

RESOLUTION NO. 2017- 1502

A RESOLUTION OF THE TOWN COUNCIL THE TOWN OF MIAMI LAKES RATIFYING AND ACCEPTING RESOLUTIONS PASSED BY MIAMI-DADE COUNTY APPROVING EXECUTION OF INTERLOCAL AGREEMENTS AND CALLING FOR A SPECIAL ELECTION NECESSARY FOR THE TRANSFER OF CONTROL, FROM MIAMI-DADE COUNTY TO THE TOWN OF MIAMI LAKES, OF THE LAKE PATRICIA MULTIPURPOSE MAINTENANCE SPECIAL TAXING DISTRICT LOCATED ENTIRELY WITHIN THE CITY; AUTHORIZING THE TOWN MANAGER AND TOWN ATTORNEY TO TAKE NECESSARY MEASURES TO IMPLEMENT THE RESOLUTION; PROVIDING FOR INSTRUCTIONS TO THE TOWN CLERK; PROVIDING FOR INCORPORATION OF RECITALS; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the Town of Miami Lakes (“Town”) and Miami-Dade County (“County”) approved the creation of Lake Patricia Multipurpose Maintenance Special Taxing District (“Lake Patricia District”) in County Ordinance 82-2; and

WHEREAS, Lake Patricia District is located entirely within the Town, and section 18-3.1 of the Code of Miami-Dade County provides that for special taxing districts located entirely within municipal boundaries the County may designate the governing body of the municipality as the governing body of the special taxing district, subject to a majority vote of the qualified electors of the respective district; and

WHEREAS, the Town Council via Resolution No. 17-1485 (Exhibit “A”), requested the transfer of control of Lake Patricia District from Miami-Dade County to the Town of Miami Lakes and approved the execution of interlocal agreement; and

WHEREAS, the next step in the process to transfer control to the Town is calling for a special election; and

WHEREAS, on November 7, 2017, the County by Resolution No. R – 1033 -17 (Exhibit “B”), the County approved the interlocal agreement and the transfer of the Lake Patricia District, subject to the Town passing a joint resolution; and

WHEREAS, the County called, by Resolution No. R-1034 - 17 special election for the Lake Patricia District, providing that the special election shall be held within the boundaries of the respective special taxing district, the ballot question to be presented for approval or disapproval by a mailed ballot, the noticing requirement, registration deadline, and the special election shall be held on January 23, 2018, and all marked ballots must be received by 7:00pm on that day (Exhibit “C”); and

WHEREAS, the Town Council finds it to be in the best interests of the Town to approve this joint resolution and hereby ratify and accept County Resolution No. R- 1033 – 17 approving the interlocal agreement, and County Resolution No. R-1034 - 17, calling for a special election in the Lake Patricia District to seek their approval or disapproval for a resolution designating the Town as the governing body of the respective special taxing districts pursuant to section 18-3.1 of the Code of Miami-Dade County.

NOW, THEREFORE, BE IT RESOLVED BY THE TOWN COUNCIL OF THE TOWN OF MIAMI LAKES, FLORIDA, AS FOLLOWS:

Section 1. Recitals. The foregoing Recitals are true and correct and incorporated herein by this reference.

Section 2. Incorporation and Ratifying the County Resolution. The Town Council hereby approves this joint resolution, ratify and incorporates County Resolution No. R- 1033 -17 (approving the transfer and the interlocal agreements) and County Resolution R – 1034 - 17, calling for a special election in the Lake Patricia District to seek approval or disapproval for a resolution designating the Town as the governing body of the respective special taxing districts pursuant to section 18-3.1 of the Code of Miami-Dade County.

Section 3. Authorization of Town Officials. The Town Manager and/or his designee and the Town Attorney are authorized to take all steps necessary to implement the terms and conditions of this Joint Resolution.

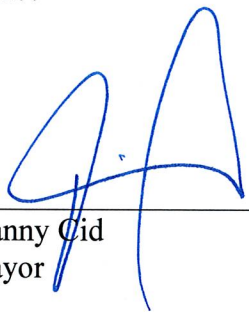
Section 4. Instructions to the Town Clerk. The Town Council hereby direct the Town Clerk to transmit a copy of this Resolution to Mayor Carlos A. Gimenez, and members of the Miami-Dade County Board of County Commissioners.

Section 5. Effective Date. This Resolution shall take effect immediately upon adoption.

The foregoing resolution was offered by Councilmember Mestre who moved for adoption. The motion was seconded by Councilmember Rodriguez and upon being put to a vote, the vote was as follows:

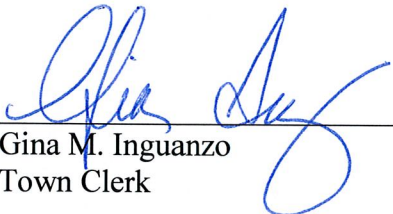
Mayor Manny Cid	<u>yes</u>
Vice Mayor Frank Mingo	<u>yes</u>
Councilmember Luis Collazo	<u>yes</u>
Councilmember Tim Daubert	<u>yes</u>
Councilmember Ceasar Mestre	<u>yes</u>
Councilmember Nelson Rodriguez	<u>yes</u>
Councilmember Marilyn Ruano	<u>yes</u>

Passed and adopted this 5th day of December, 2017.



