

RESOLUTION NO. 02-89

**A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF MIAMI LAKES, FLORIDA REQUESTING THAT THE BOARD OF COUNTY COMMISSIONERS OF MIAMI-DADE COUNTY DISCONTINUE AND SUSPEND THE LEVY AND COLLECTION OF ASSESSMENTS FOR THE STREET LIGHTING IMPROVEMENT SPECIAL TAXING DISTRICTS LOCATED WITHIN THE TOWN FOR FISCAL YEAR 2002-2003; PROVIDING FUNDING FOR SUCH STREET LIGHTING SERVICES; TAKING OVER THE RESPONSIBILITY OF THE DISTRICTS TO PROVIDE SUCH SERVICES; AUTHORIZING THE TOWN MANAGER, TOWN ATTORNEY AND MAYOR TO TAKE NECESSARY ACTIONS TO IMPLEMENT THE TERMS AND CONDITIONS OF THIS RESOLUTION; AND PROVIDING FOR AN EFFECTIVE DATE.**

**WHEREAS**, the Board of County Commissioners of Miami-Dade County previously established several Street Lighting Improvement Special Taxing Districts located within the Town of Miami Lakes (collectively, the "Special Taxing Districts"). The Special Taxing Districts are listed in Exhibit "A" and incorporated in this resolution; and

**WHEREAS**, pursuant to Section 1.01(A)(11) of the Miami-Dade County Charter, the Board has the authority to discontinue the levy and collection of assessments for these Special Taxing Districts established pursuant to Chapter 18 of the Miami-Dade County Code; and

**WHEREAS**, the Town of Miami Lakes (the "Town") was created on December 5, 2000, upon approval of the Town Charter by the electors of the Town; and

**WHEREAS**, the Special Taxing Districts described above are located within the municipal boundaries of the Town; and

**WHEREAS**, the Town Council desires to assume responsibility to provide street lighting services within the area of the Town comprising the Special Taxing Districts.

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

**Section 1. Recitals.** The above recitals are true and correct and incorporated into this resolution by this reference.

**Section 2. Suspension of Assessments for Fiscal Year 2002-2003.** The Town Council requests that the Miami-Dade County Board of County Commissioners discontinue the levy and collection of assessments for Fiscal Year 2002-2003.

**Section 3. Suspension of Assessments for Subsequent Fiscal Years.** On or before June 1st of each subsequent year the Town Manager shall provide the County Manager with written notification of the Town's intent to assume responsibility for the provision of services provided by the Special Taxing Districts for each subsequent fiscal year by requesting that the County suspend the levy and collection of the Special Taxing District's assessments for that fiscal year.

**Section 4.** The Town's budget for any fiscal year in which the County suspends the levy and collection of assessments shall include sufficient funds to finance the provision of street lighting services within the boundaries of the Town to serve the area previously served by the Street Lighting Districts.

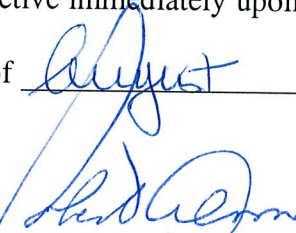
**Section 5.** In exchange for the County ceasing collection in the Street Lighting Districts, the Town shall take responsibility for and be obligated to provide the services currently provided by the Districts. Miami-Dade County, as the governing board of the Street Lighting Districts, shall be released from any further obligation to provide the services in any year in which the County ceases the levy and collection of assessments in the Street Lighting

Districts at the Town's request.

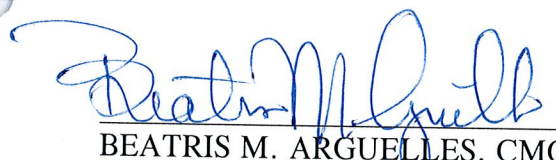
**Section 6.** The Town Manager and Town Attorney are authorized to take all actions reasonably necessary to implement the provisions of this Resolution and the Mayor is authorized to execute any necessary documents to implement the terms and conditions of this resolution, including, but not limited to, execution of an interlocal agreement with the County to arrange to cover the obligations of any existing noncancellable contractual obligations of the Street Lighting Districts.

**Section 7.** This Resolution shall be effective immediately upon adoption.

PASSED AND ADOPTED this 13<sup>th</sup> day of August, 2002.

  
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WAYNE SLATON, MAYOR  
ROBERTO ALONSO, VICE MAYOR

ATTEST:

  
\_\_\_\_\_  
BEATRIS M. ARGUELLES, CMC  
TOWN CLERK

APPROVED AS TO LEGAL SUFFICIENCY:

  
\_\_\_\_\_  
WEISS, SEROTA, HELFMAN, PASTORIZA & GUEDES, P.A.  
TOWN ATTORNEY

*collins / meador*

Council voted <u>6-0-1</u> as follows:	
Mayor Wayne Slaton	<u>Abs</u>
Vice Mayor Roberto Alonso	<u>yes</u>
Councilmember Mary Collins	<u>yes</u>
Councilmember Robert Meador	<u>yes</u>
Councilmember Michael Pizzi	<u>yes</u>
Councilmember Nancy Simon	<u>yes</u>
Councilmember Peter Thomson	<u>yes</u>