

**CITY OF CORAL GABLES, FLORIDA**

**RESOLUTION NO. 2022-\_\_\_\_\_**

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF CORAL GABLES DISSOLVING THE BUSINESS IMPROVEMENT DISTRICT OF CORAL GABLES AS OF A DATE CERTAIN; PROHIBITING FURTHER ASSESSMENTS WITHIN THE DISTRICT; PROVIDING FOR LIENS; AUTHORIZING THE DISTRICT TO TAKE CERTAIN ACTIONS FOR THE WIND DOWN OF THE AFFAIRS OF THE BUSINESS IMPROVEMENT DISTRICT; PROVIDING FOR THE TRANSFER OF BUSINESS ASSETS; PROVIDING FOR AN EFFECTIVE DATE

**WHEREAS**, on April 15, 1997, the City of Coral Gables (“City”) created the Business Improvement District of Coral Gables (“BID”), subject to approval through a referendum of affected property owners, by passage of Resolution 29246 for the purpose of levying and collecting special assessments as provided for in Chapter 170, *Florida Statutes*; and

**WHEREAS**, pursuant to Resolution 29246 the BID was subject to sunset after five years unless reestablished by subsequent referendum; and

**WHEREAS**, the BID was reaffirmed for a period of five years following a referendum in each of May 14, 2002; May 22, 2007; May 22, 2012, and June 13, 2017; and

**WHEREAS**, on September 11, 2022, the City Clerk notified the City Commission that the referendum approving the continued existence of the BID failed to pass; and

**WHEREAS**, in response to the 2022 referendum, the City Commission is dissolving the BID;

**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 Business Improvement District of Coral Gables shall automatically dissolve upon the earlier of December 31, 2022, or the date upon which all assets of the BID have been exhausted or transferred to the City (the “Dissolution Date”).

**SECTION 3.** As of the effective date of this Resolution, no further assessments shall be levied on any properties within the BID for the purposes provided in Chapter 170. All outstanding assess-

ments due and owing to the BID may be collected by the BID until the Dissolution Date. Commencing on the Dissolution Date, no further assessments shall be collected. Any assessments received after the Dissolution Date shall be returned or shall be treated as may be permitted or required by law.

**SECTION 4** This Resolution shall not be deemed to affect any valid lien recorded prior to the Dissolution Date resulting from failure to pay BID assessments.

**SECTION 5.** The BID is authorized to continue in existence until the Dissolution Date for the sole purpose of winding down the affairs of the BID, performing under any existing contracts, and executing the following events (the “BID Events”):

- a) Miracle Mile tree lighting
- b) Pumpkin arch
- c) Halloween on the Mile
- d) Christmas tree and lighting on Giralda Avenue
- e) Holiday marketplace

**SECTION 6.** Except as required to effectuate the BID Events, the BID shall not enter into any contracts or agreements without the prior written consent of the City. In no event shall the BID enter into any contract that terminates after the Dissolution Date without the prior written consent of the City, and any such contract must be subject to approval by the City, assignable to the City, and specifically state it shall not affect the City’s rights to sovereign immunity.

**SECTION 7.** The BID shall take all actions necessary to wind down the affairs of the BID, including termination of leases, termination of contracts, payment of outstanding debts, closure of accounts, and such other actions as the City or BID deem necessary to effectuation the final dissolution of the BID.

**SECTION 8.** Prior to the Dissolution Date, the BID shall transfer all assets to the City, specifically including all funding received through collection of assessments levied pursuant to Chapter 170, *Florida Statutes*.

**SECTION 9.** This Resolution shall not be read to affect any other validly issued tax or assessment levied by the City except those levied pursuant to the authority granted in Chapter 170, *Florida Statutes* and specifically associated with the BID.

**SECTION 10.** The City staff is hereby authorized and directed to take all actions necessary to carry out the intent of this Resolution.

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

PASSED AND ADOPTED THIS \_\_\_ DAY OF OCTOBER, A.D., 2022.

(Moved: \_\_\_\_/ Seconded: \_\_\_\_)

(YEAS:)

(NAYS/UNANIMOUS)

APPROVED:

VINCE LAGO  
MAYOR

ATTEST:

APPROVED AS TO FORM  
AND LEGAL SUFFICIENCY:

BILLY Y. URQUIA  
CITY CLERK

MIRIAM SOLER RAMOS  
CITY ATTORNEY