

**RESOLUTION NO. 2017-139**

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**A RESOLUTION OF THE MAYOR AND VILLAGE COUNCIL OF THE VILLAGE OF PALMETTO BAY, FLORIDA, RELATED TO STORMWATER ASSESSMENTS; ELECTING TO USE THE UNIFORM METHOD OF COLLECTING NON-AD VALOREM ASSESSMENTS FOR STORMWATER UTILITY FEES PURSUANT TO CHAPTER 197, FLORIDA STATUTES; STATING THE NEED FOR SUCH LEVY; ENTERING INTO AN AGREEMENT WITH THE PROPERTY APPRAISER FOR THIS PURPOSE; AUTHORIZING THE VILLAGE MANAGER TO ENGAGE A CONSULTANT FOR THIS PURPOSE; PROVIDING AN EFFECTIVE DATE. (Sponsored by Administration)**

**WHEREAS**, in accordance with Chapter 15 Article III of the Village of Palmetto Bay’s Code of Ordinances, the Village has created a Stromwater utility; and

**WHEREAS**, Section 197.3632, Florida Statutes establishes a uniform method for the levy, collection and enforcement of non-ad valorem assessments, and

**WHEREAS**, the Village of Palmetto Bay intends to use the uniform method for collecting non-ad valorem assessments for Stromwater Utility fees as authorized by Section 197.3632, Florida Statutes as amended, and

**WHEREAS**, the Village duly advertised a public hearing prior to the adoption of this Resolution, proof of publication of such hearing attached hereto as Attachment “A”.

**NOW, THEREFORE, BE IT RESOLVED BY THE VILLAGE OF PALMETTO BAY, FLORIDA, THAT:**

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

1           **Section 2. Authorization:** Commencing with the Fiscal Year  
2 beginning October 1, 2018, the Village of Palmetto Bay intends to use  
3 the uniform method of collecting non-ad valorem assessments as  
4 authorized in Section 197.3632, Florida Statutes, as amended for  
5 Stormwater Utility fees. Such non-ad valorem assessments will be  
6 levied within the incorporated area of the Village. A legal description of  
7 such area subject to the assessment is attached as Attachment "B" and  
8 is incorporated herein by reference.

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10           **Section 3. Authorization:** The Village Council of the Village of  
11 Palmetto Bay hereby authorizes the City Manager to notify the Miami  
12 Dade County Property Appraiser's office of the City's intent to collect  
13 the stormwater user fees by using the uniform method of collection  
14 through the tax roll and hereby authorizes the City Manager to enter  
15 into an agreement with the Property Appraiser for this purpose.

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17           **Section 4. Authorization:** The City Manager is hereby  
18 authorized to retain a consultant to determine the correct Equivalent  
19 Residential Units; place the gathered information in to the Geographic  
20 Information System; and transfer the information to the Miami Dade  
21 Property Appraiser.

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23           **Section 5. Directions To The Clerk:** The City Clerk is hereby  
24 directed to send certified copies of this Resolution to the Miami-Dade  
25 County Property Appraiser, Miami-Dade County Tax Collector, and the  
26 Florida Department of Revenue.

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28           **Section 6. Effective Date:** This resolution shall take effect  
29 immediately upon its adoption.

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31           **PASSED and ADOPTED** this 4<sup>th</sup> day of December, 2017.

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34           Attest:

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36           DocuSigned by:  
37           Missy Arocha  
38           6EDC211E5E8C48C  
39           Missy Arocha  
40           Village Clerk

36           DocuSigned by:  
37           Eugene Flinn  
38           3B8854AD569F404  
39           Eugene Flinn  
40           Mayor

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APPROVED AS TO FORM AND LEGAL SUFFICIENCY FOR THE  
USE AND RELIANCE OF THE VILLAGE OF PALMETTO BAY,  
FLORIDA ONLY:

DocuSigned by:  
*Dexter W. Lehtinen*  
1B1D06E7132445...  
Dexter W. Lehtinen  
Village Attorney

FINAL VOTE AT ADOPTION:

- Council Member Karyn Cunningham      YES
- Council Member David Singer            YES
- Council Member Larissa Siegel Lara    YES
- Vice-Mayor John DuBois                 YES
- Mayor Eugene Flinn                        YES

FROM PAGE 16SE

## CALENDAR

hours of #PumpedToJump fun for the discounted admission price of \$15. Sky Zone Franchise Group is also supporting this effort through a generous monetary donation and promotional support.

