

To: The Honorable Mayor & Members of the City Commission

From: Steven Alexander, City Manager

Date: May 2, 2017

Agenda Item No.:

8

Subject: A Resolution of the City Commission of the City of South Miami, Florida, pursuant to Section 197.3632, of the Florida Statutes, providing for a Uniform Method of Collecting Non-Ad Valorem Assessments for Stormwater Services, authorizing entering into an Interlocal Agreement with Miami-Dade County to place the City's proposed Non-Ad Valorem Assessments on the County Tax Bill, and Providing for an effective date.

Background: On September 19, 2000, the City of South Miami Commission adopted Ordinance 21-00-1723 providing for the creation of a City of South Miami Stormwater Utility. As provided in the City of South Miami Ordinance and in accordance with a transfer approved by the County, the City took operational control over the stormwater utility function within the City's boundaries.

There are two methodologies used for the purpose of collecting revenues received from a jurisdiction with stormwater management services; *user fees* and *non-ad valorem assessments*. User fees are common within city governments due to the fact that most cities have an established utility (water or sewer) in place whereby the stormwater charge can be included as part of the existing utility bill.

Since the City does not operate or own a water or sewer utility, the City contracts with Miami-Dade County Water and Sewer Department via Resolution 10-13-13828 and the County collects the City's stormwater user fees through the water and sewer billing system managed by the Miami-Dade County Water & Sewer Department (WASD).

It is important to note a minimal amount of property owners which have private water wells and septic system are billed annually directly by the City of South Miami's Finance Department as an assessed fee to the property owner, since the City does not have the information to any potential user of utilities for each property.

Furthermore, the County's WASD charges a fee to the City to bill and collect the City's stormwater user fee. On November 1, 2016 the City received a notice from Miami-Dade County Water and Sewer Department that they are increasing the administrative fee charged for collecting stormwater charges billed on the City's behalf from \$0.85 per bill to \$0.92 per bill; approximately a 9% increase per bill.

In an effort to help maintain the same level of revenue needed to fund the many critical items such as maintenance of existing catch basins, stormwater drains and canal system and future construction of new facilities as may be recommended upon the development of the Stormwater Master Plan, finance is recommending that the method of collection change from its current method of having Miami-Dade County's Water and Sewer Department collect the fees as part of their customers water and sewer billing cycle to having the Miami-Dade County Tax Collector collect the City's Stormwater fee on behalf of the City during the collection of the Property Tax as a non-ad valorem assessment fee.

The non-ad valorem, uniform collection method, offers great advantages to the City of South Miami. When the uniform collection method is used to collect special assessments, the City will benefit from an improved collection rate. In fact, the City could anticipate that its rate of collection on special assessments would be the same as its rate of collection of ad valorem taxes. For the City this collection rate typically exceeds 95%. If however, a property owner fails to pay the special assessment, under the uniform collection method, the County has the right to sell a tax certificate, which ensures that the City will be paid the amount of the special assessment that is owed.

Thus, the non-ad valorem assessment, uniform collection method, offers the City the greatest assurances of collecting all of its billed stormwater special assessment revenue.

State statutes specifically detail the steps required for using the recommended Uniform Method of collecting the stormwater special assessment on the same bill as ad valorem taxes. To use the uniform method collection process, a jurisdiction must carefully follow the strict procedures provided in the Uniform Method. These procedures and their required deadlines are provided below.

Requirements of the Uniform Method of Collection	
Requirement	Deadline
Notice of Intent - Published for four consecutive weeks prior to public hearing	Prior to January 1 (or March 1 if agreed to by Property Appraiser, Tax Collector, and City of South Miami.
Adopted Resolution - Sent to Property Appraiser, Tax Collector, and Florida Dept. of Revenue	By January 10 (or March 10 if agreed to by Property Appraiser, Tax Collector, and City of South Miami
Assessment Roll - Adopted at a properly noticed public meeting	Between June 1 and September 15.

In summary, the money collected by South Miami from the Stormwater Utility Fee goes into a separate Stormwater Drain Trust Fund to help fund the required improvements to have a well-functioning, critical stormwater infrastructure. The fee being charged is determined by the amount of runoff that is generated (as measured by impervious surfaces) an "ERU" (Equivalent Runoff Unit).

In the City of South Miami, each single-family homeowner pays the cost for one (1) ERU, which per Ordinance 10-02-1778 the ERU is set at \$4.50 per month; \$54 annually.

All other types of properties will pay for multiple ERUs based upon the amount of their actual impervious area. This is the key, if a non-residential property builds a large structure which by virtue will hold less water on the property, hence requiring the City to maintain the properties "run-off," that property owner should pay the required ERU, to help continue to maintain the critical Stormwater Infrastructure which is being utilized specifically because of that property owners "run-off."

Assuming that property owner is not utilizing the property resulting in no water or sewer being billed, that property owner is not contributing to the Stormwater fund, as required.

Vacant properties (residential or non-residential), which are 100% pervious, will pay no stormwater utility fee because they are able to maintain the water on their respective property.

Moving from "user fee" collection to "non-ad valorem, uniform collection method" will help to maintain fairness and assure the necessary level of revenue continues to exist to help maintain the critical Stormwater Infrastructure.

Finance anticipates an increase of approximately \$50,000 annually by moving from "user fee" collection to "non-ad valorem, uniform collection method" due to the amount of property owners being billed versus utility customers, less outstanding balances or delinquent accounts, and the savings related to the collection cost.

Amount:	An amount not to exceed \$5,000.
Account:	111-0000-314-3000, Stormwater Drain Trust Fund, with an annual anticipated revenue amount of \$425,000 for FY 2017-18.
Attachments:	Resolution for approval Florida Statute 197.3632 City of South Miami Code – Stormwater Section 17-52 Sample of the Intergovernmental Cooperation Agreement Exhibit "A" Proof of Advertising Exhibit "B" Legal Description of Subject Area

RESOLUTION NO. _____

A Resolution of the City Commission of the City of South Miami, Florida, pursuant to Section 197.3632, of the Florida Statutes, providing for a Uniform Method of Collecting Non-Ad Valorem Assessments for Stormwater Services, authorizing entering into an Interlocal Agreement with Miami-Dade County to place the City's proposed Non-Ad Valorem Assessments on the County Tax Bill.

WHEREAS, in accordance with Chapter 17, Article III, section 17-51, et seq., of the City of South Miami Code of Ordinances, the City has created a stormwater 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 City of South Miami intends to use the uniform method for collection non-ad-valorem assessments for stormwater user fees as authorized by Section 197.3632, Florida Statutes as amended, and

WHEREAS, the City held a duly advertised public hearing prior to the adoption of this Resolution, proof of publication of such hearing being attached hereto as Exhibit "A", and

WHEREAS, it is anticipated that the City will retain the services of a consultant to evaluate properties within the City to determine the correct Equivalent Residential Units; place the gathered information in to the Geographic Information System; and transfer the information to the Miami Dade Property Appraiser,

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF SOUTH MIAMI, FLORIDA;

Section 1: The foregoing "Whereas" paragraphs are hereby ratified and confirmed as being true, and the same are hereby made a specific part of this Resolution.

Section 2: Commencing with the Fiscal Year beginning October 1, 2018, the City of South Miami intends to use the uniform method of collecting non-ad valorem assessments as authorized in Section 197.3632, Florida Statutes, as amended for stormwater user fees. Such non-ad valorem assessments will be levied within the incorporated area of the City. A legal description of such area subject to the assessment is attached hereto as Exhibit "B" and is incorporated herein by reference.

Section 3: The City Commission of the City South Miami hereby authorizes the City Manager to notify the Miami-Dade County Property Appraiser's office, the Tax Collector and the Department of Revenue for the State of Florida, of the City's intent to collect the stormwater user fees by using the uniform method of collection through the tax roll and hereby authorizes the City Manager to enter into a written agreement with the Property Appraiser and Tax Collector for this purpose.

Section 4: The City 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. Severability. If any section, clause, sentence, or phrase of this resolution is for any reason held invalid or unconstitutional by a court of competent jurisdiction, this holding shall not affect the validity of the remaining portions of this resolution.

Section 6. This resolution shall become effective immediately upon adoption by vote of the City Commission.

PASSED AND ADOPTED this ____ day of _____, 2017.

