

RESOLUTION NO. _____

A RESOLUTION OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, IN ACCORDANCE WITH SECTION 18-3.1 OF THE MIAMI-DADE COUNTY CODE, REQUESTING THE MIAMI-DADE COUNTY BOARD OF COUNTY COMMISSIONERS TO TRANSFER CONTROL OF THE BISCAYNE BEACH SECURITY GUARD SPECIAL TAXING DISTRICT FROM THE COUNTY TO THE CITY, AND TO DESIGNATE THE MAYOR AND CITY COMMISSION AS THE GOVERNING BODY OF THE SPECIAL TAXING DISTRICT, SUBJECT TO A MAJORITY VOTE OF THE QUALIFIED ELECTORS RESIDING IN THE SPECIAL TAXING DISTRICT.

WHEREAS, in 1989, the City of Miami Beach's ("City") Mayor and City Commission and the Miami-Dade County ("County") Board of County Commissioners ("Board") approved the creation of the Biscayne Beach Security Guard Special Taxing District ("Special Taxing District") in City Resolution No. 88-19368 and County Ordinance No. 89-126 to provide 24-hour security guard service to Biscayne Beach; and

WHEREAS, on February 2, 2016, the County Board adopted Ordinance No. 16-14, creating a new Section 18-3.1 in the Miami-Dade County Code, providing that, subject to Charter referendum approval at the November 8, 2016 election, a municipality could be authorized to act as the governing body of a special taxing district located entirely within its municipal boundaries, and that control of an existing special taxing district in a municipality could be transferred from the County Board to the governing body of such municipality; and

WHEREAS, on November 8, 2016, the electorate approved a County Charter Amendment validating and giving effect to County Ordinance No. 16-14; and

WHEREAS, the Biscayne Beach Security Guard Special Taxing District is located entirely within the boundaries of the City; and

WHEREAS, Section 18-3.1 of the County Code provides, in part, that by joint resolutions of the County Board and the governing body of a municipality, the governing body of a municipality may be designated as the governing body of an existing special taxing district located entirely within the boundaries of such municipality, subject to a majority vote of the qualified electors residing in the special taxing district at an election called by and conducted as provided by the County Board; and

WHEREAS, the transfer of control of the Biscayne Beach Security Guard Special Taxing District from the County Board to the City has been requested and is supported by the Biscayne Beach Homeowner's Association; and

WHEREAS, the Mayor and City Commission hereby request the transfer of control of the Biscayne Beach Security Guard Special Taxing District from the County Board to the Mayor and City Commission of the City of Miami Beach, and the designation of the Mayor and City Commission as the governing body of the Special Taxing District, subject to a majority vote of the qualified electors residing in the Special Taxing District.

NOW, THEREFORE, BE IT DULY RESOLVED BY THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, the Mayor and City Commission, in accordance with Section 18-3.1 of the Miami-Dade County Code, hereby request the Miami-Dade County Board of County Commissioners to transfer control of the Biscayne Beach Security Guard Special Taxing District from the County to the City, and to designate the Mayor and City Commission as the governing body of the Special Taxing District, subject to a majority vote of the qualified electors residing in the Special Taxing District; and, further authorize the City Manager to do all things necessary to carry out the intent of this Resolution and direct the City Clerk to transmit a copy of this Resolution to Mayor Carlos A. Gimenez and members of the Miami-Dade County Board of County Commissioners.

PASSED AND ADOPTED this 17th day of October, 2018.

ATTEST:

Dan Gelber, Mayor

Rafael E. Granado, City Clerk

APPROVED AS TO
FORM & LANGUAGE
& FOR EXECUTION



City Attorney

10-9-18

Date