



Legislation Details (With Text)

File #: 16-5579 **Version:** 1 **Name:** Banyan Drive Taxing District
Type: Resolution **Status:** Adopted
File created: 11/17/2016 **In control:** City Commission
On agenda: 12/6/2016 **Final action:** 12/6/2016
Enactment date: 12/6/2016 **Enactment #:** 2016-275

Title: A Resolution 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 hours 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.

Sponsors:

Indexes:

Code sections:

Attachments: 1. Signed Resolution 2016-275, 2. Signed Cover memo - Banyan Drive GH, 3. RESO - Banyan Drive GH, 4. Banyan Drive District Map, 5. Banyan Drive Validated Petition Filed in MDC, 6. CCMtg December 6 2016 - Agenda Item H-3 - Reso authorizing the creation of special taxing district by MDC for Banyan Drive

Date	Ver.	Action By	Action	Result
12/6/2016	1	City Commission	adopted by Resolution Number	Pass

A Resolution 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 hours 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.

[Enter Brief History/Summary Here]The Banyan Drive residents petitioned Miami-Dade County, under Chapter XVIII of the Miami-Dade Charter and Sections 18-2 and 18-3 of the Miami-Dade County Code, to create a Special Taxing District to provide stationary security guard service for Banyan Drive neighborhood. This petition is proposing the installation of a guard house at the entrance of Banyan Drive and was validated by Miami Dade County and filed with the Clerk of the Board.

It is the requirement of Miami-Dade County that the City of Coral Gables Commission adopt a Resolution in support of the creation of a Special Security Taxing District for Banyan Coral Gables, Florida, according to the provisions of Miami-Dade County Charter Chapter XVIII, Sections 18-2 and 18-3, in order to hold a referendum vote of the residents of Banyan Drive, at no expense to the City of Coral Gables, to determine whether a Special Security Taxing District should be created in and around Banyan Drive. If approved, the following provisions will be in order:

- a. 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.

b. 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.

c. That title to the guard house 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.

d. That the guard house on Banyan Drive herein approved to be constructed shall be located within the public right-of-way in compliance with all applicable codes and requirements by all authorities having jurisdiction.

e. 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 the guardhouse operators will comply with Section 38-12 of the City of Coral Gables Code.

f. 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.

All 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 Commission.