

CITY OF CORAL GABLES, FLORIDA

RESOLUTION NO. 2016-275

A RESOLUTION OF THE CITY COMMISSION AUTHORIZING THE CREATION OF A SPECIAL TAXING DISTRICT BY MIAMI-DADE COUNTY FOR BANYAN DRIVE, CORAL GABLES, FLORIDA, FOR PURPOSE OF PROVIDING FOR TWENTY-FOUR HOUR STATIONARY SECURITY GUARD SERVICE, SUBJECT TO COMPLIANCE WITH APPLICABLE MIAMI-DADE COUNTY AND CITY REQUIREMENTS, APPROVING CONSTRUCTION OF A GUARD HOUSE FACILITY, OPERATION OF TRAFFIC CONTROL DEVICES AND REQUIRING EXECUTION OF INTERLOCAL AGREEMENT BETWEEN CITY AND MIAMI-DADE COUNTY.

WHEREAS, citizens of Coral Gables residing in the area on or around Banyan Drive, 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 the Banyan Drive neighborhood; and

WHEREAS, the Banyan Drive residents have requested the approval of the Coral Gables City Commission for Miami-Dade County to hold a referendum vote of the residents of the Banyan Drive neighborhood, at no expense to the City of Coral Gables, to determine whether a Special Taxing District should be created in Banyan Drive;

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 thereof.

SECTION 2. That the creation of a Special Taxing District by Miami-Dade County for Banyan Drive, 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), 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 Banyan Drive, south of N. Kendall Drive herein approved to be constructed complying with all applicable codes 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 guardhouse operators will comply with Section 38-12 of the City of Coral Gables Code.

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.

SECTION 9. That the approvals herein granted shall be further conditioned upon the affirmative vote of the residents of the Banyan Drive neighborhood 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 10. That the approval for the creation of said taxing district be conditioned upon the allowance of unabated access to pedestrian and bike traffic.

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

PASSED AND ADOPTED THIS SIXTH DAY OF DECEMBER, A.D.,
2016.

(Moved: Keon / Seconded: Lago)
(Yeas: Lago, Quesada, Slesnick, Keon, Cason)
(Unanimous: 5-0 Vote)
(Agenda Item: H-3)


ATTEST


WALTER J. FOEMAN
CITY CLERK

APPROVED:


JIM CASON
MAYOR

APPROVED AS TO FORM
AN LEGAL SUFFICIENCY:


CRAIG E. LEEN
CITY ATTORNEY