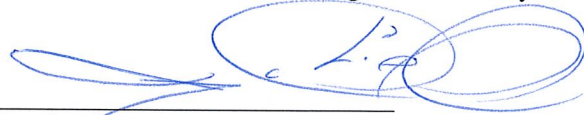
Manny Cid
Mayor

Attest:



Gina M. Inguanzo
Town Clerk

Approved as to form and legal sufficiency:



Raul Gastesi, Jr.
Gastesi & Associates, P.A.
Town Attorney

MEMORANDUM

Agenda Item No. 8(H)(25)

TO: Honorable Chairman Esteban L. Bovo, Jr.
and Members, Board of County Commissioners

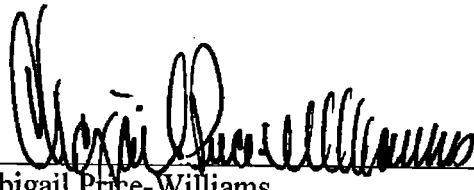
DATE: November 7, 2017

FROM: Abigail Price-Williams
County Attorney

SUBJECT: Resolution relating to the Lake Patricia Multipurpose Maintenance Special Taxing District located entirely within the boundaries of the Town of Miami Lakes, and bounded on the north by Miami Lakeway South, on the west by Lake Childs Court, on the east by Lake Candlewood Court, and on the south by Lake Patricia Drive; transferring the Special Taxing District to the Town of Miami Lakes in accordance with section 18-3.1 of the Code of Miami-Dade County; approving and authorizing the County Mayor to execute an Interlocal Agreement for the transfer; authorizing the County Mayor to take all actions necessary to effectuate same

Resolution No. R-1033-17

The accompanying resolution was prepared by the Parks, Recreation and Open Spaces Department and placed on the agenda at the request of Prime Sponsor Chairman Esteban L. Bovo, Jr.



Abigail Price-Williams
County Attorney

APW/smm

Memorandum



Date: November 7, 2017

To: Honorable Chairman Esteban L. Bovo, Jr.
and Members, Board of County Commissioners

From: Carlos A. Gimenez
Mayor

A handwritten signature in black ink, appearing to read "Carlos A. Gimenez", written over the printed name of the Mayor.

Subject: Resolution Approving the Transfer of the Lake Patricia Multipurpose Maintenance
Special Taxing District to the Town of Miami Lakes

Recommendation

On September 1, 2015, the Board of County Commissioners (Board) passed Ordinance No. 15-73, and created the Lake Patricia Multipurpose Maintenance Special Taxing District (Special Taxing District), located entirely within the boundaries of the Town of Miami Lakes (Town). Section 1.01 of the Home Rule Charter and section 18-3.1 of the Code of Miami-Dade County (Code) vest this Board with the power to designate the governing body of a municipality as the governing body of an existing special taxing district if the municipality assumes any and all liabilities of the special taxing district. The transfer of this Special Taxing District is requested pursuant to Resolution No. 17-1485 of the Town Commission of the Town of Miami Lakes passed on September 5, 2017, and attached hereto. As such, it is recommended that the Board approve the attached resolution and Interlocal Agreement authorizing the transfer of the Special Taxing District to the Town in accordance with section 18-3.1 of the Code.

Scope

This Special Taxing District lies within Commission District 13, which is represented by Chairman Esteban L. Bovo, Jr.

Fiscal Impact/Funding Source

Transfer of this Special Taxing District will result in no economic impact to the Miami-Dade County (County) budget.

Social Equity Statement

The proposed resolution transfers a special taxing district, pursuant to section 18-3.1 of the Code. If approved, the Town will be the new governing body for the Special Taxing District, and the property owners within the Special Taxing District will continue to pay special assessments appropriately apportioned according to the special benefit they receive from the Special Taxing District's services, regardless of their demographics, and that the total estimated amount of the special assessment to be levied would not be in excess of such special benefit.

Track Record/Monitor

The Special Taxing District transfer will be managed by the Parks, Recreation and Open Spaces Department (PROS) and overseen by the Chief of the Special Taxing Districts Division, Michael R. Bauman.

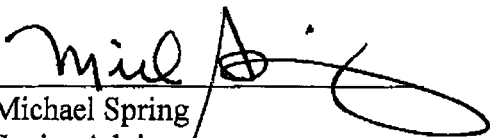
Honorable Chairman Esteban L. Bovo, Jr.
and Members, Board of County Commissioners
Page No. 2

Background

Contingent upon approval of the transfer of this Special Taxing District by this Board and the Town by joint resolution, and subsequent ratification by the qualified registered voters within the Special Taxing District, the Town will become the governing body as provided in the Interlocal Agreement between the County and the Town, and will become responsible for all past and future liabilities of the Special Taxing District. The final transfer is expected to be complete on October 1, 2018. Every qualified registered voter residing within the Special Taxing District's boundaries will be afforded the opportunity to vote at an election conducted by mail, estimated to be held on January 23, 2018. The transfer will be accomplished pursuant to the attached Interlocal Agreement between the County and the Town, and will be assisted by PROS.