ATTEST:

APPROVED:

CITY CLERK

MAYOR

READ AND APPROVED AS TO FORM,
LANGUAGE, LEGALITY AND
EXECUTION THEREOF

CITY ATTORNEY

COMMISSION VOTE:
Mayor Stoddard:
Vice Mayor Welsh:
Commissioner Harris:
Commissioner Edmond:
Commissioner Liebman:

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APPROVED:

14
15 _____
16 CITY CLERK

MAYOR

17
18 READ AND APPROVED AS TO FORM,
19 LANGUAGE, LEGALITY AND
20 EXECUTION THEREOF

21
22 _____
23 CITY ATTORNEY

COMMISSION VOTE:
Mayor Stoddard:
Vice Mayor Welsh:
Commissioner Harris:
Commissioner Edmond:
Commissioner Liebman:

The 2016 Florida Statutes

Title XIV
TAXATION AND FINANCE

Chapter 197
TAX COLLECTIONS, SALES, AND LIENS

View Entire
Chapter

197.3632 Uniform method for the levy, collection, and enforcement of non-ad valorem assessments.—

(1) As used in this section:

(a) "Levy" means the imposition of a non-ad valorem assessment, stated in terms of rates, against all appropriately located property by a governmental body authorized by law to impose non-ad valorem assessments.

(b) "Local government" means a county, municipality, or special district levying non-ad valorem assessments.

(c) "Local governing board" means a governing board of a local government.

(d) "Non-ad valorem assessment" means only those assessments which are not based upon millage and which can become a lien against a homestead as permitted in s. 4, Art. X of the State Constitution.

(e) "Non-ad valorem assessment roll" means the roll prepared by a local government and certified to the tax collector for collection.

(f) "Compatible electronic medium" or "media" means machine-readable electronic repositories of data and information, including, but not limited to, magnetic disk, magnetic tape, and magnetic diskette technologies, which provide without modification that the data and information therein are in harmony with and can be used in concert with the data and information on the ad valorem tax roll keyed to the property identification number used by the property appraiser.

(g) "Capital project assessment" means a non-ad valorem assessment levied to fund a capital project, which assessment may be payable in annual payments with interest, over a period of years.

(2) A local governing board shall enter into a written agreement with the property appraiser and tax collector providing for reimbursement of necessary administrative costs incurred under this section. Administrative costs shall include, but not be limited to, those costs associated with personnel, forms, supplies, data processing, computer equipment, postage, and programming.

(3)(a) Notwithstanding any other provision of law to the contrary, a local government which is authorized to impose a non-ad valorem assessment and which elects to use the uniform method of collecting such assessment for the first time as authorized in this section shall adopt a resolution at a public hearing prior to January 1 or, if the property appraiser, tax collector, and local government agree, March 1. The resolution shall clearly state its intent to use the uniform method of collecting such assessment. The local government shall publish notice of its intent to use the uniform method for collecting such assessment weekly in a newspaper of general circulation within each county contained in the boundaries of the local government for 4 consecutive weeks preceding the hearing. The resolution shall state the need for the levy and shall include a legal description of the boundaries of the real property subject to the levy. If the resolution is adopted, the local governing board shall send a copy of it by United States mail to the property appraiser, the tax collector, and the department by January 10 or, if the property appraiser, tax collector, and local government agree, March 10.

(b) Annually by June 1, the property appraiser shall provide each local government using the uniform method with the following information by list or compatible electronic medium: the legal description of the property within the boundaries described in the resolution, and the names and addresses of the owners of such property. Such information shall reference the property identification number and otherwise conform in format to that contained on the ad valorem roll submitted to the department. The property appraiser is not required to submit information which is not on the ad valorem roll or compatible electronic medium submitted to the department. If the local government determines that the information supplied by the property appraiser is insufficient for the local government's purpose, the local government shall obtain additional information from any other source.

(4)(a) A local government shall adopt a non-ad valorem assessment roll at a public hearing held between January 1 and September 15, or between January 1 and September 25 for any county as defined in s. 125.011(1), if:

1. The non-ad valorem assessment is levied for the first time;

2. The non-ad valorem assessment is increased beyond the maximum rate authorized by law or judicial decree at the time of initial imposition;

3. The local government's boundaries have changed, unless all newly affected property owners have provided written consent for such assessment to the local governing board; or

4. There is a change in the purpose for such assessment or in the use of the revenue generated by such assessment.

(b) At least 20 days prior to the public hearing, the local government shall notice the hearing by first-class United States mail and by publication in a newspaper generally circulated within each county contained in the boundaries of the local government. The notice by mail shall be sent to each person owning property subject to the assessment and shall include the following information: the purpose of the assessment; the total amount to be levied against each parcel; the unit of measurement to be applied against each parcel to determine the assessment; the number of such units contained within each parcel; the total revenue the local government will collect by the assessment; a statement that failure to pay the assessment will cause a tax certificate to be issued against the property which may result in a loss of title; a statement that all affected property owners have a right to appear at the hearing and to file written objections with the local governing board within 20 days of the notice; and the date, time, and place of the hearing. However, notice by mail shall not be required if notice by mail is otherwise required by general or special law governing a taxing authority and such notice is served at least 30 days prior to the authority's public hearing on adoption of a new or amended non-ad valorem assessment roll. The published notice shall contain at least the following information: the name of the local governing board; a geographic depiction of the property subject to the assessment; the proposed schedule of the assessment; the fact that the assessment will be collected by the tax collector; and a statement that all affected property owners have the right to appear at the public hearing and the right to file written objections within 20 days of the publication of the notice.

(c) At the public hearing, the local governing board shall receive the written objections and shall hear testimony from all interested persons. The local governing board may adjourn the hearing from time to time. If the local governing board adopts the non-ad valorem assessment roll, it shall specify the unit of measurement for the assessment and the amount of the assessment. Notwithstanding the notices provided for in paragraph (b), the local governing board may adjust the assessment or the application of the assessment to any affected property based on the benefit which the board will provide or has provided to the

property with the revenue generated by the assessment.

¹(5)(a) By September 15 of each year, or by September 25 for any county as defined in s.125.011(1), the chair of the local governing board or his or her designee shall certify a non-ad valorem assessment roll on compatible electronic medium to the tax collector. The local government shall post the non-ad valorem assessment for each parcel on the roll. The tax collector shall not accept any such roll that is not certified on compatible electronic medium and that does not contain the posting of the non-ad valorem assessment for each parcel. It is the responsibility of the local governing board that such roll be free of errors and omissions. Alterations to such roll may be made by the chair or his or her designee up to 10 days before certification. If the tax collector discovers errors or omissions on such roll, he or she may request the local governing board to file a corrected roll or a correction of the amount of any assessment.

(b) Beginning in 2009, by December 15 of each year, the tax collector shall provide to the department a copy of each local governing board's non-ad valorem assessment roll containing the data elements and in the format prescribed by the executive director. In addition, beginning in 2008, a report shall be provided to the department by December 15 of each year for each non-ad valorem assessment roll, including, but not limited to, the following information:

1. The name and type of local governing board levying the non-ad valorem assessment;
2. Whether or not the local government levies a property tax;
3. The basis for the levy;
4. The rate of assessment;
5. The total amount of non-ad valorem assessment levied; and
6. The number of parcels affected.

(6) If the non-ad valorem assessment is to be collected for a period of more than 1 year or is to be amortized over a number of years, the local governing board shall so specify and shall not be required to annually adopt the non-ad valorem assessment roll, and shall not be required to provide individual notices to each taxpayer unless the provisions of subsection (4) apply. Notice of an assessment, other than that which is required under subsection (4), may be provided by including the assessment in the property appraiser's notice of proposed

property taxes and proposed or adopted non-ad valorem assessments under s. 200.069. However, the local governing board shall inform the property appraiser, tax collector, and department by January 10 if it intends to discontinue using the uniform method of collecting such assessment.

(7) Non-ad valorem assessments collected pursuant to this section shall be included in the combined notice for ad valorem taxes and non-ad valorem assessments provided for in s. 197.3635. A separate mailing is authorized only as a solution to the most exigent factual circumstances. However, if a tax collector cannot merge a non-ad valorem assessment roll to produce such a notice, he or she shall mail a separate notice of non-ad valorem assessments or shall direct the local government to mail such a separate notice. In deciding whether a separate mailing is necessary, the tax collector shall consider all costs to the local government and taxpayers of such a separate mailing and the adverse effects to the taxpayers of delayed and multiple notices. The local government whose roll could not be merged shall bear all costs associated with the separate notice.

(8)(a) Non-ad valorem assessments collected pursuant to this section shall be subject to all collection provisions of this chapter, including provisions relating to discount for early payment, prepayment by installment method, deferred payment, penalty for delinquent payment, and issuance and sale of tax certificates and tax deeds for nonpayment.

(b) Within 30 days following the hearing provided in subsection (4), any person having any right, title, or interest in any parcel against which an assessment has been levied may elect to prepay the same in whole, and the amount of such assessment shall be the full amount levied, reduced, if the local government so provides, by a discount equal to any portion of the assessment which is attributable to the parcel's proportionate share of any bond financing costs, provided the errors and insolvency procedures available for use in the collection of ad valorem taxes pursuant to s. 197.492 are followed.