To view a list of participating Sky Zones, visit [BounceAwayDiabetes.org](http://BounceAwayDiabetes.org) or contact the Diabetes Research Institute Foundation at 800.321.3437 or [info@drif.org](mailto:info@drif.org). Nov. 5 10 a.m.-12 p.m. \$15 Sky Zone Cutler Bay 10200 SW 186th St., Miami.

**Many Faces, 1 Love The Art** Institute of Fort Lauderdale invites the South Florida community to experience "Many Faces, 1 Love," an exhibit featuring self-portraits by students of The Boys and Girls Clubs of Broward County and the Art With A Heart Program. The mission of the Art With A Heart Program is to provide art education that recognizes and responds to the collective, creative and individual

talents of any Boys & Girls Club member. Young artists from age 9 to 18 are featured. The exhibit will run from October 23, 2017 through December 8, 2017. Exhibit Hours: Monday-Thursday, 8am-7pm; Friday, 8am-5pm; Saturday & Sunday, Closed; Holiday Closings Nov. 5 -Nov. 9 Free Art Institute of Fort Lauderdale - Mark Wheeler Gallery 1799 S.E. 17th St., Fort Lauderdale.

**Photography Exhibit by Kirsten Hines Celebrates Biscayne National Park** Kirsten Hines' exhibit, Celebration! Photography from the New Book "Biscayne National Park," will be on display in the Park's Dante Fascell Visitor Center Gallery from October 18 to January 14, kicking off a 15-month long celebration of the park's 50th anniversary in 2018. The gallery is open daily from 9 - 5. An opening reception with food, drink, a book signing and an opportunity to meet the photographer and her co-author

Jim Kushlan will take place on Sunday, October 22 from 1-3 pm. A second reception will occur on Saturday, December 2 from 6-8 pm with an opportunity to meet the authors, hear stories from park pioneers, and view the full moon. Admission to the show and the receptions is free. Nov. 5 -Nov. 9 9 a.m.-5 p.m. Free Biscayne National Park 9700 S.W. 328 St., Homestead.

**Pinecrest Gardens Presents Florida Isâ€¦Nature** exhibit with artist-in-residence, **Xavier Cortada** Pinecrest Gardens invites visitors to "Florida Isâ€¦Nature," a participatory art exhibit that explores Florida's environment and natural beauty by nationally-acclaimed environmental artist, Xavier Cortada. This is Cortada's first exhibition as artist-in-residence at South Florida's Cultural Arts Park, where he encourages discourse on Florida's endangered animals, wild flowers and their importance in our ecosystem, and diatoms.