Boundaries: On the North, Miami Lakeway South;
 On the East, Lake Candlewood Court;
 On the South, Lake Patricia Drive;
 On the West, Lake Childs Court.

In accordance with the requirements of section 18-3.1 of the Code, I recommend that this Special Taxing District be transferred to the Town, if approved by the referendum required subsequent to the public hearing.


Michael Spring
Senior Advisor

**TRANSFER OF THE LAKE PATRICIA MULTIPURPOSE SPECIAL TAXING
DISTRICT FROM MIAMI-DADE COUNTY TO THE TOWN OF MIAMI LAKES**

THIS AGREEMENT FOR TRANSFER OF THE LAKE PATRICIA MULTIPURPOSE SPECIAL TAXING DISTRICT CURRENTLY MAINTAINED BY MIAMI-DADE COUNTY (AGREEMENT), made and entered into this ____ day of _____, 2017, by and between the TOWN OF MIAMI LAKES, FLORIDA, a municipal corporation of the STATE OF FLORIDA (hereinafter referred to as the "Town") and MIAMI-DADE COUNTY, a political subdivision of the STATE OF FLORIDA (hereinafter referred as the "County").

WITNESSETH

WHEREAS, the Town has requested transfer of the ownership of the assets and control of the Lake Patricia Multipurpose Special Taxing District ("Special Taxing District") from the County to the Town such that the Town Commission will become the governing body responsible for the Special Taxing District; and

WHEREAS, the Town and the County are mutually desirous of transferring the Special Taxing District to the Town; and

WHEREAS, the Town shall take full responsibility for the operation and maintenance of the Special Taxing District as determined herein, including exclusive responsibility for all pre-existing and future liabilities, whether known or unknown,

NOW, THEREFORE, in consideration of the covenants herein provided, the Town of Miami Lakes and Miami-Dade County agree as follows:

1. The foregoing recitals are incorporated herein.
2. This Agreement shall become effective upon the last effective date of a joint resolution transferring the Special Taxing District, and a favorable election of the residents for the transfer ("**Effective Date**").
3. Twelve (12) days after the Effective Date, unless a contest of the election is filed pursuant to section 102.168 of the Florida Statutes, the Board of County Commissioners will no longer be the governing body of the Special Taxing District and the City Commission shall be the governing board of the Special Taxing District ("**Transfer Date**"). If a contest is filed, the transfer will occur upon a successful resolution of such contest upholding the election, which is no longer challengeable by any appeal.
4. On October 1, 2018, the County will cease all involvement, including all operations and maintenance for the Special Taxing District, and the Town will be exclusively responsible for the Special Taxing District ("**Completion Date**").
5. The County will continue to provide service to the Special Taxing District between the Transfer Date and the Completion Date ("**Transition Period**"), but any action requiring board approval will be presented to the Town Commission.

6. Prior to the Transfer Date, the Special Taxing Districts Division of the County shall provide to the Town a preliminary financial reconciliation of all known liabilities for the Special Taxing District.
7. Beginning on the Transfer Date, the Town shall be responsible for all pre-existing and future liabilities of the Special Taxing District, whether known or unknown, and regardless of whether they appear on the financial reconciliation provided by the County.
8. During the Transition Period, the Special Taxing Districts Division of the County will be available to meet with the Town to provide assistance with operations questions.
9. The Town shall be responsible for establishing assessment rates and collecting assessments for the Special Taxing District beginning October 1, 2018. If the Town intends on using the uniform method for the levy, collection, and enforcement of non-ad valorem assessments, the Town shall comply with the requirements of section 197.3632 of the Florida Statutes and shall make such arrangements with the Miami-Dade County Office of the Property Appraiser and Miami-Dade County Tax Collector.
10. The Town shall arrange for transfer of the Special Taxing District's utility accounts into the Town's name, to take effect no later than September 1, 2018. Such utilities include, but are not limited to, Florida Power and Light and Miami-Dade County Water and Sewer.
11. Prior to the Completion Date, the Town shall assume the existing contractual obligations for the Special Taxing District if the County cannot terminate said contracts, or shall procure contracts with vendors to provide all necessary services to the Special Taxing District, including, but not limited to, contracts for lake maintenance. The Town's contractors shall commence service on October 1, 2018.
12. Beginning on the Completion Date, the Town's Commission shall be responsible for the continuous operation, and maintenance of the Special Taxing District's improvements and systems, if any.
13. Beginning on the Completion Date, the Town shall be responsible for payment of all of the Special Taxing District's expenses.
14. The County shall transfer to the Town, effective on the Completion Date, any active, transferrable warranties on the Special Taxing District's improvements or equipment.
15. Within thirty (30) days of the Completion Date, the County shall provide to the Town a final financial reconciliation of all known liabilities for the Special Taxing District. Any omission from the final reconciliation shall not constitute a waiver by either the County or the Town for payment to or from the Special Taxing District's account.