(c) Non-ad valorem assessments shall also be subject to the provisions of s. 192.091(2)(b), or the tax collector at his or her option shall be compensated for the collection of non-ad valorem assessments based on the actual cost of collection, whichever is greater. However, a municipal or county government shall only compensate the tax collector for the actual cost of collecting non-ad valorem assessments.

(9) A local government may elect to use the uniform method of collecting non-ad valorem assessments as authorized by this section for any assessment levied pursuant to general or

special law or local government ordinance or resolution, regardless of when the assessment was initially imposed or whether it has previously been collected by another method.

(10)(a) Capital project assessments may be levied and collected before the completion of the capital project.

(b)1. Except as provided in this subsection, the local government shall comply with all of the requirements set forth in subsections (1)-(8) for capital project assessments.

2. The requirements set forth in subsection (4) are satisfied for capital project assessments if:

a. The local government adopts or reaffirms the non-ad valorem assessment roll at a public hearing held at any time before certification of the non-ad valorem assessment roll pursuant to subsection (5) for the first year in which the capital project assessment is to be collected in the manner authorized by this section; and

b. The local government provides notice of the public hearing in the manner provided in paragraph (4)(b).

3. The local government is not required to allow prepayment for capital project assessments as set forth in paragraph (8)(b); however, if prepayment is allowed, the errors and insolvency procedures available for use in the collection of ad valorem taxes pursuant to s. 197.492 must be followed.

(c) Any hearing or notice required by this section may be combined with any other hearing or notice required by this section or by the general or special law or municipal or county ordinance pursuant to which a capital project assessment is levied.

(11) The department shall adopt rules to administer this section.

History.—s. 68, ch. 88-130; s. 7, ch. 88-216; s. 8, ch. 90-343; s. 2, ch. 91-238; s. 1013, ch. 95-147; s. 1, ch. 97-66; s. 1, ch. 2003-70; s. 10, ch. 2008-173; s. 13, ch. 2016-128.

¹**Note.**—Section 13, ch. 2008-173, provides that:

“(1) The executive director of the Department of Revenue is authorized, and all conditions are deemed met, to adopt emergency rules under ss. 120.536(1) and 120.54(4), Florida Statutes, for the purpose of implementing this act.

"(2) Notwithstanding any other provision of law, such emergency rules shall remain in effect for 18 months after the date of adoption and may be renewed during the pendency of procedures to adopt rules addressing the subject of the emergency rules."

ARTICLE III. - STORMWATER UTILITY^[3]

Footnotes:

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Editor's note— Ord. No. 21-00-1723, § 2, adopted Sept. 19, 2000 added article III, sections 17-24—17-29. In order to allow for the future expansion of article II, the provisions of said ordinance have been included herein as article III, sections 17-51—17-56, at the discretion of the editor.

Sec. 17-51. - Title.

This article shall be know as the City of South Miami Utility Ordinance.

(Ord. No. 1723, § 2, 9-19-00)

Sec. 17-52. - Creation of South Miami stormwater utility; organization of governance.

- (a) There is hereby created and established by the authority of section 403.0893(1), Fla. Stat., as amended, a municipal stormwater utility within the geographic boundaries of the city implementing the provisions of section 403.0893(1), Fla. Stat., which shall be named and know hereinafter as the South Miami stormwater utility ("utility"). The utility shall be a public body corporate and politic which, through its governing body, the city commission, may exercise all those powers specifically granted herein, those powers specifically granted herein, those powers granted by law and those powers necessary in the exercise of those powers herein enumerated.
- (b) The governing body of the utility shall be the city commission.
- (c) The utility shall be responsible for the operation, maintenance, and governance of a city-wide stormwater utility to plan, construct, operate and maintain stormwater management systems set forth in the local program required pursuant to section 403.0891(3), Fla. Stat.
- (d) The stormwater utility manager shall be the director of the utility.
- (e) Administrative orders and regulations of the city manager shall prescribe the organization and operating procedures of the utility. The city manager shall employ such employees as may be necessary to operate the utility. The salaries and compensation of all personnel of the utility shall be determined by the city commission upon recommendation of the city manager pursuant to the regular budgetary process.

(Ord. No. 1723, § 2, 9-19-00)

Sec. 17-53. - Definitions.

For purposes of this article, certain words and terms are defined herein as follows:

(1)

- BMP (best management practice).* Any stormwater treatment facility (including, but not limited to, exfiltration basin, grass swale, retention pond, or detention pod), installed according to accepted engineering design criteria for the purpose of reducing the discharge of pollutants.
- (2) *Developed property.* Any parcel of land that contains an impervious area.
 - (3) *Dwelling.* Any building or portion thereof that is used or intended to be used for living, sleeping, cooking and eating.
 - (4) *Dwelling unit.* A room or group of rooms occupied or intended to be occupied as separate living quarters by one family with independent cooking and sleeping facilities.
 - (5) *ERU (equivalent residential usage unit).* The estimated average of impervious area of developed residential properties for each dwelling unit within the city. The estimated average is calculated by dividing the total estimated impervious area of developed residential properties by the estimated total number of dwelling units. The square foot estimated average of impervious area of developed residential properties shall be one (1) ERU for the purposes of fee calculation.
 - (6) *Impervious area.* The horizontal ground surface that is not readily penetrated by rainwater. This shall include, but is not limited to, all structures, slabs, patios, porches, driveways, sidewalks, parking areas, athletic courts and decks.
 - (7) *Mixed use developed property.* The horizontal ground surface that is not readily penetrated by rainwater. This shall include, but is not limited to, all structures, slabs, patios, porches, driveways, sidewalks, parking areas, athletic courts and decks.
 - (8) *Nonresidential developed property.* Any parcel of land with impervious area that contains only nonresidential uses.
 - (9) *Outfall.* Any and all conveyance of stormwater, including sheetflow drainage, associated with developed property that directs, discharges, permits, or allows stormwater to enter into a canal or municipal storm sewer.
 - (10) *Residential developed property.* Any parcel of land with impervious area that contains only dwellings or dwelling units.
 - (11) *Stormwater.* The surface water runoff that results from rainfall.
 - (12) *Stormwater infrastructure.* The structural, nonstructural, or natural features of a parcel of land or watershed which collect, convey, store, absorb, inhibit, treat, use, reuse, or otherwise affect the quality or quantity of stormwater.
 - (13) *Stormwater utility fund or fund.* The separate account established by the city for the deposit and use of all stormwater utility fees collected.

(Ord. No. 1723, § 2, 9-19-00)

Sec. 17-54. - Fees.

- (a) The city stormwater utility is hereby authorized and directed to establish, charge and collect stormwater utility fees upon all residential developed property, and all mixed use developed property, and all nonresidential developed property, and all outfalls within the city, sufficient to plan, construct, operate and maintain stormwater management systems set forth in the local program required pursuant to section 403.0891(3), Fla. Stat. Such fees shall be in an amount set forth the by city commission.
- (b) Each residential developed property shall be charged a stormwater utility fee calculated by multiplying the rate of one ERU by the number of dwelling units on the parcel, multiplied by the utility rate established by the city commission.
- (c) Each nonresidential developed property shall be charged a stormwater utility fee calculated by multiplying the utility rate established by the city commission, by a factor derived by dividing the actual impervious area of the particular nonresidential developed property by the square footage base equivalent established for one (1) ERU.
- (d) For purposes of calculating ERUs for mixed-use properties, the number of ERUs for each property shall be calculated by adding the sum of the number of ERUs for dwelling units, or by the method described herein for nonresidential developed property, whichever calculation provides the greater fee shall be used.
- (e) Each outfall associated with developed property shall be assessed a utility monitoring fee upon the property. The outfall fee shall be in addition to the ERU fees.
- (f) The fees payable hereunder shall be deposited in a separate stormwater utility fund and shall be used exclusively by the city stormwater utility to pay for the costs of planning, constructing, operating and maintaining stormwater management systems set forth in the local program required pursuant to section 403.0891(3), Florida Statutes.

(Ord. No. 1723, § 2, 9-19-00)

Sec. 17-55. - Fee exemptions.

[The following property(ies) shall be exempt from the fee provided for herein:]

- (1) Undeveloped property.

(Ord. No. 1723, § 2, 9-19-00)

Sec. 17-56. - Collection; liens.

- (a) Fees shall be billed to the owner, tenant, or occupant of each developed property. If the fees are not fully paid by the owner, tenant or occupant on or before the past due date on the bill, a ten (10) percent late charge shall be added to the bill and imposed by the utility. Any unpaid balance for such

fees and late charge shall be subject to an interest charge at the rate of eight (8) percent per annum. Imposition of the interest charge shall commence sixty (60) days after the past due date of the fees identified on the bill.