The Miami-resident has worked with scientists and groups globally to produce

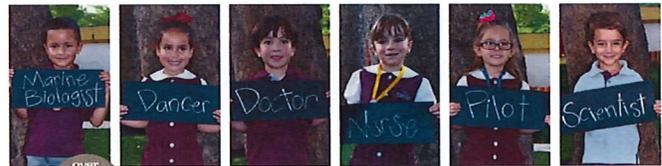
SEE CALENDAR, 28SE



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

Notice is hereby given to all owners of lands located within the boundaries of the Village of Palmetto Bay that the Village of Palmetto Bay intends to use the uniform ad valorem method for collecting the Stormwater non-ad valorem assessments levied by the Village of Palmetto Bay as set forth in section 197.3632, Florida Statutes, and that the Village Council will hold a public hearing on **December 4, 2017, at 7:00 p.m.** at Village of Palmetto Bay Village Hall, 9705 East Hibiscus Street, Palmetto Bay, Florida 33157. The purpose of the public hearing is to consider the adoption of a Resolution authorizing the Village of Palmetto Bay to use the uniform ad valorem method of collecting the Stormwater non-ad valorem assessments levied by the Village of Palmetto Bay as provided in Section 197.3632, Florida Statutes. The Village of Palmetto Bay is considering adopting a non-ad valorem assessment for 2019 for the purposes of collecting the Stormwater User Fees. This non-ad valorem assessment is levied for the first time which was previously charged in the utility bill.

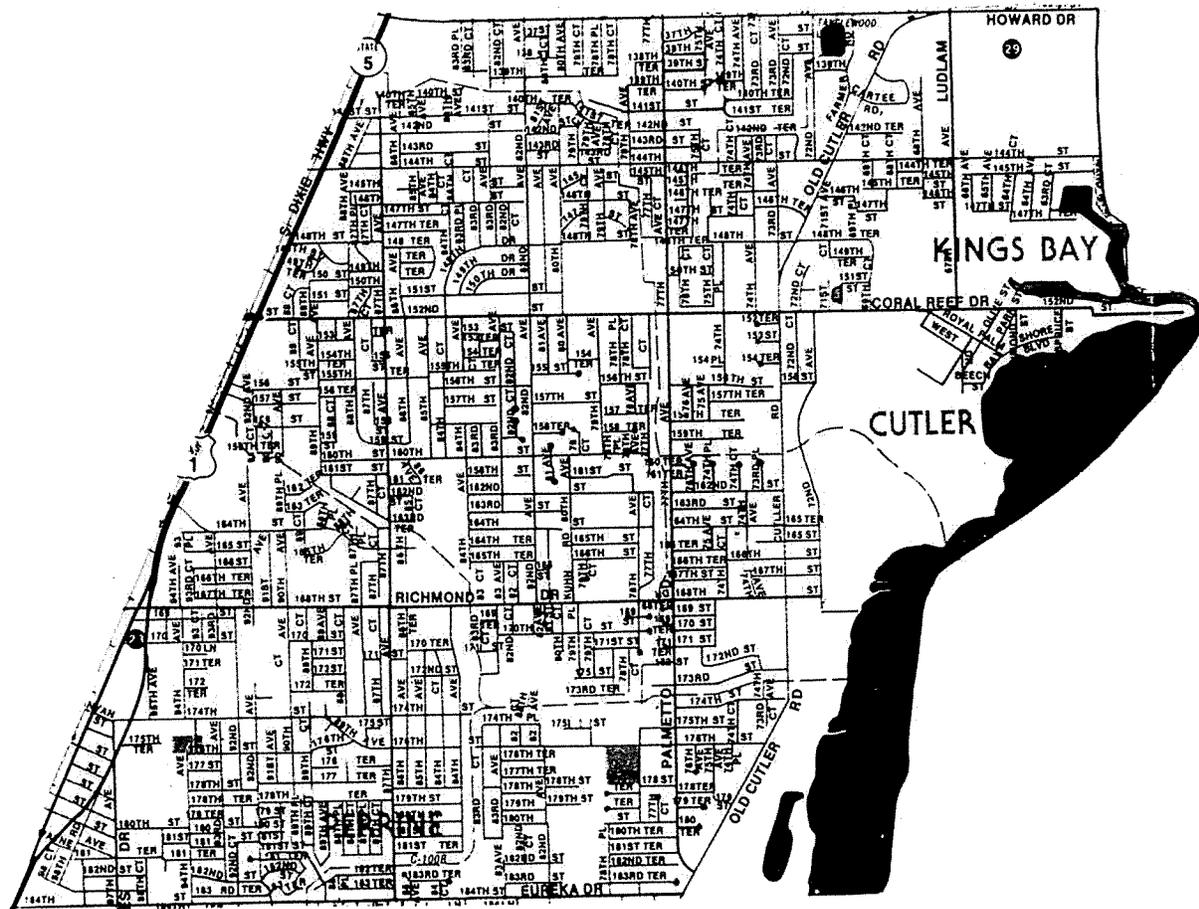
The corporate boundaries of the Village are generally described as follows and shown on the map. In case of a conflict between the Legal Description and the Map, the Legal Description shall govern.

