
CITY OF CORAL GABLES, FLORIDA

RESOLUTION NO. 2020-_____

**ANNUAL ASSESSMENT RESOLUTION FOR
HAMMOCK OAKS HARBOR SECURITY GUARD
SPECIAL TAXING DISTRICT**

ADOPTED SEPTEMBER 10, 2020

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RESOLUTION NO. 2020-_____

A RESOLUTION OF THE CITY OF CORAL GABLES, FLORIDA, RELATING TO SECURITY SERVICES ASSESSMENTS WITHIN THE HAMMOCK OAKS HARBOR SECURITY GUARD SPECIAL TAXING DISTRICT; PROVIDING AUTHORITY AND DEFINITIONS; APPROVING THE UPDATED SECURITY SERVICES ASSESSMENT ROLL; PROVIDING FOR THE REIMPOSITION OF THE ASSESSMENTS; PROVIDING FOR COLLECTION OF THE ASSESSMENTS PURSUANT TO THE UNIFORM ASSESSMENT COLLECTION ACT; PROVIDING FOR THE EFFECT OF THIS RESOLUTION; PROVIDING SEVERABILITY AND AN EFFECTIVE DATE.

WHEREAS, the City Commission of the City of Coral Gables, Florida (the "Commission"), has enacted the Assessment Ordinance (Ordinance No. 2015-09) (the "Ordinance"), as it may be amended, which authorizes the annual reimposition of Assessments for enhanced security services, facilities, and programs against all Tax Parcels/Folios within the Hammock Oaks Harbor Security Guard Special District (the "District"); and

WHEREAS, the reimposition of an Assessment for enhanced security services, facilities, and programs each fiscal year is an equitable and efficient method of allocating and apportioning the Security Service Cost among Tax Parcels/Folios within the District; and

WHEREAS, the Commission desires to reimpose an annual Assessment program within the District using the tax bill collection method for the Fiscal Year beginning on October 1, 2020; and

WHEREAS, the Commission on June 9, 2020, adopted Resolution No. 2020-134 (the "Preliminary Assessment Resolution") containing a brief and general description of

the enhanced security services, facilities and programs to be provided to Tax Parcels/Folios within the District; describing the method of apportioning the Security Service Cost to compute the Assessment for enhanced security services, facilities, and programs against Tax Parcels/Folios within the District; estimating the rate of assessment; and directing the preparation of the updated Security Services Assessment Roll and provision of the notice required by the Ordinance; and

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

WHEREAS, the Security Services Assessment Roll has heretofore been made available for inspection by the public, as required by the Ordinance; and

WHEREAS, notice of a public hearing has been published and mailed, if required by the terms of the Ordinance, which provides notice to all interested persons of an opportunity to be heard; the proof of publication being attached hereto as Appendix A and an affidavit regarding the form of notice mailed being attached hereto as Appendix B; and

WHEREAS, a public hearing was held on September 10, 2020 and comments and objections of all interested persons have been heard and considered as required by the terms of the Ordinance.

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

SECTION 1. AUTHORITY. This Resolution is adopted pursuant to the provisions of the Assessment Ordinance; the Initial Assessment Resolution (Resolution No. 2018-197); the Final Assessment Resolution (Resolution No. 2018-248); the Preliminary Assessment Resolution (Resolution No. 2020-134); Article VIII, Section 2, Florida Constitution; section 166.021, Florida Statutes; the City of Coral Gables Charter; and other applicable provisions of law.

SECTION 2. DEFINITIONS AND INTERPRETATIONS.

(A) This Resolution constitutes the Annual Assessment Resolution as defined in the Ordinance.

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

SECTION 3. CONFIRMATION OF PRELIMINARY ASSESSMENT RESOLUTION. The Preliminary 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 was present at the above referenced public hearing and is incorporated herein by reference, is hereby approved.

(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 pursuant to Section 119.071(4), Florida Statutes, concerning exempt “home addresses.”

SECTION 5. REIMPOSITION OF ASSESSMENTS TO FUND ENHANCED SECURITY SERVICES.

(A) The Tax Parcels/Folios included in the updated Security Services Assessment Roll are hereby found to be specially benefited by the provision of the enhanced security services, facilities, and programs in the amount of the annual Assessment set forth in the updated Security Services Assessment Roll.

(B) For the Fiscal Year commencing October 1, 2020, the estimated Security Service Cost for the District is \$273,928.20. For the Fiscal Year commencing October 1, 2020, the estimated Assessment is \$2,698.80 per improved Lot/Unit and \$1,349.40 per Vacant Lot/Unit. The annual Assessments computed in the manner set forth in the Preliminary Assessment Resolution are hereby levied and reimposed on all Tax Parcels/Folios in the District for the Fiscal Year commencing October 1, 2020.

(C) The methodology set forth in Section 5 of the Preliminary Assessment Resolution for computing the annual Assessments is hereby approved.

(D) Upon adoption of this Annual Assessment Resolution, the Assessments shall constitute a lien against the 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 paid. The lien shall be deemed perfected upon adoption by the Commission of this Annual Assessment 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.

(B) Upon adoption of this Annual Assessment Resolution, the Mayor shall cause the certification and delivery of the updated Security Services Assessment Roll to the Tax Collector by September 15, in the manner prescribed by the Uniform Assessment Collection Act.

(C) 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 C.

SECTION 7. EFFECT OF ANNUAL ASSESSMENT RESOLUTION. The adoption of this Annual Assessment Resolution shall be the final adjudication of the issues presented herein and in the Preliminary Assessment Resolution (including, but not limited to, the method by which the Assessments are computed, the Security Services Assessment Roll, the levy and lien of the Assessments, and the special benefit to assessed property) unless proper steps are initiated in a court of competent jurisdiction to secure relief within 20 days from the date of the Commission action on this Annual Assessment Resolution.

SECTION 8. SEVERABILITY. If any clause, section or provision of this Resolution shall be declared unconstitutional or invalid for any reason or cause, the remaining portion of said Resolution shall remain in full force and effect and be valid as if such invalid portion thereof had not been incorporated herein.

APPENDIX A
PROOF OF PUBLICATION

APPENDIX B

**AFFIDAVIT REGARDING NOTICE MAILED
TO PROPERTY OWNERS**

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 Security Services 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. 2020-134 adopted by the City Commission on June 9, 2020 (the "Preliminary Assessment Resolution").

2. Ms. Gomez has caused the notices required by the Assessment Ordinance to be prepared in conformance with the Preliminary 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 20, 2020, Ms. Gomez caused the mailing of the above-referenced notices in accordance with the Assessment Ordinance and the Preliminary 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, by means of ☐ physical presence or ☐ online notarization, this _____ day of _____, 2020 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: _____
Notary Public, State of Florida
At Large
My Commission Expires: _____
Commission No.: _____

EXHIBIT C

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

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

I HEREBY CERTIFY that, I am the Mayor, or the authorized agent of the City of Coral Gables, Florida (the "City"); as such I have satisfied myself that all property included or includable on the non-ad valorem assessment roll for enhanced security services (the "Non-Ad Valorem 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 Assessment Roll will be delivered to the Miami-Dade County Tax Collector by September 15, 2020.

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 Assessment Roll this _____ day of _____, 2020.

THE CITY OF CORAL GABLES, FLORIDA

By: _____
Mayor

[to be delivered to Tax Collector prior to September 15