
CITY OF CORAL GABLES, FLORIDA

RESOLUTION NO. 2019-_____

**FINAL ASSESSMENT RESOLUTION
BANYAN DRIVE SECURITY GUARD
SPECIAL TAXING DISTRICT**

ADOPTED SEPTEMBER 12, 2019

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CITY OF CORAL GABLES, FLORIDA

RESOLUTION NO. 2019-__

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF CORAL GABLES, FLORIDA, RELATING TO SECURITY SERVICES ASSESSMENTS WITHIN THE BANYAN DRIVE SECURITY GUARD SPECIAL TAXING DISTRICT; CONFIRMING THE INITIAL ASSESSMENT RESOLUTION; IMPOSING SECURITY SERVICES ASSESSMENTS; APPROVING THE SECURITY SERVICES ASSESSMENT ROLL; PROVIDING FOR COLLECTION OF THE ASSESSMENTS; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City Commission of the City of Coral Gables (the "Commission"), Florida, enacted the Assessment Ordinance to permit the imposition of assessments to fund enhanced security services, facilities, and programs for the benefit of the property owners within the Banyan Drive Security Guard Special Taxing District (the "District"); and

WHEREAS, on June 11, 2019, the Commission adopted Resolution No. 2019-195 (the "Initial Assessment Resolution"), initiating the process to collect Assessments within the District pursuant to the Uniform Assessment Collection Act set forth in section 197.3632, Florida Statutes, and directing preparation of the preliminary Security Services Assessment Roll and provision of the notices required by the Assessment Ordinance; and

WHEREAS, pursuant to the provisions of the Assessment Ordinance, the Commission is required to confirm or repeal the Initial Assessment Resolution, with such amendments as the Commission deems appropriate, after hearing comments and receiving objections of all interested parties; and

WHEREAS, the Security Services Assessment Roll has heretofore been filed with the office of the City Clerk, as required by the Assessment Ordinance; and

WHEREAS, as required by the terms of the Assessment Ordinance, notice of a public hearing has been published and mailed to each property owner proposed to be assessed notifying such property owner of the opportunity to be heard; the proof of publication and an affidavit of mailing are attached hereto as Appendices A and B respectively; and

WHEREAS, a public hearing was held on September 12, 2019, and comments and objections of all interested persons have been heard and considered as required by the terms of the Assessment Ordinance.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF CORAL GABLES, FLORIDA, AS FOLLOWS:

SECTION 1. AUTHORITY. This Resolution is adopted pursuant to the Assessment Ordinance, the Initial Assessment Resolution, Article VIII, Section 2, Florida Constitution, the City of Coral Gables Charter, Section 166.021, Florida Statutes, and other applicable provisions of law.

SECTION 2. DEFINITIONS.

(A) This Resolution is the Final Assessment Resolution as defined in the Assessment Ordinance

(B) All capitalized terms in this Resolution shall have the meanings defined in the Assessment Ordinance and the Initial Assessment Resolution.

SECTION 3. CONFIRMATION OF INITIAL ASSESSMENT RESOLUTION. The Initial Assessment Resolution is hereby ratified and confirmed.

SECTION 4. APPROVAL OF SECURITY SERVICES ASSESSMENT ROLL.

(A) The Security Services Assessment Roll, a copy of which is attached hereto as Appendix C, is hereby approved for the fiscal year beginning October 1, 2019.

(B) Additionally, the Security Services Assessment Roll, as approved, includes those Tax Parcels/Folios within the District that cannot be set forth in that Security Services Assessment Roll due to the provisions of Chapter 2019-12, Laws of Florida, concerning exempt "home addresses" under Section 119.071(d), Florida Statutes.

SECTION 5. IMPOSITION OF ASSESSMENTS.

(A) The Tax Parcels/Folios described in the Security Services Assessment Roll are hereby found to be specially benefited by the provision of the Security Services funded by the Security Service Cost in the amount of the maximum annual Assessment set forth in the Security Services Assessment Roll.

(B) For the Fiscal Year beginning October 1, 2019, the Security Service Cost for the District is \$371,492.03. For the Fiscal Year beginning October 1, 2019, the Assessment is \$7,581.47 for each improved Lot/Unit and \$3,790.74 for each Vacant Lot/Unit.

(C) The methodology for computing annual Assessments in the Initial Assessment Resolution is hereby approved and found to be a fair and reasonable method of apportioning the Security Service Cost among the benefited properties.