Northern Boundary: S.W. 136 Street and the City of Coral Gables

Eastern Boundary: City of Coral Gables and Biscayne Bay

Southern Boundary: S.W. 184 Street

Western Boundary: Center line of U.S. 1 from S.W. 136 Street, southwesterly to S.W. 160 Street, then to the centerline of southbound U.S. 1 from S.W. 160 Street to S.W. 184 Street.



#### LEGAL DESCRIPTION:

**BEGINNING** at the Northwest corner of Section 22, Township 55 South, Range 40 East, run Easterly along the North line of said Section 22 and along the North section

lines of Sections 23 and 24 of Township 55 South Range 40 East (centerline of Howard Drive) to a corner in the boundary of the City of Coral Gables according to Coral Gables Ordinance No. 3548, said corner being a U.S. Land Office Monument (U.S.L.O.) on the North line of said Section 24, lying 2336.54 feet Westerly of the Northeast corner of said Section 24 as measured along said North line;

thence Southerly, following said boundary of the City of Coral Gables for a distance of 576.43 feet, more or less, along the boundary described in Deed Book 3221, at Page 377, of the Public Records of Miami-Dade County, Florida to a point;

thence Southeasterly along said boundary of the City of Coral Gables for a distance of 553.00 feet, more or less, according to said Deed Book 3221, Page 377 to a point;

thence Southwesterly along said boundary of the City of Coral Gables for a distance of 861.00, feet more or less, to a U.S.L.O. monument according to said Deed Book 3221, Page 377;

thence continuing Southwesterly along said boundary of the City of Coral Gables for a distance of 893.21 feet to a U.S.L.O. monument according to said Deed Book 3221, Page 377;

thence Westerly, along said boundary of the City of Coral Gables, for a distance of 1324.66 feet, more or less, to a U.S.L.O. monument marking the Southwest corner of a 95 acre tract transferred from the War Department to the Department of Agriculture, June 23, 1925, according to said Deed Book 3221, Page 377 [USDA PROPERTY];

thence continue along the Westerly extension of the previous described line and along said boundary of the City of Coral Gables, for a distance of 130.00 feet, more or less, according to said Deed Book 3221, Page 377;

thence Southwesterly along said boundary of the City Coral Gables for a distance of 222.00 feet, more or less, to the Northwest corner of Tract D-6 as shown on the plat of

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DEERING BAY as recorded in Plat Book 139 at Page 60 of the Public Records of Miami-Dade County, Florida;

thence Southwesterly, following said boundary of the City of Coral Gables along the Westernmost line of said Tract D-6 of said plat of DEERING BAY to the Southwest corner of said Tract D-6, this point being on the North right-of-way line of Mitchell Drive (S.W. 144th Street);

thence South, at right angles to the North line of the Southwest Quarter (SW 1/4) of said Section 24, Township 55 South, Range 40 East, along said boundary of the City of Coral Gables, for a distance of 15 feet to a point on said North line of the Southwest Quarter (SW 1/4) of said Section 24;

thence East, following said boundary of the City of Coral Gables along the North line of said Southwest Quarter (SW 1/4) of said Section 24, this line being also the centerline of Mitchell Drive (S.W. 144th Street), to the Northeast corner of said Southwest Quarter;

thence South, following said boundary of the City of Coral Gables along the East line of said Southwest 1/4 of said Section 24, this line being also the centerline of S.W. 62 Avenue, to its intersection with the Easterly extension of the South line of Lot 95 of the Plat of KING'S BAY SUBDIVISION, as recorded in Plat Book 57 at Page 45, of the Public Records of Miami-Dade County, Florida;

thence Westerly, following said boundary of the City of Coral Gables along the South line of Lots 95, 94, 93, 92, 91, 90, and 89 inclusive, to the Southwest corner of said Lot 89, this point also being the Northeasterly corner of Lot 88, of said KING'S BAY