16. Within sixty (60) days of the Completion Date, the County shall remit to the Town any remaining surplus funds in the Special Taxing District's account, or shall issue an invoice to the Town for any deficit in the Special Taxing District's account.
17. Following expiration of all existing contractual obligations, pursuant to section 2-8.9 of the Code of Miami-Dade County, the Town is encouraged to pay the Living Wage.
18. To the extent allowed by, and subject to the limitations of, section 768.28 of the Florida Statutes, the Town does hereby agree to indemnify and hold the County, its officials, employees and instrumentalities, harmless from any and all liability for any damage, injury, or claim that may arise by virtue of the Special Taxing District, or the exercise of any rights, obligations or actions under this Agreement, including but not limited to the Town's failure to provide services or maintain, repair, replace, or operate the Improvements.
19. The undersigned further agrees that these conditions shall be deemed a continuing obligation between the Town and the County and shall remain in full force and effect and be binding on the Town, and any permitted successors or assigns.
20. In the event that the Town requests any third party to assume any of the responsibilities hereunder, the Town acknowledges that such assumption shall not relieve the Town from any obligations or responsibilities hereunder. Any failure by any third party shall not subject the County to any liability for any damage, injury, or claim that may arise.
21. Nothing in this Agreement, expressed or implied, is intended to: (a) confer upon any entity or person other than the parties and any permitted successors or assigns, any rights or remedies under or by reason of the Agreement as a third party beneficiary or otherwise except as specifically provided in this Agreement; or (b) authorize anyone not a party to this Agreement to maintain an action pursuant to or based upon this Agreement. Additionally, nothing herein shall be deemed to constitute a waiver of any rights under section 768.28 of the Florida Statutes, or as a waiver of the County's sovereign rights.
22. The language agreed to herein expresses the mutual intent and agreement of the County and the Town, and shall not, as a matter of judicial construction, be construed more severely against one of the parties from the other.

Town:

Town of Miami Lakes
6601 Main Street
Miami Lakes, Florida 33014

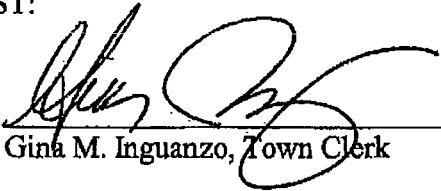
County:


Miami-Dade County
Stephen P. Clark Center
111 Northwest First Street
Miami, Florida 33128

IN WITNESS WHEREOF, the Town of Miami Lakes has caused this instrument to be executed by its respective officials thereunto duly authorized, this the day and year above written.


TOWN OF MIAMI LAKES, a municipal corporation

ATTEST:

By: 
Gina M. Inguanzo, Town Clerk

By: 
Alex Rey, Town Manager

APPROVED AS TO LEGAL FORM
AND CORRECTNESS:


Raul Gastesi, Town Attorney

MIAMI-DADE COUNTY BOARD OF COUNTY COMMISSIONERS, FLORIDA

ATTEST:

By: _____ Date _____
Mayor or Mayor's
Designee

HARVEY RUVIN, CLERK

By: _____ Date _____
Deputy Clerk

RESOLUTION NO. 17-1485

RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF MIAMI LAKES REQUESTING THE MIAMI-DADE COUNTY BOARD OF COUNTY COMMISSIONERS TO TRANSFER CONTROL OF THE MIAMI LAKES-LOCH LOMOND SECURITY GUARD SPECIAL TAXING DISTRICT, ROYAL OAKS EAST SECURITY GUARD, ROYAL OAKS SECTION I, MIAMI LAKES SECTION I, LAKE HILDA MULTIPURPOSE MAINTANANCE, LAKE PATRICIA MULTIPURPOSE MAINTANANCE SPECIAL TAXING DISTRICTS LOCATED ENTIRELY WITHIN THE TOWN; SUBJECT TO A MAJORITY VOTE OF THE QUALIFIED ELECTORS OF THE RESPECTIVE SPECIAL TAXING DISTRICTS, AND DESIGNATING THE TOWN COUNCIL AS THE GOVERNING BODY IN ACCORDANCE WITH SECTION 18-3.1 OF THE MIAMI DADE COUNTY CODE; PROVIDING FOR INCORPORATION OF RECITALS; AND PROVIDING FOR AN EFFECTIVE DATE

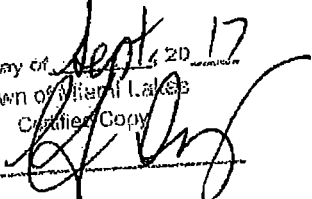
WHEREAS, Miami-Dade County (the "County") approved the creation of the Loch Lomond Security Guard Special Taxing District in County Ordinance No. 82-2; and

