
0350120300420	5890 SW 117 ST			
0350120300430	5900 SW 117 ST			

<u>Folio Number</u>	<u>Site Address</u>	<u>Homeowner (Print Name)</u>	<u>Signature</u>	<u>Date Signed</u>
0350120300440	5920 SW 117 ST			
0350120340010	5885 SW 118 ST			
0350120340020	5865 SW 118 ST			
0350120340030	5845 SW 118 ST			
0350120340040	5825 SW 118 ST			
0350120340050	5805 SW 118 ST			
0350120340060	5785 SW 118 ST			
0350120340070	5765 SW 118 ST			
0350120340080	5745 SW 118 ST			
0350120340090	11800 SW 59 AVE RD			
0350120340100	5860 SW 119 ST			
0350120340110	5840 SW 119 ST			
0350120340120	5820 SW 119 ST			
0350120340130	5740 SW 118 ST			
0350120340140	5760 SW 118 ST			
0350120340150	5780 SW 118 ST			
0350120340160	5800 SW 118 ST			
0350120340170	5820 SW 118 ST			
0350120340180	5840 SW 118 ST			
0350120340190	5860 SW 118 ST			
0350120340200	5865 SW 119 ST			
0350120340210	5845 SW 119 ST			
0350120340220	5825 SW 119 ST			

<u>Folio Number</u>	<u>Site Address</u>	<u>Homeowner (Print Name)</u>	<u>Signature</u>	<u>Date Signed</u>
0350120340230	5805 SW 119 ST			
0350120340240	5785 SW 119 ST			
0350120340250	5765 SW 119 ST			
0350120340260	5745 SW 119 ST			
0350120340270	11721 SW 57 CT			
0350120340280	11801 SW 57 CT			
0350120340290	11821 SW 57 CT			
0350120340300	11841 SW 57 CT			
0350120340310	5740 SW 119 ST			
0350120340320	5760 SW 119 ST			
0350120340330	5780 SW 119 ST			
<b>Total Folios: 77</b>				



AMENDMENT PROCESS FOR EXISTING SPECIAL TAXING DISTRICTS  
WITHIN THE CITY OF CORAL GABLES<sup>i</sup>

1. A letter of intent (LOI) is submitted to the City from the applicable Homeowner Association (HOA), if the Special Taxing District has a mandatory HOA, otherwise 20 percent of the homeowners (herein after referred to as the “Homeowners”) within the Existing District. The LOI is to include an exhibit containing a list of every Folio and Address within the boundaries.
2. Once in receipt of an LOI, the City will draft a petition to be circulated among the properties within the Special Taxing District.
  - a. The petition will contain:
    - i. The name and contact information of the party or parties which submitted the LOI to the City to initiate this process.
    - ii. All proposed changes to the special taxing district including the estimated economic impact of the change.
    - iii. An explanation of this amendment process and a copy of this adopted policy.
  - b. Once drafted the petition will then be presented to the City Commission for approval.
  - c. A courtesy notice will be sent to all properties located within the Special Taxing District prior to the Commission meeting approving the petition.
3. The requesting party, either the HOA or the Homeowners, will circulate the petition among all property owners within the district boundaries and must acquire the support of more than 50 percent of the property owners for the amendment request to proceed.
  - a. The petition must be completed and returned to the City within four (4) months from the date of issue. If the petition is not returned to the City within four (4) months, then it will be deemed unsuccessful.
  - b. All submitted petition forms must be original and completed in ink.
  - c. Only one property owner's signature, per household, will count toward the more than 50 percent requirement.
4. Once the petition is received by the City the level of support will be assessed and the amendment process will continue as follows:
  - a. If the support of at least 50 percent of the property owners plus one additional property owner is not attained on the petition, then the request for amendment to the existing special taxing district will have been deemed unsuccessful and no further progress will be made.
    - i. The HOA or Homeowners are barred from requesting a materially similar amendment request for one (1) year from the date of the unsuccessful petition.

- b. If the support of more than 50 percent but not more than 66.66 percent of the property owners is attained on the petition, then a legislative package will be prepared for approval before the City Commission, which if approved will require an election.
  - i. The item will be presented to the City Commission for two (2) readings with mailed notice being sent to all property owners within the District 21 days before the second reading.
  - ii. If the item is approved by the City Commission on second reading, then the item will be set for an election.
  - iii. A majority of qualified voters will need to approve the amendment in order to enact the requested changes.
  - iv. The election will be conducted by mailed ballot by either the Miami-Dade Elections Department or by the City's Clerk as to be determined by the City. Any costs associated with the election will be the financial responsibility of the Existing Special Taxing District regardless if the amendment passes or fails.
- c. If the support of more than 66.66 percent of the property owners is attained on the petition, then a legislative package will be prepared for approval and enactment before the City Commission
  - i. The item will be presented to the City Commission for two (2) readings with mailed notice being sent to all property owners within the District 21 days before the second reading.
    - 1. The notice shall contain the proposed changes to the district and a cost estimate of said change.
  - ii. If the item is approved by the City Commission on second reading, then the item will be enacted and no election will be required.  
(Notwithstanding the level of support on the petition, the City Commission may choose to have an election on the requested amendment to the special taxing district.)

---

<sup>i</sup> This amendment process will be for significant changes of service as determined by the City. Cost recovery is not considered an amendment and any increases in the assessments that are due to increases in the costs of services will not go through an amendment process and will be completed by the City administratively.