- (b) Fees and late charges, together with any interest charges, shall be debts due and owing the utility and shall be recoverable by the city on behalf of the utility in any court of competent jurisdiction.
- (c) The utility shall establish procedures to notify owners, tenants, occupants and managers of developed property of delinquent fee accounts.
- (d) All fees, late charges and interest accruing thereupon, due and owing to the utility, which remain unpaid sixty (60) days after the past due date of the fees, shall become a lien against and upon the developed property for which the fees are due and owing to the same extent and character as a lien for a special assessment. Until fully paid and discharged, said fees, late charges, and interest accrued thereupon shall be, remain and constitute a lien equal in rank and dignity with the liens of county ad valorem taxes and superior in rank and dignity to all other liens, encumbrances, titles and claims in, to or against the developed property involved for the period of five (5) years from the date such fees, late charges, and interest accrued thereupon, become a lien as set forth in this article. The lien may be enforced and satisfied by the city, on behalf of the utility, pursuant to Chapter 173, Fla. Stat., as amended, or by any other method permitted by law. The lien provided for herein shall be supplemental to other legal remedies for recovery of fees, late charges and accrued interest.
- (e) For fees which become more than sixty (60) days past due and unpaid, the city or the utility shall cause to be filed in the office of the clerk of the circuit court of the county, a notice of lien or statement showing a legal description of the property against which the lien is claimed, its location by street and number, the name of the owner and an accurate statement of the fees and late charges the unpaid. A copy of such notice of lien shall be mailed within a reasonable time to the owner of the property involved as shown by the records of the tax collector of the county.
- (f) Liens may be discharged and satisfied by payment to the city, on behalf of the utility, of the aggregate amounts specified in the notice of lien, together with interest accrued thereon, and all filing and recording fees. When any such lien has been fully paid or discharged, the city shall cause evidence of the satisfaction and discharge of such lien to be filed with the office of the clerk of the circuit of the county. Any person, firm, corporation, or any other legal entity, other than the present owner of the property involved, who fully pays any such lien shall be entitled to receive an assignment of lien and shall be subrogated to the rights of the city and the utility with respect to the enforcement of such lien.
- (g) Notwithstanding other provisions to the contrary herein, the city, on behalf of the utility, shall have the discretion not to file notices of lien for fees, late charges and interest accrued thereupon in an amount less than fifty dollars (\$50.00). If the city or the utility elects not to file a notice of lien, such fees, late charges and accrued interest shall remain as debts due and owing in accordance with subsection (b) above.
- (h)

The utility is authorized and directed to execute and deliver upon request written certificates certifying the amount of fees, late charges and interest accrued thereupon, which are due and owing to the utility and the city, for any developed property which is subject to payment of such fees, or the utility may certify that no fees, late charge or accrued interest are due and owing. Such certificates shall be binding upon the city and the utility.

(Ord. No. 1723, § 2, 9-19-00)

Sec. 17-57. - Stormwater user fee.

- (a) The mayor and city commission hereby sets the stormwater user fee at three dollars (\$3.00) per ERU per month.
- (b) The mayor and city commission hereby sets the stormwater outfall monitoring fee rate at one thousand dollars (\$1,000.00) per property per year.

(Ord. No. 1728, §§ 1, 2, 11-7-00)

Editor's note— Ord. No. 26-00-1728, §§ 1, 2, adopted Nov. 7, 2000 did not specifically amend the Code. Hence its inclusion as section 17-57 was at the discretion of the editor.

Secs. 17-58—17-70. - Reserved.

**INTERGOVERNMENTAL COOPERATION AGREEMENT
BY AND AMONG
MIAMI-DADE COUNTY PROPERTY APPRAISER
AND
MIAMI -DADE COUNTY TAX COLLECTOR
AND
CITY OF (NAME)**

THIS INTERGOVERNMENTAL COOPERATION AGREEMENT (the "Agreement") is made and entered into as of the ____ day of _____, 201_, by and among Miami-Dade County Office of the Property Appraiser (hereinafter referred to as ("Property Appraiser"), Florida, Miami-Dade County on behalf of the Tax Collector (hereinafter referred to as "Tax Collector"), Florida, and the City of (NAME), Florida (hereinafter referred to as "City").

WITNESSETH

WHEREAS, the City intends to adopt non-ad valorem assessments or special assessments for the cost of (LIST PROJECT) within the City of (NAME); and

WHEREAS, the City intends to utilize the uniform method of collection, as outlined in Sections 197.3632 and 197.3635, Florida Statutes, for collecting the above-referenced non-ad valorem special assessments for the aforementioned services; and

WHEREAS, the City has requested that the Property Appraiser include its adopted non-ad valorem assessments for the cost of (LIST PROJECT) within the City on the Notice of Proposed Property Taxes as specified in Section 200.069, Florida Statutes ("TRIM-Notice"); and

WHEREAS, the City has requested that the Tax Collector include its adopted non-ad valorem assessments for the cost of (LIST PROJECT) within the City on the Combined Notice of Ad Valorem and Non-Ad Valorem Assessments provided for in Section 197.3635, Florida Statutes; and

WHEREAS, pursuant to Section 197.3632, Florida Statutes, the City, the Property Appraiser, and the Tax Collector must enter into a written agreement evidencing the Property Appraiser's and the Tax Collector's agreement to place the City's herein specified non-ad valorem assessments on the TRIM Notice and tax bill; and

WHEREAS, the City represents that it has duly complied with the Notice provisions and adopted Resolution No. XXXX in compliance with the required resolutions set forth in Section 197.3632 Florida Statutes, so as to entitle the City to utilize the non-ad valorem method of collection, and the Tax Collector and Property Appraiser have relied on these representations, and

NOW, THEREFORE, for good and valuable consideration and intending to be legally bound hereby, the City, the Property Appraiser, the Tax Collector agree as follows:

1. The City, Property Appraiser, and Tax Collector shall abide by all statutes, rules and regulations pertaining to the levy and collection of non-ad valorem assessments, including the provisions of sections 197.3632, 197.3635, Florida Statutes, as amended, and any applicable rules duly promulgated by the Department of Revenue.
2. The Property Appraiser agrees to place the City's non-ad valorem assessments for the cost (LIST PROJECT) to properties within the incorporated area of the City of (NAME) on the Notice of Proposed Property Taxes and Proposed or Adopted Non-Ad Valorem Assessments prepared in accordance with Section 200.069, Florida Statutes.
3. The Tax Collector agrees to the City's request to place its adopted non-ad valorem assessments for the (LIST PROJECT) within the incorporated

area of the City of (NAME) on the Combined Notice of Ad Valorem Taxes and Non-Ad Valorem Assessments in accordance with Section 197.3635, Florida Statutes.

4. The City agrees that all certified assessment rolls will be maintained and transmitted to the Property Appraiser and the Tax Collector on compatible electronic medium as defined in Section 197.3632(1), Florida Statutes.
5. The City agrees that, in consideration for services herein agreed to be performed by the Tax Collector, the Tax Collector shall be entitled to retain, in the Tax Collector's sole discretion, the actual costs of collection not to exceed two percent (2%) on the amount of special assessments collected and remitted.
6. **Duration of this Agreement.** This Agreement shall take effect upon signing and shall extend to the collection of special assessments for each fiscal year thereafter until canceled by any Party pursuant to Section 10 herein.
7. **Severability of the Provisions in this Agreement.** The provisions in this Agreement, except for Section 4, are intended to be severable. If any provision of this Agreement shall be held to be invalid or unenforceable in whole or in part, such provision shall be ineffective to the extent of such invalidity or unenforceability without in any manner affecting the validity or enforceability of the remaining provisions of this Agreement.
8. **Governing Law.** This Agreement shall be governed by and construed in accordance with the laws of the State of Florida.
9. **Amendments or Modifications of this Agreement.** It is anticipated by the parties that the terms and conditions of this Agreement will be

periodically amended or modified. Such amendments or modifications must be in writing and must be duly executed by all parties to this Agreement.

10. **Terms and Cancellation.** The Term of this Agreement shall commence upon the date first above written and shall run through the end of the calendar year and shall automatically be renewed thereafter, for successive terms, not to exceed one year each. Any party may cancel this Agreement at the end of the term upon written notice to the other parties prior to the end of the term.

11. **Intent to be Legally Bound.** By signing this Agreement, the Parties hereto confirm and state that they have carefully read this Agreement, that they know the contents hereof, that they fully expect to carry out each and every provision, and that they intend to be legally bound by the rights and obligations set forth herein.