WHEREAS, the County approved a second special taxing district, Royal Oaks East Security Guard Special Taxing District in County Ordinance No. 00-102; and

WHEREAS, the Town of Miami Lakes (the "Town") and County approved a third special taxing district, Royal Oaks Section I Security Guard Special Taxing District in County Ordinance No. 08-38 and Town Resolution No. 07-528Z; and

WHEREAS, the Town and County approved a forth special taxing district, Lake Hilda Special Multipurpose Maintenance Taxing District in County Ordinance No. 15-72 and Town Resolution No. 15-1301; and

WHEREAS, the Town and County approved a fifth special taxing district, Lake Patricia Multipurpose Maintenance Special Taxing District in County Ordinance No. 15-73 and Town Resolution No. 14-1265; and

15th day of Sept, 2017
Town of Miami Lakes
Certified Copy


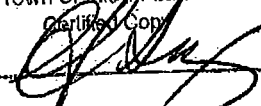
WHEREAS, the Town and County approved a fifth special taxing district, Lake Patricia Multipurpose Maintenance Special Taxing District in County Ordinance No. 15-73 and Town Resolution No. 14-1265; and

WHEREAS, on February 2, 2016, the County Approved Ordinance No. 16-14, codified as Section 18-3.1 of the Miami Dade County Code, providing that subject to Charter referendum approval at the November 8, 2016, election, municipalities would be authorized to act as the governing body for special taxing districts located entirely within their municipal boundaries; and

WHEREAS, on November 8, 2016, the electorate approved a Charter Amendment validating and giving effect to Miami-Dade County Ordinance No. 61-14; and

WHEREAS, Loch Lomond Security Guard; Miami Lakes Section I Security Guard; Royal Oaks East Security Guard; Royal Oks Section I; Lake Hilda Multipurpose Maintenance; Lake Patricia Multipurpose Maintenance are located entirely within the Town of Miami Lakes and County Ordinance No. 16-14 provides, in part, that special taxing districts located entirely within municipal boundaries may designate the municipal governing body as the governing body of the special taxing district, subject to a majority vote of the qualified electors of the respective districts; and

WHEREAS, the Town Council hereby request the transfer of control of the Loch Lomond Security Guard; Miami Lakes Section I Security Guard; Royal Oaks East Security Guard; Royal Oks Section I; Lake Hilda Multipurpose Maintenance; Lake Patricia Multipurpose Maintenance Special Taxing District from Miami-Dade County to the Town of Miami Lakes and, subject to a majority vote of the qualified electors of the respective districts, designate the Mayor and City Commission as the governing body of Loch Lomond Security Guard; Royal

15th day of Sept, 2017
Town of Miami Lakes
Clarified Copy


Oaks East Security Guard; Royal Oks Section I; Lake Hilda Multipurpose Maintenance; Lake Patricia Multipurpose Maintenance.

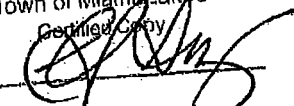
NOW, THEREFORE, BE IT RESOLVED BY THE TOWN COUNCIL OF THE TOWN OF MIAMI LAKES, FLORIDA,

Section 1 Recitals. The recitals are true and correct and are adopted by reference and incorporated as if fully set forth in this Section.

Section 2. Approval of Special Taxing District Transfers. The Town Council hereby request the transfer of control of , Loch Lomond Security Guard; Royal Oaks East Security Guard; Royal Oks Section I; Lake Hilda Multipurpose Maintenance; Lake Patricia Multipurpose Maintenance Special Taxing Districts from Miami-Dade County to the Town of Miami Lakes and, subject to a majority vote of the qualified electors of the respective districts, designate the Town Council as the governing body of , Loch Lomond Security Guard; Royal Oaks East Security Guard; Royal Oks Section I; Lake Hilda Multipurpose Maintenance; Lake Patricia Multipurpose Maintenance.

Section 3. Authorization of Town Officials. The Town Council hereby authorizes the Town Manager and or his designee, and the Town Attorney to execute the inter local agreements, substantially in the same form as attached, and to allow the Town Manager and or his designee, and the Town Attorney the authority and ability to modify the agreement as needed and in the best interest of the Town and to do all things necessary to carry out the intent of this Resolution.

Section 4. Authorization of the Town Clerk. The Town Council, hereby direct the Town Clerk to transmit a copy of this Resolution to Mayor Carlos A. Gimenez, and members of the Miami-Dade County Board of County Commissioners.

15th day of Sept, 2017
Town of Miami Lakes
Certified Copy


Section 5. **Effective Date.** This Resolution shall be effective upon passing.

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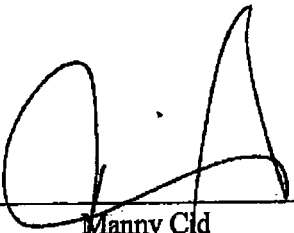
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//

PASSED AND ADOPTED this 5th day of September 2017.