SUBDIVISION;

thence Southerly, following said boundary of the City of Coral Gables along the East line of Lots 88, 87, 86, 85, 84, and 83 inclusive, to the Southeasterly corner of said Lot 83, this point being also the Northernmost corner of Lot 82, on said KING'S BAY

SUBDIVISION;

thence Southeasterly, following said boundary of the City of Coral Gables, along the Northeast line of said Lot 82 to the Northwest corner of Lot 81 of said KING'S BAY

SUBDIVISION;

thence easterly, following said boundary of the City of Coral Gables along the North line of Lots 81, 80, and 79 inclusive, to the Northeast corner of said Lot 79 of said KINGS BAY

SUBDIVISION;

thence Southeasterly, following said boundary of the City of Coral Gables along the Northeast line of Lots 78, 77, 76 and 75 inclusive, to the Northeast corner of Lot 75 of said KINGS BAY SUBDIVISION on the East line of the Southwest quarter (SW 1/4) of said Section 24, Township 55 South, Range 40 East;

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thence South, following said boundary of the City of Coral Gables along the East line of said Southwest quarter (SW 1/4) of said Section 24 to its intersection with the South line of said Section 24 which is the also the North line of Section 25, Township 55 South Range 40 East;

thence Easterly, following said boundary of the City of Coral Gables along said North line of said Section 25, for 1267.67 feet, more or less, to a point at the intersection of said North line of Section 25 with the Northerly extension of the West line of Lot 1, in Block 1 of PARADISE POINT FIRST AMENDMENT as recorded in Plat Book 156 at Page 33 of the Public Records of Miami-Dade County, Florida, said point lying in Paradise Point Inlet, 37.88 feet North of the Northwest corner of said Lot 1;

thence, from said point of intersection, continue Easterly following said boundary of the City of Coral Gables along the North line of Section 25, for a distance of 400 feet to the point of curvature of a 100 foot radius curve, concave Southwesterly as it appears on said plat of PLAT OF PARADISE POINT FIRST AMENDMENT, (said point of curvature being near the Easternmost end of the dock on the South bank at the mouth of said Paradise Point Inlet);

thence departing from said boundary of the City of Coral Gables, run Southerly, perpendicular to the North line of said Section 25, along a line radial to said curve, to the point of intersection of said radial line with the Mean High Waterline on the Southern bank at the mouth of said Paradise Point Inlet;

thence Southeasterly and Southerly along said Mean High Waterline, around Paradise Point, and continuing Westerly, and Southwesterly, and Southerly following said Mean High Water Line along the Western shore of Biscayne Bay, and across the mouth of any streams or inlets to a point on the North right-of-way line of a 135 foot wide right-of-way for Canal C-100 in fractional Section 35, Township 55 South, Range 40 East;

thence East along said North right of way line of said C-100 Canal for 50.00 feet to a point;

thence southerly, perpendicular to said North right-of-way line, across the mouth of said 135 foot wide canal right-of-way to a point on the South right-of-way line of said Canal C-100;

thence due South to the northern boundary of Biscayne National Park according to the

dedication thereof recorded in Official Record Book 12823 at Page 3043 of the Public Records of Miami-Dade County, Florida, said northern boundary being the eastward extension of the centerline of SW 176th Street which is also the eastward extension of the North line of the fractional Southwest quarter (SW 1/4) of Section 35, Township 55 South, Range 40 East;