12. **Indemnification and Hold Harmless** The City shall indemnify and hold harmless, to the extent permitted by Florida law and without waiving its right of sovereign immunity, the Property Appraiser, Tax Collector and their respective officers, employees, agents and instrumentalities from any and all liability, losses or damages, including attorneys' fees and costs of defense, which the Property Appraiser, Tax Collector or their respective officers, employees, agents or instrumentalities may incur as a result of claims, demands, suits, causes of actions or proceedings of any kind or nature arising out of, relating to or resulting from the negligent or intentional acts or omissions of the City or its employees, agents, servants, partners principals, or subcontractors arising out of, relating to,

or resulting from the performance of the Agreement. The City shall pay all claims and losses in connection therewith and shall investigate and defend all claims, suits or actions of any kind or nature in the name of the Property Appraiser or Tax Collector where applicable, including appellate proceedings, and shall pay all costs, judgments, and attorneys' fees which may issue thereon.

13. **Headings.** The headings for each paragraph in this Agreement are for the purposes of reference only and shall not limit or otherwise affect the meaning of any provision.
14. **Complete Agreement.** This document shall represent the complete agreement of the Parties.

IN WITNESS WHEREOF, the Parties hereto execute this Agreement, and they affirm that they have the power to do so on behalf of the City, the Tax Collector, and the Property Appraiser.

(SEAL)

(CITY NAME), FLORIDA

A municipal corporation of the
State of Florida

ATTEST:

By: _____

By: _____

(name and title)

(name and title)

MIAMI-DADE COUNTY, FLORIDA
OFFICE OF THE PROPERTY APPRAISER

By: _____
Pedro J. Garcia
Property Appraiser

MIAMI-DADE COUNTY, FLORIDA
BY ITS BOARD OF COUNTY
COMMISSIONERS

ATTEST:

By: _____
Harvey Ruvin
County Clerk

By: _____
Carlos A. Gimenez
Mayor

Approved as to legal sufficiency for Miami-Dade County and the Office of the Property Appraiser:

By: _____
Assistant County Attorney

SAMPLE

EXHIBIT "A"

Proof of Publication

EXHIBIT "B"

**City of South Miami, Florida Legal Description
of such area subject to the assessment**

Schedule (A)
Boundaries

Beginning at a point in the center of Southwest 57 Avenue at the Southeast corner of Section 36, Township 54 South, Range 40 East; thence running Northerly along the East line of Section 36, and Section 25, Township 54 South, Range 40 East, said line being the center line of Southwest 57 Avenue (Red Road) a distance of approximately 7,920 feet, to the Northeast corner of the Southeast quarter of aforesaid Section 25; thence running Westerly along the North line of the aforesaid Southeast quarter of Section 25, the same being the center line of Southwest 64 Street (Hardee Road) approximately 1,660 feet to the East line of HAMLET, said point being the Southeast corner of the West half of the Southeast quarter of the Southwest quarter of the Northeast quarter of aforesaid Section 25 thence running Northerly along the East line of HAMLET and AVOCADO HOMES a distance of 1,988.2 feet, more or less, to the Northeast corner of the West half of the Southeast quarter of the Northwest quarter of the Northeast quarter of Section 25, thence running Westerly to the Northwest corner of the Southeast quarter of the Northwest quarter of the Northeast quarter of Section 25, aforesaid, a distance of 336.08 feet, more or less; thence running Northerly along the East line of the Northwest quarter of Northwest quarter of Northeast quarter to the North line of aforesaid Section 25 (center line of Southwest 56 Street, sometimes known as Miller Drive) a distance of 663.53 feet, more or less; thence running Westerly along the North line of Section 25, Township 54 South, Range 40 East, said line being the center line of Southwest 56 Street, to the Southeast corner of the West half of the Southeast quarter of the Southeast quarter of the Southwest quarter of Section 24, Township 54 South, Range 40 East, a distance of 1,011.45 feet, more or less, thence running Northerly along the East line of LA HAMACA SUBDIVISION, to the Northeast corner of the Southwest quarter of the Northeast quarter of the Southeast quarter of the Southwest quarter of Section 24, aforesaid, a distance of 1,024.81 feet, more or less, thence running Westerly a distance of 337.59 feet, more or less, to the Northwest corner of the Southwest quarter of the Northeast quarter of the Southeast quarter of the Southwest quarter of Section 24, aforesaid, said point being in the center line of Southwest 63 Avenue; thence running Northerly along the center line of said Southwest 63 Avenue a distance of 343.07 feet, more or less, to the Northeast corner of the East half of the West half of the Southeast quarter of the Southwest quarter of Section 24, aforesaid; thence running Westerly a distance of 337.59 feet, more or less, to the Northwest corner of the East half of the West half of the Southeast quarter of the Southwest quarter of Section 24; thence running Southerly a distance of 1,371.49 feet, more or less to the center line of Southwest 56 Street (Miller Road) at the Southwest corner of the East half of the West half of the Southeast quarter of the Southwest quarter of Section 24 aforesaid; thence running Westerly along the center line of South west 56 Street, said line being the South line of Section 24 aforesaid, to the Southeast corner of the Southwest quarter of the Southwest quarter of Section 24, aforesaid, a distance of 337 feet, more or less, thence running Northerly along the East line of the Southwest

quarter of the Southwest quarter of Section 24, a distance of 660 feet, more or less to the North line of the South half of the Southwest quarter of the Southwest quarter of aforesaid Section 24; thence running Westerly along said North line of the South half of the Southwest quarter of the Southwest quarter of Section 24, to the Southwest corner of the East half of the Northeast quarter of the Southwest quarter of the Southwest quarter of Section 24, a distance of 337 feet, more or less; thence running North along the West line of the East half of the Northeast quarter of the Southwest quarter of the Southwest quarter of Section 24, a distance of 660 feet, more or less, to the Northeast corner of the West half of the Northeast quarter of the Southwest quarter of the Southwest quarter of said Section 24; thence running Westerly along the North line of the West half to the Northeast quarter of the Southwest quarter of the Southwest quarter of said Section 24, a distance of 330 feet, more or less, to the Northeast corner of the Northwest quarter of the Southwest quarter of the Southwest quarter of aforesaid Section 24, said point being in the center line of Southwest 65 Avenue, at the Northeast corner of GRANDVIEW PARK SUBDIVISION; thence running North along the East line of the West half of the Northwest quarter of the Southwest quarter of Section 24, to the Northwest corner of the Southeast quarter of the Northwest quarter of the Southwest quarter of the aforesaid Section 24, a distance of 660 feet, more or less; thence East 330 feet, more or less, to the Southeast corner of the West half of the Northeast quarter of the Northwest quarter of the Southwest quarter; thence North 660 feet, more or less, to the center line of Southwest 48 Street, said point being the Northeast corner of the West half of the Northeast quarter of the Northwest quarter of the Southwest quarter; thence West along the center line of Southwest 48 Street 990 feet, more or less, to the Northwest corner of Southwest quarter of aforesaid Section 24, said point being the intersection of the center line of Southwest 48 Street and Southwest 67 Avenue; thence running Southerly along the center line of Southwest 67 Avenue; the same being the West line of aforesaid Sections 24 and 25, to the Southwest corner of the Northwest quarter of the Northwest quarter of Section 25, aforesaid; said point being the intersection of the center line of Southwest 67 Avenue and 60 Street; thence running Westerly along the North line of the South half of the Northeast quarter of Section 26, Township 54 South, Range 40 East, to a point on the Easterly Right of Way line of the Florida East Coast Railway Company (Miami Belt Line); thence run Southerly along the Easterly Right of Way line of aforesaid Florida East Coast Railway Company (Miami Belt Line) to a point on the North line of the Southeast quarter of aforesaid Section 26; thence Easterly along the North line of the Southeast quarter of aforesaid Section 26 to the Northwest corner of the Northeast quarter of the Southeast quarter of aforesaid Section 26; thence run Southerly along the West line of the East half of the Southeast quarter of Section 26, aforesaid, and the West line of the East half of the Northeast quarter of Section 35, Township 54 South, Range 40 East, said line also being the center line of Southwest 69 Avenue, a distance of 5,280 feet, more or less, to the Southwest corner of the Southeast quarter of the Northeast quarter of Section 35, Township 54 South, Range 40 East; thence running easterly 1,980 feet, more or less, to the Northwest corner of the North half of the Northeast quarter of the Northwest quarter of the Southwest quarter of

Section 36, Township 54 South, Range 40 East; thence South 330 feet, more or less, to the Southwest corner of the North half of the Northeast quarter of the Northwest quarter of the Southwest quarter of Section 36; thence East 660', more or less, to the Southeast corner of the North 1/2 of the Northeast quarter of the Northwest quarter of the Southwest quarter of Section 36; thence North 330 feet, more or less, to the Northeast corner of the North half of the Northeast quarter of the Northwest quarter of the Southwest quarter of said Section 36; thence running Easterly along the center line of Southwest 80 Street, also the South line of the Northwest quarter of aforesaid Section 36 to a point at the intersection of the center line of Southwest 80 Street and Southwest 62 Avenue, said point being the center of Section 36, Township 54 South, Range 40 East, a distance of 1,320 feet, more or less, thence running South along the center line of Southwest 62 Avenue, said line being the West line of the Southeast quarter of Section 36 to the center line intersection at Southwest 88 Street; said point being the Southwest corner of the Southeast quarter of aforesaid Section 36, a distance of 2,640 feet, more or less,; thence Easterly along the center line of Southwest 88 Street 2,640 feet, more or less, to the Southeast corner of Section 36, Township 54 South, Range 40 East, said point being the Point of Beginning. ALSO the following described areas in Section 24, Township 54 South, Range 40 East: All of the Northeast quarter of the Southeast quarter of the Southeast quarter of Section 24, Township 54 South, Range 40 East, the same being the ORCHARD HEIGHTS and RIVIERA PINES SUBDIVISIONS.