The foregoing resolution was offered by Councilmember Daubert moved its adoption. The motion was seconded by Vice Mayor Rodriguez and upon being put to a vote, the vote was as follows:

Mayor Manny Cid	yes
Vice Mayor Nelson Rodriguez	yes
Councilmember Luis Collazo	yes
Councilmember Timothy Daubert	yes
Councilmember Ceasar Mestre	yes
Councilmember Frank Mingo	yes
Councilmember Marilyn Ruano	yes



Manny Cid
MAYOR

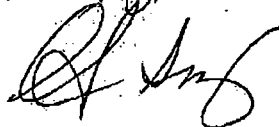
Attest:

For:

Gina Inguanzo
TOWN CLERK

Approved as to form and legal sufficiency:


Raul Gastesi, Jr.
Gastesi & Associates, P.A.
TOWN ATTORNEY

15th Sept 17




MEMORANDUM

(Revised)

TO: Honorable Chairman Esteban L. Bovo, Jr.
and Members, Board of County Commissioners

DATE: November 7, 2017

FROM: Abigail Price-Williams
County Attorney

SUBJECT: Agenda Item No. 8(H)(25)

Please note any items checked.

- "3-Day Rule" for committees applicable if raised
- 6 weeks required between first reading and public hearing
- 4 weeks notification to municipal officials required prior to public hearing
- Decreases revenues or increases expenditures without balancing budget
- Budget required
- Statement of fiscal impact required
- Statement of social equity required
- Ordinance creating a new board requires detailed County Mayor's report for public hearing
- No committee review
- Applicable legislation requires more than a majority vote (i.e., 2/3's _____, 3/5's _____, unanimous _____) to approve
- Current information regarding funding source, index code and available balance, and available capacity (if debt is contemplated) required

Approved _____ Mayor
Veto _____
Override _____

Agenda Item No. 8(H)(25)
11-7-17

RESOLUTION NO. R-1033-17

RESOLUTION RELATING TO THE LAKE PATRICIA MULTIPURPOSE MAINTENANCE SPECIAL TAXING DISTRICT LOCATED ENTIRELY WITHIN THE BOUNDARIES OF THE TOWN OF MIAMI LAKES, AND BOUNDED ON THE NORTH BY MIAMI LAKEWAY SOUTH, ON THE WEST BY LAKE CHILDS COURT, ON THE EAST BY LAKE CANDLEWOOD COURT, AND ON THE SOUTH BY LAKE PATRICIA DRIVE; TRANSFERRING THE SPECIAL TAXING DISTRICT TO THE TOWN OF MIAMI LAKES IN ACCORDANCE WITH SECTION 18-3.1 OF THE CODE OF MIAMI-DADE COUNTY; APPROVING AND AUTHORIZING THE COUNTY MAYOR OR COUNTY MAYOR'S DESIGNEE TO EXECUTE AN INTERLOCAL AGREEMENT FOR THE TRANSFER; AUTHORIZING THE COUNTY MAYOR OR COUNTY MAYOR'S DESIGNEE TO TAKE ALL ACTIONS NECESSARY TO EFFECTUATE SAME

WHEREAS, the Board of County Commissioners ("Board") desires to accomplish the purposes outlined in the accompanying memorandum, a copy of which is incorporated herein by reference,

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF MIAMI-DADE COUNTY, FLORIDA, that:

Section 1. This Board incorporates the matters set forth in the foregoing recitals as part of this Resolution.

Section 2. Pursuant to section 18-3.1 of the Code, this Board designates the governing body of the Town of Miami Lakes as the governing body of the Lake Patricia Multipurpose Maintenance Special Taxing District.

Section 3. The Town of Miami Lakes shall be responsible for all pre-existing and future liabilities, for the protection of any creditors, whether known or unknown.

Section 4. This Board hereby approves the Interlocal Agreement in substantially the form attached to the County Mayor's memorandum, both of which are incorporated by reference, between Miami-Dade County and the Town of Miami Lakes, and authorizes the County Mayor or County Mayor's designee to execute said agreement.

Section 5. The Town of Miami Lakes will take full control of the Lake Patricia Multipurpose Maintenance Special Taxing District as provided in the Interlocal Agreement.

Section 6. The provisions of this Resolution shall take effect when approved by a majority vote of the qualified electors residing in the Special Taxing District at an election to be called by this Board and noticed and conducted as this Board shall determine by Resolution.

The foregoing resolution was offered by Commissioner **Rebeca Sosa**, who moved its adoption. The motion was seconded by Commissioner **Audrey M. Edmonson** and upon being put to a vote, the vote was as follows:

Esteban L. Bovo, Jr., Chairman	aye		
Audrey M. Edmonson, Vice Chairwoman	aye		
Bruno A. Barreiro	absent	Daniella Levine Cava	aye
Jose "Pepe" Diaz	aye	Sally A. Heyman	absent
Barbara J. Jordan	absent	Joe A. Martinez	aye
Jean Monestime	aye	Dennis C. Moss	absent
Rebeca Sosa	aye	Sen. Javier D. Souto	aye
Xavier L. Suarez	aye		


The Chairperson thereupon declared the resolution duly passed and adopted this 7th day of November, 2017. This resolution shall become effective upon the earlier of (1) 10 days after the date of its adoption unless vetoed by the County Mayor, and if vetoed, shall become effective only upon an override by this Board, or (2) approval by the County Mayor of this Resolution and the filing of this approval with the Clerk of the Board.



