

**RESOLUTION NO. 2023-\_\_**

**A RESOLUTION OF THE VILLAGE OF PINECREST, FLORIDA, PROVIDING FOR THE UNIFORM METHOD OF LEVYING, COLLECTING, AND ENFORCING NON-AD VALOREM ASSESSMENTS FOR THE PROVISION OF SECURITY GUARD SERVICES FOR THE PINECREST BY THE SEA SECURITY GUARD SPECIAL TAXING DISTRICT (ALSO KNOWN AS THE GABLES BY THE SEA-PINECREST SECURITY GUARD SPECIAL TAXING DISTRICT) IN ACCORDANCE WITH THE PROVISIONS OF SECTION 197.3632, F.S.; PROVIDING FOR AUTHORIZATION; AND PROVIDING AN FOR EFFECTIVE DATE.**

WHEREAS, pursuant to Chapter 18 of the Miami-Dade County (“County”) Code of Ordinances, on October 6, 2022, the County Board of County Commissioners adopted Ordinance No. 22-122 (the “Ordinance”), reconstituting the existing Gables by the Sea Security Guard Special Taxing District into two separate special taxing districts: the Pinecrest by the Sea Security Guard Special Taxing District (also known as the Gables by the Sea-Pinecrest Security Guard Special Taxing District) (the “District”) and the Gables by the Sea-Coral Gables Security Guard Special Taxing District, which districts encompass only those properties located entirely within the Village of Pinecrest (the “Village”) and the City of Coral Gables, respectively; and

WHEREAS, the District is generally bounded on the north by Lugo Avenue, on the east by SW 57 Avenue, on the south by SW 136 Street, and on the west by Old Cutler Road (the “District Boundaries”); and

WHEREAS, on January 10, 2023, the Village Council adopted Resolution No. 2023-5, accepting the transfer of the District to the Village in accordance with County Resolution No. R-896-22 and approving an interlocal agreement relating to the same (the “Interlocal Agreement”); and

WHEREAS, subject to the requirements of Chapter 18 of the County Code of Ordinances, the Village is authorized to establish special assessment rates and collect special assessments for the provision of security guard services within the District (the “Security Assessments”) pursuant to Section 7 of the Interlocal Agreement and the Ordinance within the District Boundaries; and

WHEREAS, Section 197.3632, Florida Statutes establishes a uniform method for the levy, collection and enforcement of non-ad valorem assessments (the “Uniform Method”); and

WHEREAS, Section 197.3632, Florida Statutes, authorizes the Village with respect to the District to elect to utilize the Uniform Method; and

WHEREAS, the Village Council on behalf of the District desires to use the Uniform Method for the purpose of collecting the Security Assessment levied and imposed for security guard services within the District; and

WHEREAS, the Village Council has advertised and conducted a public hearing, as shown on the advertisement and proof of publication attached hereto and incorporated herein as Exhibits “A” and “B,” respectively, prior to the adoption of this Resolution; and

WHEREAS, pursuant to Section 197.3632, Florida Statutes, the legal description of the properties which may be subject to the levy of the Security Assessments is attached hereto and incorporated herein as Exhibit “C;” and

WHEREAS, the Village Council finds that the adoption of this Resolution is in the best interest and welfare of the District.

NOW, THEREFORE, BE IT RESOLVED BY THE VILLAGE COUNCIL OF PINECREST, FLORIDA AS FOLLOWS:

Section 1.     Recitals. The above recitals are true and correct and incorporated herein by reference.

Section 2.     Intent. Commencing with the 2024 Fiscal Year, beginning October 1, 2024, the Village intends to use the uniform method of collecting non-ad valorem assessments as authorized by Section 197.3632, Florida Statutes, as amended from time to time, to levy, collect, and enforce the Security Assessments for the provision of security guard services in the District. Such non-ad valorem assessments will be levied within the District Boundaries as set forth above. A map and legal description of the area subject to the non-ad valorem assessment is attached hereto and incorporated herein as Exhibit “C.” The non-ad valorem Security Assessments and the Village’s use of the uniform method of collecting its non-ad valorem Security Assessments may continue for more than one year.

