

**RESOLUTION NO. 97-22522**

**A RESOLUTION OF THE BOARD OF DIRECTORS OF THE NORMANDY SHORES LOCAL GOVERNMENT NEIGHBORHOOD IMPROVEMENT DISTRICT ADOPTING A TENTATIVE AD VALOREM MILLAGE OF 0.966 MILLS FOR THE NORMANDY SHORES LOCAL GOVERNMENT NEIGHBORHOOD IMPROVEMENT DISTRICT, WHICH IS THREE AND FIVE-TENTHS PERCENT (3.5%) GREATER THAN THE "ROLLED-BACK" RATE OF 0.933 MILLS, FOR FISCAL YEAR 1997/98, SUBJECT TO A SECOND PUBLIC HEARING AT 5:02 P. M., WEDNESDAY, SEPTEMBER 24, 1997**

**WHEREAS**, for the purpose of providing security services within the Normandy Shores neighborhood area, the Mayor and City Commission adopted Ordinance No. 93-2881 on October 20, 1993, which authorized the creation of the Normandy Shores Local Government Neighborhood Improvement District (District); and

**WHEREAS**, for the purpose of providing security services within the District, the Ad Valorem millage rate assigned amounts to 0.966 mills; and

**WHEREAS**, the millage rate reflected is three and five tenths percent (3.5%) greater than the "rolled-back" rate of 0.933 mills.

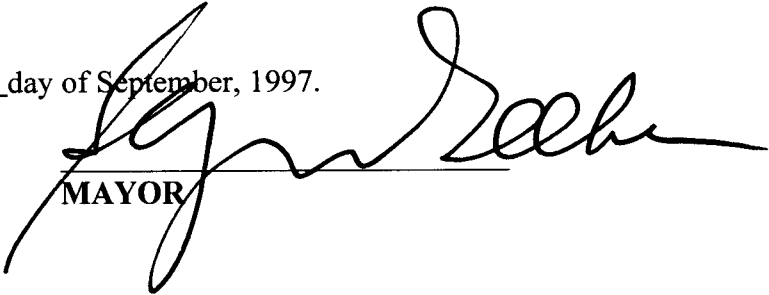
**WHEREAS**, on September 11, 1997, a public hearing was held before the Mayor and City Commission, acting as the Board of Directors of the District (Board), on the proposed operating millage rate and tentative operating budget for the District for FY 1997/98.

**NOW THEREFORE, BE IT DULY RESOLVED BY THE BOARD OF DIRECTORS OF THE NORMANDY SHORES LOCAL GOVERNMENT NEIGHBORHOOD IMPROVEMENT DISTRICT**, as follows:

(1) Pursuant to Section 200.065, Florida Statutes, there is hereby levied a tax of 0.966 mills for Fiscal Year 1997/98 on all taxable and non-exempt real and personal property located within the boundaries of the Normandy Shores Local Government Neighborhood Improvement District for the purpose of providing security services.

(2) The tentatively adopted millage rate for the Normandy Shores Local Government Neighborhood Improvement District for Fiscal Year 1997/98 is subject to a second and final public hearing at 5:02 P. M., Wednesday, September 24, 1997, in the City Commission Chambers, City Hall, 1700 Convention Center Drive, Miami Beach, Florida.

PASSED and ADOPTED this 11th day of September, 1997.

  
MAYOR

ATTEST:

  
CITY CLERK

Resolution N. 97-22522

APPROVED AS TO  
FORM & LANGUAGE  
& FOR EXECUTION

  
Deputy City Attorney      8-29-97  
Date

# CITY OF MIAMI BEACH

CITY HALL 1700 CONVENTION CENTER DRIVE MIAMI BEACH, FLORIDA 33139  
http://ci.miami-beach.fl.us



COMMISSION MEMORANDUM NO. 601-97

TO: Mayor Seymour Gelber and  
Members of the City Commission

DATE: September 11, 1997

FROM: Jose Garcia-Pedrosa  
City Manager

SUBJECT: **A RESOLUTION ADOPTING THE TENTATIVE AD VALOREM MILLAGE OF 0.966 MILLS FOR THE NORMANDY SHORES LOCAL GOVERNMENT NEIGHBORHOOD IMPROVEMENT DISTRICT, WHICH IS THREE AND FIVE-TENTHS PERCENT (3.5%) GREATER THAN THE "ROLLED-BACK" RATE OF 0.933 MILLS, FOR FISCAL YEAR 1997/98, SUBJECT TO A SECOND PUBLIC HEARING AT 5:02 P.M., WEDNESDAY, SEPTEMBER 24, 1997**