(D) Annual Assessments computed in the manner described in the Initial Assessment Resolution are hereby levied and imposed on all Tax Parcels/Folios within the District for the Fiscal Year beginning October 1, 2019.

(E) Upon adoption of this Resolution, the Assessments shall constitute a lien against Assessed Property equal in rank and dignity with the liens of all state, county,

district or municipal taxes and other non-ad valorem assessments. Except as otherwise provided by law, such lien shall be superior in dignity to all other liens, titles and claims, until the ad valorem tax bill for such year is otherwise paid in full pursuant to the Uniform Assessment Collection Act. The lien shall be deemed perfected upon adoption by the Commission of this Resolution and shall attach to the property included on the Security Services Assessment Roll as of the prior January 1, the lien date for ad valorem taxes.

SECTION 6. COLLECTION OF ASSESSMENTS.

(A) The Assessments shall be collected pursuant to the Uniform Assessment Collection Act as authorized in the Assessment Ordinance. The Security Services Assessment Roll, as herein approved, shall be delivered to the Tax Collector for collection using the tax bill collection method in the manner prescribed by the Assessment Ordinance.

(B) The Security Services Assessment Roll, as delivered to the Tax Collector, shall be accompanied by a Certificate to Non-Ad Valorem Assessment Roll in substantially the form attached hereto as Appendix D. The Property Appraiser and Tax Collector shall apply the Assessment rates approved herein to any Tax Parcels/Folios in the District with exempt "home addresses" pursuant to Section 119.071(d), Florida Statutes.

SECTION 7. EFFECT OF RESOLUTION. The adoption of this Resolution shall be the final adjudication of the issues presented herein and in the Initial Assessment Resolution (including, but not limited to, the method by which the Assessments will be computed, the Security Services Assessment Roll, the maximum annual Assessment, the levy and lien of the Assessments and the terms for prepayment of the Assessments)

unless proper steps are initiated in a court of competent jurisdiction to secure relief within 20 days from the date of Commission action on this Resolution.

SECTION 8. EFFECTIVE DATE. This Resolution shall take effect immediately upon its adoption.

PASSED AND ADOPTED THIS 12TH DAY OF SEPTEMBER, A.D., 2019.

| | |
|-----------------------------|---|
| (Moved: / Seconded: |) |
| (Yeas: |) |
| (Unanimous: |) |
| (Agenda Item: |) |

APPROVED:

RAUL VALDES-FAULI
MAYOR

ATTEST:

APPROVED AS TO FORM AND
LEGAL SUFFICIENCY:

BILLY Y. URQUIA
CITY CLERK

MIRIAM SOLER RAMOS
CITY ATTORNEY

APPENDIX A
PROOF OF PUBLICATION

APPENDIX B
AFFIDAVIT OF MAILING

AFFIDAVIT OF MAILING

BEFORE ME, the undersigned authority, personally appeared Diana M. Gomez, who, after being duly sworn, deposes and says:

1. Diana M. Gomez, as Finance Director of the City of Coral Gables, Florida ("City"), pursuant to the authority and direction received from the City Commission, timely directed the preparation of the Assessment Roll and the preparation, mailing, and publication of notices in accordance with Ordinance No. 2015-09 (the "Assessment Ordinance") and in conformance Resolution No. 2019-195 adopted by the City Commission on June 11, 2019 (the "Initial Assessment Resolution").

2. Ms. Gomez has caused the notices required by the Assessment Ordinance to be prepared in conformance with the Initial Assessment Resolution. An exemplary form of such notice is attached hereto. Ms Gomez has caused such individual notices for each affected property owner to be prepared and each notice included the following: the purpose of the assessment; the total amount proposed to be levied against each parcel; the unit of measurement to be applied against each parcel to determine the assessment; the number of such units contained within each parcel; the total revenue the City expects to collect by the assessment; a statement that failure to pay the assessment will cause a tax certificate to be issued against the property which may result in a loss of title; a statement that all affected property owners have a right to appear at the hearing and to file written objections with the local governing board within 20 days of the notice; and the date, time, and place of the hearing.

3. On or before August 22, 2019, Ms. Gomez caused the mailing of the above-referenced notices in accordance with the Assessment Ordinance and the Initial

Assessment Resolution by First Class Mail to each affected owner, at the addresses then shown on the real property assessment tax roll database maintained by the Miami-Dade County Property Appraiser for the purpose of the levy and collection of ad valorem taxes.

