

**RESOLUTION NO. 168-17-14969**

**A Resolution of the City of South Miami establishing a Special Assessment District, including the nature and purpose of the District and its location; a designation of: the area to be improved, the portion of the expense to be paid by assessment and when it is to be paid, lands to be levied, and total estimated cost and procedure for creating the District.**

**WHEREAS**, pursuant to Chapter 170, Florida Statutes, the City may provide for the imposition and collection of charges in the form of special assessments; and

**WHEREAS**, Chapter 170, Florida Statutes, provides that a municipality, subject to the approval of a majority of the affected property owners, may assess, levy and collect special assessments against property benefited in a retail business district for the purposes of stabilizing and improving such district through promotion, improvements, maintenance, management, marketing, and other similar services in such districts; and

**WHEREAS**, a majority of the affected property owners must approve of the levy and collection of special assessments against property benefited in a retail business district for the purposes of stabilizing and improving such district through promotion, improvements, maintenance, management, marketing, and other similar services in such districts; and

**WHEREAS**, the Business Improvement District (“District”) concept is based upon collaboration among the City of South Miami, the Red/Sunset Merchants Association and South Miami Hometown, Inc., with funding to be generated by special assessments to be levied on affected property owners within the District who will benefit from the establishment of the District, with a majority of affected property owners agreeing to accept the establishment of a Special Assessment District also to be known as the “South Miami Business Improvement District” for the purpose of stabilizing and improving the business activity in the District; and

**WHEREAS**, the development of a Business Improvement District will improve the economic activity of the District for the benefit of affected property owners located within the Assessment Area by providing a means to organize and manage promotions, marketing, and other similar services on behalf of all properties within the Assessment Area, thereby providing a special benefit to such properties; and

**WHEREAS**, the District and the assessment set forth herein will enhance and specially benefit the health, safety and welfare of property owners within the District; and

**WHEREAS**, the Assessments to be imposed in accordance with this Resolution provides for an equitable method of funding and authorizes District activities by fairly and reasonably allocating the cost to specifically benefited properties; and

**WHEREAS**, the City and the two associations have worked with Redevelopment Management Associates to create an organization plan for a South Miami Business Improvement District, including boundaries, programs, assessment methodology, and preliminary budget for the District; and

**WHEREAS**, the City Commission desires to create the South Miami Business Improvement District (“SMBID”)

**NOW THEREFORE BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF SOUTH MIAMI, FLORIDA, AS FOLLOWS:**

**Section 1. Establishment of Business Improvement District.** A Business Improvement District shall be established under the following terms and conditions:

**(a) Nature of the Improvement.** The recitals set forth above concerning the nature of the improvement are hereby adopted by reference as if fully set forth herein and are found to be true and correct.

**(b) Description of Area to be Improved.** The proposed Assessment Area shall include the area described in Exhibit 1 attached hereto. The Assessment Area is proposed for the purpose of improving the business and economic environment, enjoyment of property, and funding the provision of the District benefiting property located therein. The City Commission may expand the Assessment Area, in accordance with the procedures utilized to create the District. An assessment plat (a map showing the Assessment Area) and a copy of this resolution showing the estimated cost of the proposed improvement, shall be available in the office of the City Clerk and open to inspection by the public.

**(c) Costs to be Paid by Assessment.** The entire cost of the District shall be paid by special assessment levied against the affected properties that benefit from the activities of the District.

**(d) Manner of Assessing Property.** The rate to be charged the owner for each property in the Business Investment District shall be equal to two thirds of the product of the amount of the property's linear frontage that is facing a street multiplied by the assessment rate for that street and one third of the product of the total square footage of the building located on the property multiplied by \$0.775 for the first year. The rates may change at the discretion of the Board of Directors if the proposed expenses for each following year exceed the amount available for collected based on the assessment formula set forth above but in no event shall the increase exceed 5% of the previous year's assessment.

The rate per linear foot will depend on the street. Streets have been assigned assessment levels based on the benefit properties on said streets will receive. Streets that are the most prominent (SW 72<sup>nd</sup> and SW 73<sup>rd</sup> Streets) will have the highest rates, based on an allocation that accounts for pedestrian and vehicular traffic that passes in front of the property and the levels of service provided by the City to those properties.

