

**DRAFT**

RESOLUTION NO. \_\_\_\_\_

A RESOLUTION APPROVING AMENDMENT OF THE KINGS BAY SECURITY GUARD DISTRICT BY MIAMI-DADE COUNTY FOR KINGS BAY, CORAL GABLES, FLORIDA; PROVIDING FOR CONSTRUCTION OF GUARD HOUSE FACILITY AND OPERATION OF TRAFFIC CONTROL DEVICES; REQUIRING EXECUTION OF INTERLOCAL AGREEMENT AND PERMIT BETWEEN CITY AND MIAMI-DADE COUNTY

**WHEREAS**, some of the citizens of Coral Gables residing in Kings Bay have petitioned Miami-Dade County under Chapter XVIII of the Miami-Dade County Code to amend the Kings Bay Security Guard Service Special Taxing District to provide for construction of a guard house with gates; and

**WHEREAS**, the existing Kings Bay Security Guard Special Taxing District has been amended to provide for the construction of the guard house with gates.

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

Section 1. The recitals and findings contained in the preamble to this resolution are hereby adopted by reference thereto and incorporated as if fully set forth in this Section.

Section 2. That the amendment to Kings Bay Security Guard Special Taxing District by Miami-Dade County for Kings Bay, Coral Gables, Florida, in accordance with Chapter XVIII of the Miami-Dade County Code, for the purpose of providing the construction of the security facilities is hereby approved, subject to the requirements set forth herein.

Section 3. That the formal amendment of the Kings Bay Security Guard Special Taxing District and the levying of a one time special assessments to support construction of the guard house and gates shall require the execution of an Interlocal 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 construct a guard house, including the necessary road improvements, water, sewer, electrical and telephone connections, conduit for traffic control devices, concrete pads, sidewalk, curbing and required drainage improvements, and signing and striping as required by the Director of the Miami-Dade County Public Works Department to ensure the safe operation of said facility in the public right-of-way.

Section 4. That the Interlocal Agreement will provide that the County shall reimburse the City for all costs of labor, materials, and supplies necessary to provide the capital improvements described herein.

Section 5. That title to the guard house facility shall remain with the City or its assignee and said facility shall be leased in perpetuity to the County for \$10.00 per annum until such time as the district is legally abolished.

Section 6. That the guard house facility herein approved to be constructed shall be located within the public right-of-way located approximately 130 feet east of S.W. 67<sup>th</sup> Avenue on S.W. 144<sup>th</sup> Street.

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 traffic control devices shall be operated and maintained in accordance with the provisions specified in a permit between the City and Miami-Dade County.

Section 9. It is understood that the City Manager is hereby authorized to expend an amount not to exceed One Hundred Ninety-Five Thousand Dollars (\$195,000.00) to be reimbursed by the County, to furnish and install the aforementioned capital improvements, and is authorized to enter into and execute an Interlocal Agreement in substantially the form attached hereto.

Section 10. It is understood and agreed that the Kings Bay Homeowner's Association will contribute \$125,000.00 of the estimated \$320,000.00 needed to construct the guard house with the difference billed to Miami-Dade County Taxing District.

Section 11. 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, and three hundred sixty-five (365) days a year; or in the alternative the same services may be provided using uniformed off-duty police officers. These services shall be defrayed from annual service special assessment levied within the District.

Section 12. That the approvals herein granted received the affirmative vote of the residents of Kings Bay in an election conducted according to the Miami-Dade County Commission.

Section 13. Said resolution shall become effective upon the date of its adoption herein.

PASSED AND ADOPTED THIS TWELFTH DAY OF FEBRUARY, A.D., 2008.

APPROVED:

DONALD D. SLESNICK, II  
MAYOR

ATTEST:

WALTER FOEMAN  
CITY CLERK

APPROVED AS TO FORM AND  
LEGAL SUFFICIENCY:

ELIZABETH M. HERNANDEZ  
CITY ATTORNEY