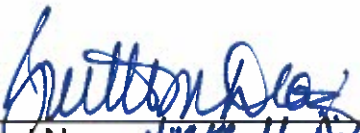
FURTHER AFFIANT SAYETH NOT.



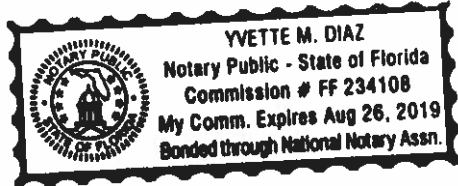
Diana M. Gomez, affiant

STATE OF FLORIDA
COUNTY OF MIAMI-DADE

The foregoing Affidavit of Mailing was sworn to and subscribed before me this 26th day of August, 2019 by Diana M. Gomez, Finance Director, City of Coral Gables, Florida. She is personally known to me or has produced _____ as identification and did take an oath.

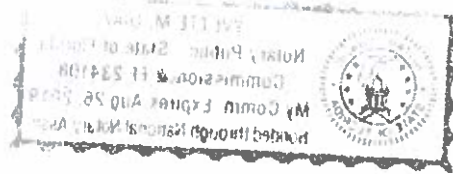


Printed Name: YVETTE M. DIAZ
Notary Public, State of Florida
At Large
My Commission Expires:
Commission No.: _____



APPENDIX C

SECURITY SERVICES ASSESSMENT ROLL



APPENDIX C

ASSESSMENT ROLL

| <u>Folio Number</u> | <u>Site Address</u> | <u>Units</u> | <u>Rate</u> | <u>Assessment</u> |
|---------------------|----------------------|--------------|-------------|-------------------|
| 0351060030020 | 5340 BANYAN DR | 1 | 7581.47 | 7581.47 |
| 0351060170020 | 9551 BANYAN DR | 1 | 7581.47 | 7581.47 |
| 0351060170140 | 5455 KERWOOD TER | 1 | 7581.47 | 7581.47 |
| 0351060170130 | 5480 KERWOOD TER | 1 | 7581.47 | 7581.47 |
| 0351060200060 | 9324 KERWOOD CT | 1 | 7581.47 | 7581.47 |
| 0351060010030 | 5465 BANYAN TRL | 1 | 7581.47 | 7581.47 |
| 0351060170170 | 5455 KERWOOD OAKS DR | 1 | 7581.47 | 7581.47 |
| 0351060200030 | 5520 OAKWOOD LN | 1 | 7581.47 | 7581.47 |
| 0351060060010 | 5441 BANYAN DR | 1 | 7581.47 | 7581.47 |
| 0351060210010 | 5655 KERWOOD OAKS DR | 1 | 7581.47 | 7581.47 |
| 0351060010080 | 9801 BANYAN DR | 1 | 7581.47 | 7581.47 |
| 0351060040070 | 9055 BANYAN DR | 1 | 7581.47 | 7581.47 |
| 0351060200010 | 5600 OAKWOOD LN | 1 | 7581.47 | 7581.47 |
| 0351060010010 | 5671 BANYAN TRL | 1 | 7581.47 | 7581.47 |
| 0351060010050 | 5400 BANYAN TRL | 1 | 7581.47 | 7581.47 |
| 0351060010060 | 5450 BANYAN TRL | 1 | 7581.47 | 7581.47 |
| 0351060110010 | 5690 BANYAN DR | 0.5 | 7581.47 | 3790.74 |
| 0351060170040 | 5440 KERWOOD OAKS DR | 1 | 7581.47 | 7581.47 |
| 0351060170090 | 9401 BANYAN DR | 1 | 7581.47 | 7581.47 |
| 0351060200080 | 9305 KERWOOD CT | 0.5 | 7581.47 | 3790.74 |
| 0351060170150 | 5454 KERWOOD TER | 1 | 7581.47 | 7581.47 |
| 0351060170070 | 9501 KERWOOD CT | 1 | 7581.47 | 7581.47 |
| 0351060060040 | 5401 BANYAN DR | 1 | 7581.47 | 7581.47 |
| 0351060240040 | 5575 OAKWOOD LN | 1 | 7581.47 | 7581.47 |
| 0351060250010 | 5390 BANYAN DR | 1 | 7581.47 | 7581.47 |
| 0351060240050 | 9211 BANYAN DR | 1 | 7581.47 | 7581.47 |
| 0351060170080 | 9401 KERWOOD CT | 1 | 7581.47 | 7581.47 |
| 0351060170050 | 5420 KERWOOD OAKS DR | 1 | 7581.47 | 7581.47 |
| 0351060030220 | 5350 SW 88 ST | 1 | 7581.47 | 7581.47 |
| 0351060200090 | 9325 KERWOOD CT | 1 | 7581.47 | 7581.47 |
| 0351060170060 | 5400 KERWOOD OAKS DR | 1 | 7581.47 | 7581.47 |
| 0351060040100 | 5500 BANYAN DR | 1 | 7581.47 | 7581.47 |
| 0351060040120 | 5420 BANYAN DR | 1 | 7581.47 | 7581.47 |
| 0351060040090 | 5520 BANYAN DR | 1 | 7581.47 | 7581.47 |
| 0351060110020 | 9001 BANYAN DR | 1 | 7581.47 | 7581.47 |
| 0351060170010 | 5600 KERWOOD OAKS DR | 1 | 7581.47 | 7581.47 |
| 0351060010040 | 5401 BANYAN TRL | 0.5 | 7581.47 | 3790.74 |
| 0351060010020 | 5505 BANYAN TRL | 1 | 7581.47 | 7581.47 |