MIAMI-DADE COUNTY, FLORIDA
BY ITS BOARD OF
COUNTY COMMISSIONERS

HARVEY RUVIN, CLERK

By: Christopher Agrippa
Deputy Clerk

Approved by County Attorney as
to form and legal sufficiency. 

Daija Page Lifshitz

MEMORANDUM

Agenda Item No. 8(H)(26)

TO: Honorable Chairman Esteban L. Bovo, Jr.
and Members, Board of County Commissioners

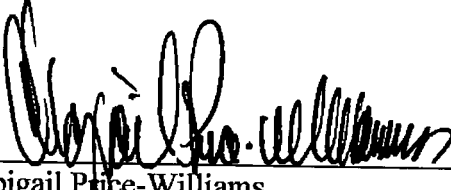
DATE: November 7, 2017

FROM: Abigail Price-Williams
County Attorney

SUBJECT: Resolution calling special election in the Lake Patricia Multipurpose Maintenance Special Taxing District located entirely within the boundaries of the Town of Miami Lakes, and bounded on the north by Miami Lakeway South, on the west by Lake Childs Court, on the east by Lake Candlewood Court, and on the south by Lake Patricia Drive, for the purpose of submitting to qualified electors residing in the Special Taxing District, for their approval or disapproval, a resolution designating the Town of Miami Lakes as the governing body of the Special Taxing District pursuant to section 18-3.1 of the Code

Resolution No. R-1034-17

The accompanying resolution was prepared by the Parks, Recreation and Open Spaces Department and placed on the agenda at the request of Prime Sponsor Chairman Esteban L. Bovo, Jr.



Abigail Price-Williams
County Attorney

APW/smm



MEMORANDUM

(Revised)

TO: Honorable Chairman Esteban L. Bovo, Jr.
and Members, Board of County Commissioners

DATE: November 7, 2017

FROM: Abigail Price-Williams
County Attorney

SUBJECT: Agenda Item No. 8(H)(26)

Please note any items checked.

- "3-Day Rule" for committees applicable if raised
- 6 weeks required between first reading and public hearing
- 4 weeks notification to municipal officials required prior to public hearing
- Decreases revenues or increases expenditures without balancing budget
- Budget required
- Statement of fiscal impact required
- Statement of social equity required
- Ordinance creating a new board requires detailed County Mayor's report for public hearing
- No committee review
- Applicable legislation requires more than a majority vote (i.e., 2/3's ____, 3/5's ____, unanimous ____) to approve
- Current information regarding funding source, index code and available balance, and available capacity (if debt is contemplated) required

Approved _____ Mayor
Veto _____
Override _____

Agenda Item No. 8(H)(26)
11-7-17

RESOLUTION NO. R-1034-17

RESOLUTION CALLING SPECIAL ELECTION IN THE LAKE PATRICIA MULTIPURPOSE MAINTENANCE SPECIAL TAXING DISTRICT LOCATED ENTIRELY WITHIN THE BOUNDARIES OF THE TOWN OF MIAMI LAKES, AND BOUNDED ON THE NORTH BY MIAMI LAKEWAY SOUTH, ON THE WEST BY LAKE CHILDS COURT, ON THE EAST BY LAKE CANDLEWOOD COURT, AND ON THE SOUTH BY LAKE PATRICIA DRIVE, FOR THE PURPOSE OF SUBMITTING TO QUALIFIED ELECTORS RESIDING IN THE SPECIAL TAXING DISTRICT, FOR THEIR APPROVAL OR DISAPPROVAL, A RESOLUTION DESIGNATING THE TOWN OF MIAMI LAKES AS THE GOVERNING BODY OF THE SPECIAL TAXING DISTRICT PURSUANT TO SECTION 18-3.1 OF THE CODE OF MIAMI-DADE COUNTY, FLORIDA

WHEREAS, on November 7, 2017, this Board passed Resolution R-1033-17 approving the transfer of the Lake Patricia Multipurpose Maintenance Special Taxing District to the Town of Miami Lakes; and

WHEREAS, section 1.01 of the Home Rule Charter provides that the governing body of a municipality may be the governing body of a special taxing district located entirely within the municipality if the municipality assumes any and all liabilities of the special taxing district; and

WHEREAS, section 18-3.1 of the Code of Miami-Dade County, Florida, as amended, presently provides that a resolution approving the transfer of such a special taxing district shall take effect when approved by a majority vote of the qualified electors residing in the district voting at an election to be called by the Board and noticed and conducted in such manner as the Board shall by resolution determine,

