

RESOLUTION NO. _____

A RESOLUTION OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, APPROVING AND AUTHORIZING THE CITY MANAGER AND CITY CLERK TO EXECUTE AN INTERLOCAL AGREEMENT BETWEEN THE CITY AND MIAMI-DADE COUNTY, FLORIDA, SECURING CITY OF MIAMI BEACH POLICE OFFICERS TO PERFORM GUARD SERVICES FOR THE PALM AND HIBISCUS ISLAND SECURITY GUARD SPECIAL TAXING DISTRICT, FOR A TERM OF FIVE (5) YEARS, COMMENCING ON OCTOBER 1, 2021 AND EXPIRING ON SEPTEMBER 30, 2026.

WHEREAS, the City Commission adopted Resolutions No. 79-15827 on February 7, 1979, approving the creation of the "Palm and Hibiscus Island Security Guard Special Taxing District" (the "District") in order to provide 24-hour guard service, subject to compliance with the applicable Metropolitan Charter and Miami-Dade County Code; and

WHEREAS, the special guard protection service approved consisted of contracting for twenty-four hours a day, seven days a week, 365 days a year, unarmed, uniformed, guard services with a duly licensed and bonded, State of Florida approved Security Guard Service, at the entrance of the District, conditioned upon approval, by affirmative vote of the residents of Palm Island and Hibiscus Islands, in an election to be conducted in accordance with the Miami-Dade County Code, and further subject to approval by the Miami-Dade County Commission; and

WHEREAS, the Miami-Dade County Board of County Commissioners, by adoption of Ordinance No. 80-32 on April 15, 1980, as amended by Ordinance No. 83-122, created the Palm and Hibiscus Island Security Guard Special Taxing District, which District was approved on June 24, 1980, by a majority vote of qualified electors residing within the District; and

WHEREAS, In connection with the creation of the District, the City leases to Miami-Dade County, Florida (the "County") the security guard building ("Palm and Hibiscus security guard station") located at the causeway entrance to the Palm and Hibiscus Islands for use by the District for security services; and

WHEREAS, thereafter, more than 50% of the owners of the properties within the District filed a petition requesting that the County utilize off-duty police officers rather than unarmed security guards to provide guard services within the District; and

WHEREAS, on May 26, 1988, the Mayor and City Commission adopted a subsequent Resolution No. 88-19257, requesting that the Board of County Commissioners amend Ordinance No. 83-122 to permit the use of off-duty police officers to provide the guard services; and

WHEREAS, on July 5, 1988, the Board of County Commissioners, by the adoption of Ordinance No. 88-62, amended Ordinance No. 80-32, authorizing the utilization of an off-duty police officer to perform guard services within the District and the use of an Interlocal Agreement to secure such services; and

WHEREAS, as authorized, the parties have entered into several Interlocal Agreements providing for guard services by City of Miami Beach off-duty police officers, with the last Interlocal Agreement, dated March 10, 2009, set to expire on September 30, 2021; and

WHEREAS, the Palm and Hibiscus Island Homeowners Association are satisfied with the services being provided by the City's off-duty police officers and the County and City would like to enter into a new Interlocal Agreement; and

WHEREAS, The proposed new Interlocal Agreement, provides that the City will staff the District with off-duty police officers to perform guard services twenty-four (24) hours per day, seven (7) days per week, three hundred and sixty-five (365) days per year, at the Palm and Hibiscus security guard station for a five-year term, commencing on October 1, 2021 and expiring on September 30, 2026; and

WHEREAS, the City Manager recommends approving the proposed new Interlocal Agreement, incorporated herein by reference and attached hereto as Exhibit "1" in order to ensure the continuation of these important security services for the District.

NOW, THEREFORE, BE IT DULY RESOLVED BY THE MAYOR AND THE CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, that the Mayor and City Commission hereby approve and authorize the City Manager and City Clerk to execute an Interlocal Agreement between the City and Miami-Dade County, Florida, securing City of Miami Beach Police officers to perform guard services for the Palm and Hibiscus Island Security Guard Special Taxing District, for a term of five (5) years, commencing on October 1, 2021 and expiring on September 30, 2026.

PASSED and **ADOPTED** this 23rd day of June, 2021.

ATTEST:

Dan Gelber, Mayor

Rafael E. Granado, City Clerk

APPROVED AS TO
FORM & LANGUAGE
& FOR EXECUTION

Ann R. Pollock 06/04/21
City Attorney Date
JR JMT