All of the Northeast quarter of the Northeast quarter of the Southeast quarter of Section 24, comprising a Re-subdivision of Blocks 5, 6 and the North half of Block 15, BILTMORE HEIGHTS SUBDIVISION, together with all the streets and avenues lying in the Northwest quarter of the Northeast quarter of the Southeast quarter and the Northeast quarter of the Northwest quarter of the Southeast quarter and the Northwest quarter of the Northwest quarter of the Southeast quarter and the Northeast quarter of the Northeast quarter of the Southwest quarter and all of the tract of land in the East half of the Northwest quarter of the Northeast quarter of the Southwest quarter of Section 24, together with the following described lots: Lots 9, 10, 11 and 12 of Block 9; Lots 1, 2, 3 of Block 13; Lots 20 and 21 of Block 1; of BILTMORE HEIGHTS as recorded in Plat Book 21 at Page 34 of the Public Records of Dade County, Florida.

ALSO:

The East 80 feet of Tract 4, BILTMORE HEIGHTS REVISED, recorded in the Plat Book 39 at Page 65 of the Public Records of Dade County, Florida; also formerly known as Lots 23, 24, 25 and the East 5 feet of Lot 22 in Block 4 of BILTMORE HEIGHTS, recorded in Plat Book 21 at Page 34 of the Public Records of Dade County, Florida.

ALSO including all of the following described lands lying in the North half of the North half of Section 24:

Beginning at the Northeast corner of Section 24, at the intersection of the center lines of Southwest 57 Avenue (Red Road) and Southwest 40 Street (Bird Road); thence running Westerly along the North line of Section 24 (center line of Southwest 40 Street) to the Northwest corner of the East half of the Northwest quarter of the Northwest quarter of the said section; thence running South along the west line of the East half of the Northwest quarter of the Northwest quarter to the Southwest corner of the East half of the Northwest quarter of the Northwest quarter of said Section 24; thence running easterly along the South Line of the North half of the North half of Section 24 to the Southeast corner of the West half of the Northeast quarter of the Northeast quarter of said Section, a distance of 3,960 feet, more or less, thence running Northerly along the West line of the East half of the Northeast quarter of the Northeast quarter of Section 24 to the Northwest corner of the South half of the Southeast quarter of the Northeast quarter of the Northeast quarter of said section a distance of 330 feet, more or less, thence running Easterly along the North line of the South half of the Southeast quarter of the Northeast quarter of the Northeast quarter of said section to the East line of Section 24, a distance of 660 feet, more or less, to the Northeast corner of the South half to the Southeast quarter to the Northeast quarter of the Northeast quarter of Section 24, said point being in the center line of Southeast 57 Avenue; thence running North along the East line of Section 24 to the place of beginning a distance of 990 feet, more or less; however, excluding from the above description certain parcels and tracts of land, but not excepting any rights of way for highways within the area described, the exceptions being as follows:

All lots in the Southeast quarter of the Northwest quarter of the Northwest quarter and the East half of the Northeast quarter of the Northwest quarter of the Northwest quarter of Section 24, Township 54 South, Range 40 East, Tract 1-A and Lots 10, Tracts 2-A, 2-B, Lot 9 and Tract 2-C, Tracts 4-A, 4-B, and 4-C, the North 10 feet of the East 50 feet of Lot 5 and Tract 3-D in ALTA TERRA a subdivision of the East half of the West half of the Northwest quarter of the Northeast quarter of Section 24 as recorded in Plat Book 35 at Page 26 of the Public Records of Dade County, Florida.

ALL lots in the Northeast quarter of the Northwest quarter of the Northeast quarter and in the North half to the Southeast quarter of the Northwest quarter of the Northeast quarter of Section 24, Township 54 South, Range 40 East.

ALL lots in Blocks 4 and 5, with the exception of Lots 21 and 24 in Block 5, ALL lots in Block 3 with the exception of Lots 1,2,9,10,11,12,13,14,15, and 16,; ALL lots in Block 6, with the exception of Lots 8, 9, 13, 14, 15, 16, 17, 18, 19, and 20; ALL lots in Block 7, with the exception of Lots 14, 17,

18, 19, 20, 21, 22, 24, 25, 26, and 27; as contained in WESTERFIELD MANOR, Section One, Two and Three located in the Northeast quarter of the Northeast quarter of Section 24, aforesaid, and recorded in Plat Book 18 at Page 47 and in Plat Book 27 at Page 9 of the Dade County Public Records, and the jurisdiction and powers of the City of South Miami shall extend over all lands within said area, whether platted or unplatted, and including, but not limited to all streets, sidewalks, alleys and parks and to and over all water, waterways, canals and submerged lands whatsoever within the said boundaries.

ALSO, beginning at the intersection of the centerline of Southwest 59 Avenue and the centerline of Southwest 64 Street; thence run easterly along the centerline of Southwest 64 Street to the intersection of the East boundary line extended of UNIVERSITY GARDENS SUBDIVISION NO. 1 as recorded in Plat Book 89 at Page 15 of the Public Records of Dade County, Florida; thence run Northerly along the East boundary line of said UNIVERSITY GARDENS SUBDIVISION NO. 1, to the Northeast corner of Block 2, of said UNIVERSITY GARDENS SUBDIVISION, NO. 1, thence run westerly along the North line of said Block 2, of UNIVERSITY GARDENS SUBDIVISION NO. 1 to a point on the East right of way line of Southwest 59 Avenue; thence run Northerly along the East right of way line of Southwest 59 Avenue to the intersection of the North right-of-way line of Southwest 62 Street, thence run westerly along the North right-of-way of Southwest 62 Street to the West boundary line of UNIVERSITY MANOR FIRST ADDITION as recorded in Plat Book 48, at Page 45 of the Public Records of Dade County, Florida, thence run southerly along the west line of said University Manor First Addition and the West line of STORMPROOF SUBDIVISION as recorded in Plat Book 47 at Page 12 of the Public Records of Dade County Florida, to a point on the centerline of Southwest 64 Street; thence run East along the centerline of Southwest 64 Street to the intersection of the centerline of Southwest 59 Avenue and the centerline of Southwest 64 Street, the same being point of beginning.

ALSO the NW 1/4 of the NE 1/4 of the NE 1/4 and the NE 1/4 of the NW 1/4 of the NE 1/4 all of Section 25, Township 54 South, Range 40 East, less the North 50 feet thereof, Dade County, Florida.

The title and jurisdiction over all streets, thoroughfares, sidewalks, parks, alleys and public lots within the City of South Miami and all other property and municipal public works of the City now owned, possessed or operated by it is hereby vested in the City of South Miami, as created by this act as may be contracted or expended.



CITY OF SOUTH MIAMI COURTESY NOTICE

NOTICE IS HEREBY given that the City Commission of the City of South Miami, Florida will conduct Public Hearing(s) at its regular City Commission meeting scheduled for Tuesday, May 2, 2017, beginning at 7:00 p.m., in the City Commission Chambers, 6130 Sunset Drive, to consider the following item(s):

(A Resolution of the City Commission of the City of South Miami, Florida, pursuant to Section 197.3632, of the Florida Statutes, providing for a Uniform Method of Collecting Non-Ad Valorem Assessments for Stormwater Services, authorizing entering into an Interlocal Agreement with Miami-Dade County to place the City's proposed Non-Ad Valorem Assessments on the County Tax Bill.)

A Resolution authorizing the City Manager to enter into the Community Space Lease Agreement with Miami-Dade County for lease of 6701 SW 62 Avenue, South Miami, Florida for one (1) year with a two (2) additional one (1) year period.

An Ordinance amending the City of South Miami Code of Ordinances, Chapter 11, Sections 11-4 and 11-22 to add and amend definitions and to revise the requirements for trash collection.