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thence Westerly following said boundary of Biscayne National Park along said Eastward extension of the North line of said fractional Southwest quarter (SW 1/4) of said Section 35 to the Mean High Water line on the Western shore of Biscayne Bay;

thence Southerly following said boundary of Biscayne National Park along said Mean High Water line to a point on a line 187.5 feet South of the South Boundary of the TOWN OF CUTLER according to the Map thereof recorded in Plat Book B at Page 17 of the Public Records of Miami-Dade County, Florida, said South Boundary of the Town of Cutler being also the North line of said fractional Southwest quarter (SW 1/4) of said Section 35;

thence Westerly following said boundary of Biscayne National Park along the South line of the North 187.5 feet of said fractional Southwest quarter (SW 1/4) of said Section 35 for a distance of 169 feet, more or less, to a point 750 feet East of the Easterly right-ofway

line of Old Cutler Road according to Warranty Deed in Official Record Book 19723, Page 2794 of the Public Records of Miami-Dade County, Florida;

thence Southwesterly along said boundary of Biscayne National Park for 152.71 feet, more or less, to a point on the South line of Tract 2 of DAUGHERTY'S SUBDIVISION as recorded in Plat Book 1, at Page 1 of the Public Records of Miami-Dade County, said point being 815 feet distant from the Southwest corner of said Tract 2 according to the description of said Park boundary in Official Record Book 15202, Page 1856;

thence Westerly following said boundary of Biscayne National Park along said South line of Tract 2 of DAUGHERTY'S SUBDIVISION to the Northeast corner of Tract "A" of BURGER KING WORLD HEADQUARTERS according to the Plat thereof recorded in Plat Book 127, at Page 86 of the Public Records of Miami-Dade County, Florida;

thence southerly following said boundary of Biscayne National Park along the Eastern boundary of said Tract "A" to a corner of Tract "B" of said BURGER KING WORLD HEADQUARTERS;

thence continue Southerly following said boundary of Biscayne National Park along the Eastern boundary of said Tract "B" to a corner of said Tract "A" of said BURGER KING WORLD HEADQUARTERS;

thence continue Southerly, Westerly and Southerly following said boundary of Biscayne National Park along the Eastern boundary of said Tract "A" of said BURGER KING WORLD HEADQUARTERS to the South line of said Section 35 and Southeast corner of said Tract "A";

thence, departing from said boundary of Biscayne National Park, run Westerly along said South line of said fractional Section 35, Township 55 South, Range 40 East, for 1880 feet to the Southwest corner of said Section 35;

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thence along the South Section lines of Sections 34 and 33 of Township 55 South, Range 40 East (centerline of Eureka Drive) to the Southwest corner of said Section 33; thence continue Westerly along the South line of the Southeast quarter (SE 1/4) of

Section 32, Township 55 South, Range 40 East (centerline of Eureka Drive) for 2047.42 feet, more or less, to the centerline of the Southbound lane of State Road 5 according to the Florida Department of Transportation Right-of-Way Map thereof recorded in Plat Book 124 at Page 57 of the Public Records of Miami-Dade County, Florida;  
thence Northeasterly along said centerline of Southbound State Road 5 as shown on said Right-of-Way Map (P.B. 124, Page 57) to its intersection with the Northwesterly extension of the centerline of SW 164th Street Road;  
thence Southeasterly along said Northwesterly extension of said centerline of SW 164th Street Road for 25 feet to the (united) centerline of State Road 5 according to said Right-of-Way Map (P.B. 124, Page 57);  
thence Northeasterly, along said centerline of State Road 5 according to Florida State Road Department Right-of-Way Map Section 87020-2512, recorded in Road Plat Book 83 at Page 51 of the Public Records of Miami-Dade County, Florida to the intersection of said centerline with the North line of the Northeast 1/4 of Section 21, Township 55 South Range 40 East;  
thence Easterly, along said North line of said Section 21, for 8.60 feet to the Northeast corner of said Section 21, the same being the Northwest corner of Section 22, Township 55 South Range 40 East, and the **POINT OF BEGINNING**.