| <u>Folio Number</u> | <u>Site Address</u> | <u>Units</u> | <u>Rate</u> | <u>Assessment</u> |
|---------------------|----------------------|--------------|-------------|-------------------|
| 0351060170030 | 5530 KERWOOD OAKS DR | 1 | 7581.47 | 7581.47 |
| 0351060240010 | 5505 OAKWOOD LN | 1 | 7581.47 | 7581.47 |
| 0351060170160 | 5445 KERWOOD OAKS DR | 1 | 7581.47 | 7581.47 |
| 0351060200070 | 9304 KERWOOD CT | 0.5 | 7581.47 | 3790.74 |
| 0351060170180 | 5555 KERWOOD OAKS DR | 1 | 7581.47 | 7581.47 |
| 0351060200020 | 9321 BANYAN DR | 1 | 7581.47 | 7581.47 |
| 0351060040110 | 5450 BANYAN DR | 1 | 7581.47 | 7581.47 |
| 0351060170120 | 5575 KERWOOD OAKS DR | 1 | 7581.47 | 7581.47 |
| 0351060060060 | 9131 BANYAN DR | 1 | 7581.47 | 7581.47 |
| 0351060040130 | 5410 BANYAN DR | 0.5 | 7581.47 | 3790.74 |
| 0351060240030 | 5555 OAKWOOD LN | 0.5 | 7581.47 | 3790.74 |
| 0351060010070 | 5500 BANYAN TRL | 1 | 7581.47 | 7581.47 |
| 0351060040060 | | 0.5 | 7581.47 | 3790.74 |
| 0351060200040 | 5500 OAKWOOD LN | 1 | 7581.47 | 7581.47 |

APPENDIX D

**FORM OF CERTIFICATE TO
NON-AD VALOREM SECURITY SERVICES ASSESSMENT ROLL**

**CERTIFICATE
TO
NON-AD VALOREM SECURITY SERVICES ASSESSMENT ROLL**

I HEREBY CERTIFY that, I am the Mayor of the City of Coral Gables, Florida (the "City"), or authorized agent of the City; as such I have satisfied myself that all property included or includable on the non-ad valorem Banyan Drive Security Guard Services Assessment Roll (the "Non-Ad Valorem Security Services Assessment Roll") for the City is properly assessed so far as I have been able to ascertain; and that all required extensions on the above described roll to show the non-ad valorem assessments attributable to the property listed therein have been made pursuant to law.

I FURTHER CERTIFY that, in accordance with the Uniform Assessment Collection Act, this certificate and the herein described Non-Ad Valorem Security Services Assessment Roll will be delivered to the Miami-Dade County Tax Collector by September 15, 2019.

IN WITNESS WHEREOF, I have subscribed this certificate and directed the same to be delivered to the Miami-Dade County Tax Collector and made part of the above described Non-Ad Valorem Security Services Assessment Roll this _____ day of September, 2019.

CITY OF CORAL GABLES, FLORIDA

By: _____
Mayor

[to be delivered to Tax Collector prior to September 15]