Section 3.     Authorization. The Village Council hereby authorizes the Village Manager to implement the intent and purpose of this Resolution by, including but not limited to, notifying the Miami-Dade County Property Appraiser’s office, the Tax Collector and the Department of Revenue for the State of Florida of the Village’s intent to collect Security Assessment by using the uniform method of collection and entering into a written agreement with the Property Appraiser and Tax Collector for this purpose, subject to the approval of the Village Attorney as to form, content, and legal sufficiency.

Section 4.     Direction to Village Clerk. The Village Clerk is hereby directed to send certified copies of this Resolution to the Miami-Dade County Property Appraiser, Miami-Dade County Tax Collector, and the Florida Department of Revenue.

Section 5.     Effective Date. This Resolution shall become effective immediately upon adoption.

PASSED AND ADOPTED this 14<sup>th</sup> day of November, 2023.

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Joseph M. Corradino, Mayor

ATTEST:

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Priscilla Torres, MMC  
Village Clerk

APPROVED AS TO FORM AND LEGAL SUFFICIENCY:

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Mitchell Bierman  
Village Attorney

Motion by:  
Second by:

Vote:

**EXHIBIT A**

**NOTICE BY THE VILLAGE OF PINECREST  
OF INTENT TO USE THE UNIFORM AD VALOREM  
METHOD OF COLLECTION OF A  
NON-AD VALOREM ASSESSMENT**

A PERMANENT COPY  
OF THE NEWSPAPER ADVERTISEMENT  
IS ON FILE IN THE OFFICE OF THE VILLAGE CLERK.

**EXHIBIT B**

**PROOF OF PUBLICATION OF  
NOTICE BY THE VILLAGE OF PINECREST  
OF INTENT TO USE THE UNIFORM AD VALOREM  
METHOD OF COLLECTION OF A  
NON-AD VALOREM ASSESSMENT**

A PERMANENT COPY  
OF THE PROOF OF PUBLICATION  
IS ON FILE IN THE OFFICE OF THE VILLAGE CLERK.

**EXHIBIT C**  
**MAP AND LEGAL DESCRIPTION OF AREAS SUBJECT TO ASSESSMENT**

The District's corporate boundary as set forth in, to wit:

Portions of Sections 17 and 18, Township 55 South, Range 41 East, Miami-Dade County, Florida; being more particularly described as follows:

Portions of "Rockdale Estates", according to the Plat thereof, as recorded in Plat Book 42, Page 19, being more particularly described as follows:

The East 370.00 feet of Tract 1, and the East 435.60 feet of Tract 3; and all of "Craigdale Manor", according to the Plat thereof, as recorded in Plat Book 94, Page 46, less Lot 1; and all of "Cutler Bay Estates", according to the Plat thereof, as recorded in Plat Book 95, Page 28; and all of "Cutler Bay Estates First Addition", according to the Plat thereof, as recorded in Plat Book 96, Page 45; and all of "Cutler Bay Estates Second Addition", according to the Plat thereof, as recorded in Plat Book 97, Page 24; and all of "Old Cutler Woods", according to the Plat thereof, as recorded in Plat Book 108, Page 11; and all of "Warwick Manor First Addition", according to the Plat thereof, as recorded in Plat Book 111, Page 47; and all of "First Addition to Old Cutler Woods", according to the Plat thereof, as recorded in Plat Book 122, Page 98; and all of "Second Addition to Old Cutler Woods", according to the Plat thereof, as recorded in Plat Book 130, Page 10; and all of "Old Cutler Springs", according to the Plat thereof, as recorded in Plat Book 131, Page 2; and all of "Old Cutler Springs First Addition", according to the Plat thereof, as recorded in Plat Book 133, Page 52.