ALL interested parties are invited to attend and will be heard.

For further information, please contact the City Clerk's Office at: 305-663-6340.

Maria M. Menendez, CMC
City Clerk

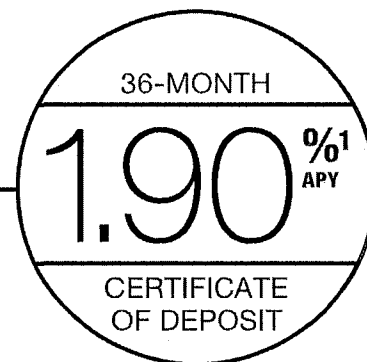
Pursuant to Florida Statutes 286.0105, the City hereby advises the public, that if a person desires to appeal any decision made by this Board, Agency or Commission with respect to any matter considered at its meeting or hearing, he or she will need a record of the proceedings, and that for such purpose, affected person may need to ensure that a verbatim record of the proceedings is made which record includes the testimony and evidence upon which the appeal is to be based.



NOTICE BY THE CITY OF SOUTH MIAMI 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 City of South Miami that the City of South Miami intends to use the uniform ad valorem method for collecting the Stormwater non-ad valorem assessments levied by the City of South Miami as set forth in Section 197.3632, Florida Statutes, and that the City Commission will hold a public hearing on **Tuesday, May 2, 2017**, at 7:00 p.m. at the 6130 Sunset Drive, Commission Chambers. The purpose of the public hearing is to consider the adoption of a Resolution authorizing the City of South Miami to use the uniform ad valorem method of collecting the Stormwater non-ad valorem assessments levied by the City of South Miami as provided in Section 197.3632, Florida Statutes. The City of South Miami is considering adopting a non-ad valorem assessment for 2018, for the purpose 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.

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...TO EXTRAORDINARY!

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1. Promotion begins on March 15, 2017 and expires on May 15, 2017. Popular Community Bank, in its sole discretion, reserves the right to change or terminate this offer at any time. This offer is available in all Popular Community Bank branches and via our website www.popularcommunitybank.com. To qualify for the promotional Annual Percentage Yield (APY), new or existing customers must open a 3-Year CD with a required minimum balance and opening deposit of \$1,000 in new money. New money is defined as deposits not previously held with Popular Community Bank. APY assumes principal and interest remain on deposit until maturity. A penalty will be imposed for early withdrawal. Fees may reduce earnings on the account. Promotional Rate is valid on the initial 3-year term. • Banco Popular North America (referred to herein as "our" or "Popular Community Bank") is a member of the FDIC and operates under the assumed name "Popular Community Bank" in the markets in which it operates. Accordingly, Popular Community Bank and Banco Popular North America are the same FDIC-insured institution. ©2017 Banco Popular North America. Member FDIC.

MIAMI DAILY BUSINESS REVIEW

Published Daily except Saturday, Sunday and
Legal Holidays

Miami, Miami-Dade County, Florida

STATE OF FLORIDA

COUNTY OF MIAMI-DADE:

Before the undersigned authority personally appeared MARIA MESA, who on oath says that he or she is the LEGAL CLERK, Legal Notices of the Miami Daily Business Review f/k/a Miami Review, a daily (except Saturday, Sunday and Legal Holidays) newspaper, published at Miami in Miami-Dade County, Florida; that the attached copy of advertisement, being a Legal Advertisement of Notice in the matter of

NOTICE OF PUBLIC HEARING

CITY OF SOUTH MIAMI - MAY 2, 2017

in the XXXX Court,
was published in said newspaper in the issues of

04/21/2017

Affiant further says that the said Miami Daily Business Review is a newspaper published at Miami, in said Miami-Dade County, Florida and that the said newspaper has heretofore been continuously published in said Miami-Dade County, Florida each day (except Saturday, Sunday and Legal Holidays) and has been entered as second class mail matter at the post office in Miami in said Miami-Dade County, Florida, for a period of one year next preceding the first publication of the attached copy of advertisement; and affiant further says that he or she has neither paid nor promised any person, firm or corporation any discount, rebate, commission or refund for the purpose of securing this advertisement for publication in the said newspaper.

Sworn to and subscribed before me this
21 day of APRIL, A.D. 2017

(SEAL)

MARIA MESA personally known to me



CITY OF SOUTH MIAMI NOTICE OF PUBLIC HEARING

NOTICE IS HEREBY given that the City Commission of the City of South Miami, Florida will conduct Public Hearing(s) at its regular City Commission meeting scheduled for Tuesday, May 2, 2017, beginning at 7:00 p.m., in the City Commission Chambers, 6130 Sunset Drive, to consider the following item(s):

A Resolution of the City Commission of the City of South Miami, Florida, pursuant to Section 197.3632 of the Florida Statutes, providing for a Uniform Method of Collecting Non-Ad Valorem Assessments for Stormwater Services, authorizing entering into an Interlocal Agreement with Miami-Dade County to place the City's proposed Non-Ad Valorem Assessments on the County Tax Bill.

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For further information, please contact the City Clerk's Office at 305-663-6340.

Maria M. Menendez, CMC
City Clerk

Pursuant to Florida Statutes 286.0105, the City hereby advises the public that if a person decides to appeal any decision made by this Board, Agency or Commission with respect to any matter considered at its meeting or hearing, he or she will need a record of the proceedings, and that for such purpose, affected person may need to ensure that a verbatim record of the proceedings is made which record includes the testimony and evidence upon which the appeal is to be based.

4/21

17-117/000021767M



CITY OF SOUTH MIAMI COURTESY NOTICE

NOTICE IS HEREBY given that the City Commission of the City of South Miami, Florida will conduct Public Hearing(s) at its regular City Commission meeting scheduled for Tuesday, April 18, 2017, beginning at 8:00 p.m., in the City Commission Chambers, 6130 Sunset Drive, to consider the following item(s):

A Resolution authorizing the City Manager to enter into a multi-year professional services agreement with AMEC Foster Wheeler for consulting services to improve the City's score in the Community Rating System (CRS) program.

An Ordinance authorizing the City Manager to execute a Third Amendment to the lease agreement with Miami-Dade County for the use of the City of South Miami building located at 6121 SW 68th Street.

An Ordinance relating to the fee schedule; amending Ordinance 02-17-2272 to remove all applicable City building permit fees relating to the installation of solar panels from the "SCHEDULE OF FEES AND FINES."

An Ordinance amending the City of South Miami Code of Ordinances, Chapter 11, Sections 11-4 and 11-22 to add and amend definitions and to revise the requirements for trash collection.

All interested parties are invited to attend and will be heard.

For further information, please contact the City Clerk's Office at: 305-663-6340.

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City Clerk

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NOTICE BY THE CITY OF SOUTH MIAMI 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 City of South Miami that the City of South Miami intends to use the uniform ad valorem method for collecting the Stormwater non-ad valorem assessments levied by the City of South Miami as set forth in Section 197.3632, Florida Statutes, and that the City Commission will hold a public hearing on **Tuesday, May 2, 2017**, at 7:00 p.m. at the 6130 Sunset Drive, Commission Chambers. The purpose of the public hearing is to consider the adoption of a Resolution authorizing the City of South Miami to use the uniform ad valorem method of collecting the Stormwater non-ad valorem assessments levied by the City of South Miami as provided in Section 197.3632, Florida Statutes. The City of South Miami is considering adopting a non-ad valorem assessment for 2018, for the purpose 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.

neighbors **4** neighbors

April is National Volunteer month, and at Neighbors 4 Neighbors, we know that Helping Feels Good and everyone has a talent or skill to share. Join over 1,000 of your neighbors and register on our volunteer matching website www.Helpingfeelsgood.org. You'll find lots of projects entered by our nonprofit partners that match your interests, time and location. You can search for them anytime, once you register.

Our popular Singing with the Stars fundraiser is coming to Miami this year on June 7th at Ball and Chain. Join us for a crazy night of song and performances by some of the finest "Stars" in our community. Last year's Rock Star of the Night, Rixys Alfonso, will return to defend her title. Check out our Facebook page, and website for upcoming details.

Neighbors 4 Neighbors turns 25 this year. We are very proud to be partnering with History Miami for their exhibition, Hurricane Andrew...25 Years After, opening June 1.

Call Neighbors 4 Neighbors at 305.597.4404
visit www.neighbors4neighbors.org or watch **4** and **4** for more.

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FROM PAGE 27SE

CALENDAR

Crawford Blvd., Boca Raton.

Tuesday, April 18

International Tuesdays at Gulfstream Park Gulfstream Park is thrilled to announce the launch of International Tuesdays, an ongoing entertainment series featuring live music with genres from around the world. Musical sensation Benji Rafaeli will serve as resident musician and perform in Champions Plaza every Tuesday night. Beginning at 7 p.m., Rafaeli will sing songs in more than 10 different languages including English, Russian, Hebrew, French and Yiddish providing endless variety for guests to enjoy.