- Level A = \$12.00 per linear foot
- Level B = \$10.00 per linear foot
- Level C = \$7.50 per linear foot
- Level D = \$6.00 per linear foot

The assessment for vacant lots and parking lots will be 50% of the linear front foot rate for improved properties that face the same streets to which those lots have access:

- Level A = \$6.00 per linear foot
- Level B = \$5.00 per linear foot
- Level C = \$3.75 per linear foot
- Level D = \$3.00 per linear foot

The level assigned to a particular roadway has been designated in the attached **exhibit 1** to this resolution.

Parcels that have less than 300 square feet of building/vertical improvements that include space that is leased or occupied for commercial activity shall be assessed as vacant lots.

**(e) Imposition of Assessment.** The Assessments shall be collected pursuant to the Uniform Assessment Collection Act when available, or by any other lawful means. At the discretion of the City, in lieu of using the Uniform Assessment Collection Act, the City may elect to collect the assessment by any other method which is authorized by law or as provided by this Resolution. If the collection is in the manner authorized by the Uniform Assessment Collection Act, the Statutory Discount Amount shall be computed for each assessed Parcel in the same manner as the amount established by law as the maximum discount for early payment of ad valorem taxes and non-ad valorem or other assessments.

**(f) Lands to be Assessed.** All property located within the District shall incur a special assessment in accordance with the forgoing manner of assessment.

**(g) Estimated Costs.** The estimated cost allocated to the Assessment Area for the promotion, management, marketing, maintenance, administration, and similar expenses is \$200,000.00 for the first year beginning October 1, 2018.

**(h) Duration of the District.** The District shall remain in existence for an initial period of ten (10) years and shall be extended for an additional period of ten (10) years upon approval of the City Commission, provided, however, that upon receipt of a petition executed by Affected Property Owners representing in excess of fifty percent (50%) of the most recent Assessment Roll, City Commission may elect to abolish the District.

**(i) Approval of Affected Property Owners.** This resolution and a ballot shall be delivered by certified return receipt mail to the Affected Property Owners at their address as it appears on the Miami-Dade County Property Appraiser/Tax Collector's tax rolls. The mailing shall include a ballot and a self-addressed stamped envelope for the return of the ballot to the City Clerk. The ballot shall explain that the Business Improvement District cannot be established without the approval of a majority of the affected property owners and that if the owners desire to have the District established, they must return the ballot to the City Clerk within 30 days of receipt of the Ballot.

**Section 2. 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, the holding shall not affect the validity of the remaining portions of this resolution.

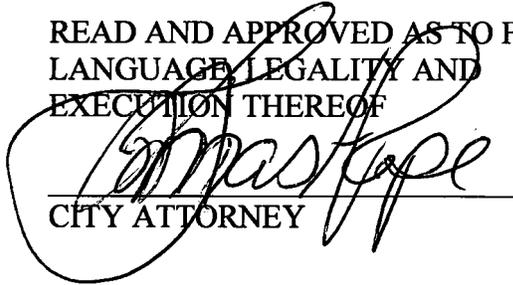
**Section 3. Effective Date.** This resolution shall become effective immediately upon adoption by vote of the City Commission. However, the Business Improvement District shall not be established until a majority of the affected property owners have voted in favor of the establishment of the District.

PASSED AND ADOPTED this 15th day of August, 2017.

ATTEST:

  
CITY CLERK

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

  
CITY ATTORNEY

APPROVED:

  
MAYOR

COMMISSION VOTE: 5-0

Mayor Stoddard: Yea

Vice Mayor Welsh: Yea

Commissioner Harris: Yea

Commissioner Edmond: Yea

Commissioner Liebman: Yea



**CITY OF SOUTH MIAMI**

**OFFICE MEMORANDUM**

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**To:** Mayor and City Commission  
**Date:** August 15, 2017  
**From:** Steven Alexander  
City Manager  
**Re:** Downtown South Miami Business Improvement District

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**SUBJECT**

**A Resolution of the City of South Miami establishing a Special Assessment District, including the nature and purpose of the District and its location; a designation of: the area to be improved, the portion of the expense to be paid by assessment and when it is to be paid, lands to be levied, and total estimated cost and procedure for creating the District.**

**Background**

During the past several years, the Red Sunset Merchants Association and South Miami Hometown have discussed the creation of a Business Improvement District (BID) to fund enhancements to Downtown South Miami. In 2015, the organizations, along with the City of South Miami, engaged Redevelopment Management Associates to prepare a business plan for the BID, and develop a proposed methodology for the special assessments.