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF MIAMI-DADE COUNTY, FLORIDA, that:

Section 1. In accordance with the provisions of section 18-3.1 of the Code of Miami Dade County, Florida, a special election is hereby called and shall be held within the boundaries of the Lake Patricia Multipurpose Maintenance Special Taxing District, for the purpose of submitting to the qualified electors residing in the said district, for their approval or disapproval, Resolution R-1033-17 entitled:

RESOLUTION RELATING TO THE LAKE PATRICIA MULTIPURPOSE MAINTENANCE SPECIAL TAXING DISTRICT LOCATED ENTIRELY WITHIN THE BOUNDARIES OF THE TOWN OF MIAMI LAKES, AND BOUNDED ON THE NORTH BY MIAMI LAKEWAY SOUTH, ON THE WEST BY LAKE CHILDS COURT, ON THE EAST BY LAKE CANDLEWOOD COURT, AND ON THE SOUTH BY LAKE PATRICIA DRIVE; TRANSFERRING THE SPECIAL TAXING DISTRICT TO THE TOWN OF MIAMI LAKES IN ACCORDANCE WITH SECTION 18-3.1 OF THE CODE OF MIAMI-DADE COUNTY; APPROVING AND AUTHORIZING THE COUNTY MAYOR OR COUNTY MAYOR'S DESIGNEE TO EXECUTE AN INTERLOCAL AGREEMENT FOR THE TRANSFER; AUTHORIZING THE COUNTY MAYOR OR COUNTY MAYOR'S DESIGNEE TO TAKE ALL ACTIONS NECESSARY TO EFFECTUATE SAME

Section 2. Notice of such special election shall be published in accordance with section 100.342, Florida Statutes.

Section 3. The results of such special election shall be determined by a majority of the qualified electors residing in the Lake Patricia Multipurpose Maintenance Special Taxing District voting at such special election. All qualified electors residing in the Lake Patricia Multipurpose Maintenance Special Taxing District shall be entitled to vote at said special election.

Section 4. The County registration books shall remain open at the Office of the Miami-Dade County Supervisor of Elections until December 26, 2017 at which date the registration books shall close in accordance with the provisions of the general election laws.

Section 5. Mailed ballots, as prescribed by the Code of Miami-Dade County, shall be used in this special election. The Supervisor of Elections shall cause such ballots to be sent by mail to all qualified electors residing in said district, at least ten (10) calendar days prior to the date of said special election.

Section 6. The special election shall be held on January 23, 2018. All marked ballots must be received by 7:00 p.m. on the day of said election.

Section 7. The question which shall appear on the ballot shall be in substantially the following form:

TRANSFER OF THE LAKE PATRICIA MULTIPURPOSE
MAINTENANCE SPECIAL TAXING DISTRICT

Shall the Town of Miami Lakes become the governing body of the Lake Patricia Multipurpose Maintenance Special Taxing District so that the Town, instead of Miami-Dade County, exercises ownership and control of the District as set forth in County Resolution No. R-1033-17 and Town Resolution R17-1485 ?

YES

NO

Section 8. This special election shall be held and conducted in accordance with the County Code and other applicable provisions of the general laws relating to special elections. The County Mayor or County Mayor's designee, the Finance Director, the Supervisor of Elections, and the Clerk of the County Commission are hereby authorized and directed to take all appropriate actions necessary to carry into effect and accomplish the provisions of this Resolution.

Section 9. This special election shall be canvassed by the County Canvassing Board as provided under the election laws of this State, in accordance with the provisions of Section 3.07 of the Home Rule Charter.

The foregoing resolution was offered by Commissioner **Rebeca Sosa**, who moved its adoption. The motion was seconded by Commissioner **Audrey M. Edmonson** and upon being put to a vote, the vote was as follows:

	Esteban L. Bovo, Jr., Chairman	aye	
	Audrey M. Edmonson, Vice Chairwoman	aye	
Bruno A. Barreiro	absent	Daniella Levine Cava	aye
Jose "Pepe" Diaz	aye	Sally A. Heyman	absent
Barbara J. Jordan	absent	Joe A. Martinez	aye
Jean Monestime	aye	Dennis C. Moss	absent
Rebeca Sosa	aye	Sen. Javier D. Souto	aye
Xavier L. Suarez	aye		

The Chairperson thereupon declared the resolution duly passed and adopted this 7th day of November, 2017. This resolution shall become effective upon the earlier of (1) 10 days after the date of its adoption unless vetoed by the County Mayor, and if vetoed, shall become effective only upon an override by this Board, or (2) approval by the County Mayor of this Resolution and the filing of this approval with the Clerk of the Board.

MIAMI-DADE COUNTY, FLORIDA
BY ITS BOARD OF
COUNTY COMMISSIONERS

HARVEY RUVIN, CLERK

By: **Christopher Agrippa**
Deputy Clerk



Approved by County Attorney as to form and legal sufficiency.



Daija Page Lifshitz