As part of the series, several Gulfstream Park restaurants will offer exclusive deals on International Tuesdays for patrons who mention "Gulfstream Park's International Tuesdays" or present a special certificate passport received from Champions Plaza during their visit. Participating restaurants and specials can be found at www.gulfstreampark.com. April 18 7 p.m.-9:30 p.m. Free Gulfstream Park Racing & Casino 901 S. Federal Hwy., Hallandale Beach.

Jannis Kounellis at the Margulies Collection at the Warehouse Jannis Kounellis, Paintings 1983-2012, Through April 29, 2017. April 18, April 19, April 20 11 a.m.-4 p.m. \$10 Admission, In-state students FREE, Out-of-state students \$5. All proceeds benefit the Lotus Village, a homeless shelter for women and children The Margulies Collection at the Warehouse 591 NW 27th St., Miami.

New Anselm Kiefer Installation at the Margulies Collection at the Warehouse New, large-scale installation by Anselm Kiefer, sent a special certificate passport received from Champions Plaza during their visit. Participating restaurants and specials can be found at www.gulfstreampark.com. April 18 7 p.m.-9:30 p.m. Free Gulfstream Park Racing & Casino 901 S. Federal Hwy., Hallandale Beach.

Salon: Women + Words Championing the female voice in all its fluidity this National Poetry Month, YoungArts' signature Salon Series presents "Women and Words" in collaboration with O, Miami Poetry Festival. The intimate conversation honors women in the literary arts and will feature award-winning poet, language activist and educator Natalie Diaz, with YoungArts alumna and poet Delali Ayivor (2011 YoungArts Winner in Writing and U.S. Presidential Scholar in the Arts). April 18 6:30 p.m.-9 p.m. 10 YoungArts Miami 2100 Biscayne Blvd., Miami.

"Steigend steigend sinke nieder (rising, rising, falling down)," 2009-2012 April 18, April 19, April 20 11 a.m.-4 p.m. \$10 Admission, In-state students FREE, Out-of-state students \$5. All proceeds benefit the Lotus Village, a homeless shelter for women and children The Margulies Collection at the Warehouse 591 NW 27th St., Miami.

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Wednesday, April 19

Christian Chamber of Greater-Miami Luncheon Join us every 3rd Wednesday of the month for our monthly Signature Luncheon. 11:30 Networking Luncheon provided my Devon Steak & Seafood

Special guest speaker every month April 19 11:30 a.m.-1:05 p.m. \$35 Future Members, \$25 CCOGM Members Devon Seafood + Steak 11715 Sherri Lane, Miami.

PRSA Greater Fort Lauderdale Chapter Event with Sun Sentinel Editor-in-Chief Join PRSA on Wednesday, April 19 from 11:30 a.m. to 1 p.m. for a lively discussion with Howard Saltz, Sun Sentinel's Publisher & Editor-in-Chief who led the region's daily newspaper to its first Pulitzer Prize, the 2013 Gold Medal for Public Service. Howard Saltz became Publisher and Editor-in-Chief of the Sun Sentinel Media Group in 2016.

He is responsible for all products and platforms, including the daily South Florida Sun-Sentinel, the Forum community weeklies, the Spanish-language El Sentinel, the website SouthFlorida.com,

City & Shore magazine, and the nation's largest Jewish newspaper, the Jewish Journal.

He joined the Sun Sentinel as Editor in 2011 and led it to its first Pulitzer Prize: the 2013 Gold Medal for Public Service. The Sun Sentinel newsroom has also been cited as one of the country's most innovative in integrating digital and print journalism.

The event will be at Nova Southeastern University's Don Taft University Center Arena Club Room, 3301 College Avenue, Ft. Lauderdale, 33314. The cost is \$20 for members before April 19; \$25 for members the day of the event; \$30 for non-members before April 19; and \$35 for non-member tickets the day of. Register at prsagreaterfortlauderdale.org/meetinginfo.php April 19 11:30 a.m. \$20 for members before April 19; \$25 for members the day of the event; \$30 for non-members before April 19; and \$35 for non-member tickets the day of Nova Southeastern University - Don Taft University Center 3301 College Ave., Fort Lauderdale.

Presale will open for NSU faculty, staff and Circle of Friends members on Wednesday, April 19 from 4-6 p.m. The sale will be open to the public Thursday, April 20 and Friday, April 21 from 10 a.m.-6 p.m., and Saturday, April 22 from 10 a.m.-3 p.m. For more information, visit Sherman.library.nova.edu or call 954-262-4542. April 20 10 a.m.-6 p.m. Free Nova Southeastern University - Alvin Sherman Library 3100 Ray Ferrero Jr. Blvd., Fort Lauderdale.

Thursday, April 20

23rd Semi-Annual Used Book Sale Nova Southeastern University's Alvin Sherman Library will host the 23rd semi-annual used book sale from April 20-22 at the Alvin Sherman Library, 3100 Ray Ferrero, Jr. Blvd., Ft. Lauderdale 33314. Gently used textbooks, fiction, nonfiction, and children's books "ac" hardcover and soft cover "ac" as well as CD's and DVD's will be for sale. Proceeds from the event will support the "Donald E. Riggs Library Education Assistance Fund." Only cash and checks are accepted.

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For more information, visit Sherman.library.nova.edu or call 954-262-4542. April 20 10 a.m.-6 p.m. Free Nova Southeastern University - Alvin Sherman Library 3100 Ray Ferrero Jr. Blvd., Fort Lauderdale.

Earth Biology By the Bay at Miami Seaquarium To commemorate Earth Day, Miami Seaquarium is hosting "Four Days, Four Events, For Earth" on April 20-23, 2017. In efforts to inspire and educate guests about ocean and marine life conservation, the park's Earth Day celebration will feature a guest lecture, happy hour, a mini film festival, Lionfish derby, a beach clean-up, and much more. In addition to "Four Days, Four Events, For Earth," Miami Seaquarium will offer 50 percent off admission on Earth Day, April 22, when purchasing ticket online using promo code "earthday" at www.miamiseaquarium.com/offers.

The happy hour will include a 30 minute guest lecture by Joe Wasilewski, a Wildlife Biologist and current Vice-President of Jadora International LLC. He will be discussing his work in the Democratic Republic of the Congo, followed by a Q&A session. Wine, beer and appetizers will be served. Happy hour will begin at 5:30 p.m. and the lecture will begin at 6 p.m. Pricing for this event is free. Cash only donations for drink tickets and cups will be accepted. April 20 5:30 p.m.-7:30 p.m. Free Miami Seaquarium 4400 Rickenbacker Causeway, Key Biscayne.



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KICK OFF PARTY AND RULES MEETING

FRIDAY, MAY 5, 6-9 P.M.

Dinner at 6 p.m., Free to Anglers
Non-Anglers Welcome \$25, Live Music
Cash, Gas and Other Prizes, Silent Auction
Rules Meeting at 7:30 p.m.





CITY OF SOUTH MIAMI COURTESY NOTICE

NOTICE IS HEREBY given that the City Commission of the City of South Miami, Florida will conduct Public Hearing(s) at its regular City Commission meeting scheduled for Tuesday, May 2, 2017, beginning at 7:00 p.m., in the City Commission Chambers, 6130 Sunset Drive, to consider the following item(s):

A Resolution of the City Commission of the City of South Miami, Florida, pursuant to Section 197.3632, of the Florida Statutes, providing for a Uniform Method of Collecting Non-Ad Valorem Assessments for Stormwater Services, authorizing entering into an Interlocal Agreement with Miami-Dade County to place the City's proposed Non-Ad Valorem Assessments on the County Tax Bill.

A Resolution authorizing the City Manager to enter into the Community Space Lease Agreement with Miami-Dade County for lease of 6701 SW 62 Avenue, South Miami, Florida for one (1) year with a two (2) additional one (1) year period.

An Ordinance amending the City of South Miami Code of Ordinances, Chapter 11, Sections 11-4 and 11-22 to add and amend definitions and to revise the requirements for trash collection.

ALL interested parties are invited to attend and will be heard.

For further information, please contact the City Clerk's Office at: 305-663-6340.

Maria M. Menendez, CMC
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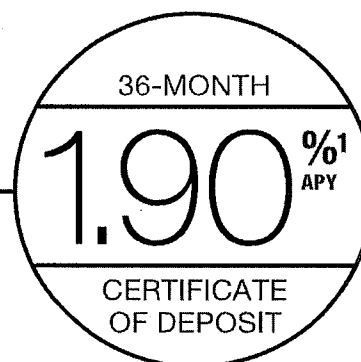
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