## RECOMMENDATION:

The Administration recommends that the City Commission, acting in its capacity as the Board of Directors for the Normandy Shores Local Government Neighborhood Improvement District, adopt the attached Resolution which sets the following:

- 1) Tentatively adopted millage rate for FY 1997/98  
Normandy Shores 0.966 mills (0.980 last year)
- 2) The tentatively adopted millage rate of 0.966 mills is 3.5% greater than the "rolled-back" rate of 0.933 mills.
- 3) The second public hearing to consider the final Normandy Shores millage rate and budget for FY 1997/98 shall be at 5:02 P. M., Wednesday, September 24, 1997 in the City Commission Chambers, City Hall, 1700 Convention Center Drive.

## PROCEDURE

The operating millage and budget for this dependent special taxing district must be adopted in accordance with Florida Statutes. This procedure requires that this Resolution be considered immediately after the millage and budget of the principal taxing authority, i.e., City of Miami Beach. It also prescribes that a tentative millage be adopted first. This is accomplished by adopting a Resolution which states the percent increase or decrease over the "rolled-back" rate, and, the date, time, and place of the second public hearing scheduled to adopt the final millage. Following this, another Resolution which tentatively adopts the Normandy Shores operating budget must be approved. (See accompanying Agenda Item R- for details).

AGENDA ITEM 37B1

DATE 9-11-97

Due to a recent Florida state statute amendment, it is no longer required that the resolution be read aloud in its entirety; however, the statute does require the name of the taxing authority, the rolled back rate, the percentage increase, and the millage rate be publicly announced before the adoption of the millage levy resolution. Therefore, the resolution title only should be announced before the adoption of the millage resolution.

### **BACKGROUND**

The Normandy Shores Local Government Improvement District, a dependent taxing district of its principal, the City of Miami Beach, was established in 1994 to provide continual 24 hour security to this gated community; FY 1997/98 represents its fourth year of operation. The district is established by ordinance 93-2881, and has the authority "*to levy an ad valorem tax on real and personal property of up to two mills, provided that no parcel of property will be assessed more than \$500 annually for such improvements*". Based on the January 1, 1997, "Certification of Taxable Values" for this district, the highest assessed property within the district is valued at \$517,267, which requires a millage rate of 0.966. This millage yields an assessment of \$499.68 which is less than \$500.

### **ANALYSIS**

The tentative ad valorem millage recommended by the Administration is 0.966 mills to provide the level of security services required by this district. At this millage, no property owner's levy will exceed \$500. This tax levy will generate proceeds of \$49,335. The total operating budget to provide security services to this district for FY 1997/98 is \$91,250. This is comparable to the current year-end projections. The gap between the revenues which will be generated from ad-valorem tax proceeds and the total budgetary requirement of the District must be supplemented in the amount of \$41,915 or 46% of the total operating budget.

The General Fund has funded this gap for each of the three years since the District was established. The amount provided by the General Fund for this purpose in FY1996/97 was \$42,552. It is understood that the City cannot continue to subsidize this service, and to the extent possible, it should be self-supporting.

Ordinance 93-2881, which established the District, authorizes the District to use special assessments, not to exceed \$500 per parcel of property per year, to support planning and implementation of District improvements. Therefore, the Administration recommends that the shortfall of operating funds in the amount \$41,915 be funded through this provision for special assessments at the rate of \$120 per parcel for the fiscal year 1997/98.

On July 16, 1997, the City Commission adopted Resolution 97-22487, setting the proposed operating millage rate for the District and, pursuant to Section 163.514(16), Florida Statutes,

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directed the City Clerk to take such steps as may be necessary to hold a special referendum for the purpose of authorizing a special assessment to raise \$41,915 for operating purposes within the District for fiscal year 1997/98.

It must be noted that in accordance with State Statute, there is a 10 mill operating cap which cannot be exceeded without voter approval. Combining both tentative millages from the dependent district (0.966) and the principal taxing authority (7.499) totals **8.465** mills, which is **1.535** mills less than the **10 mill cap**.

#### **CONCLUSION**

The City Commission acting in its capacity as the Board of Directors of the Normandy Shores Local Government Neighborhood Improvement District should adopt the attached Resolution which establishes a tentative millage and schedules the second and final public hearing.

JGP:PDW:JC:KRW