Chapter 170, Florida Statutes, authorizes the City to impose and collect charges in the form of special assessments, following approval by most of the affected property owners, for the purpose of stabilizing and improving the area through programs that include promotion, maintenance, management and marketing.

Chapter 170 further requires that at the time of the adoption of the subject resolution, there shall be on file with the city, said resolution, an assessment plat showing the area to be assessed, with plans and specifications and an estimate of the proposed improvement. This information is provided in the attached Business Improvement District Plan. Additionally, a property roll with assessment information is attached.

The attached BID plan details:

- The reason to create the BID;
- Proposed BID programs;
- Boundaries and the Assessment Methodology
- A sample operating budget;

#### Organization and governance of the BID

The proposed boundaries of the BID are the area generally bounded by US 1 to the north, SW 57<sup>th</sup> Avenue to the east, SW 61<sup>st</sup> Avenue to the west, and SW 74<sup>th</sup> Street to the South.

If the Resolution is adopted, a vote of the property owners will occur. The resolution and a ballot shall be delivered by certified return receipt mail to the Affected Property Owners at their address as it appears on the Miami-Dade County Property Appraiser/Tax Collector's tax rolls. The mailing shall include a ballot and a self-addressed stamped envelope for the return of the ballot to the City Clerk. The ballot shall explain that the Business Improvement District cannot be established without the approval of a majority of the affected property owners and that if the owners desire to have the District established, they must return the ballot to the City Clerk within 30 days of receipt of the Ballot.

There are 107 properties located within the proposed BID boundaries. Each parcel to be assessed which has a separate folio number receives one vote. Ownership of at least 54 parcels must vote affirmatively to create the BID.

An initial budget of \$200,000 has been established for the BID's initial year of operation for the purposes of promotion, management, marketing, maintenance and administration. An assessment methodology has been developed which blends building square feet with linear front feet facing a street.

The BID is proposed to have an initial term of ten (10) years.

#### **Assessment Methodology**

The rate to be charged the owner for each property in the Business Investment District shall be equal to two thirds of the product of the amount of the property's linear frontage that is facing a street multiplied by the assessment rate for that street and one third of the product of the total square footage of the building located on the property multiplied by \$0.775 for the first year. The rates may change at the discretion of the Board of Directors if the proposed expenses for each following year exceed the amount available for collected based on the assessment formula set forth above but in no event shall the increase exceed 5% of the previous year's assessment.

The rate per linear foot will depend on the street. Streets have been assigned assessment levels

based on the benefit properties on said streets will receive. Streets that are the most prominent (SW 72<sup>nd</sup> and SW 73<sup>rd</sup> Streets) will have the highest rates, based on an allocation that accounts for pedestrian and vehicular traffic that passes in front of the property and the levels of service provided by the City to those properties.

- Level A = \$12.00 per linear foot
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- Level D = \$6.00 per linear foot

The assessment for vacant lots and parking lots will be 50% of the linear front foot rate for improved properties that face the same streets to which those lots have access:

- Level A = \$6.00 per linear foot
- Level B = \$5.00 per linear foot
- Level C = \$3.75 per linear foot
- Level D = \$3.00 per linear foot

Parcels that have less than 300 square feet of building/vertical improvements that include space that is leased or occupied for commercial activity shall be assessed as vacant lots.

**RECOMMENDATION:** Approve the resolution

**Red Sunset Business Improvement District**  
**Property Owner Roll as of information available on July 1, 2017**

Folio	Address	Building Portion		Linear Frontage by Street Rating				Assessment	Total Assmnt.	Parking Lot	Owner
		Building SqFt	Assessment	A	B	C	D				
940360890200	7301 SW 57 CT	1352	\$ 88					\$ -	\$ 88		CRN ENTERPRISES LLC
940360890120	7301 SW 57 CT	1824	\$ 119					\$ -	\$ 119		535 PLAZA HOLDINGS LLC
940250300150	5828 SW 71 ST	1,907	\$ 124					\$ 302	\$ 426		5828 SW 71 ST LLC
940360220170	5850 SW 73 ST	20,664	\$ 1,343		146.64	281.71	285.02	\$ 5,289	\$ 6,633		5850 SW 73 STREET LLC
940360220180	7331 SW 59 AVE	-	\$ -		140.30	108.23		\$ 2,215	\$ 1,107	Yes	5850 SW 73 STREET LLC
940360290030	5901 SW 74 ST	34,251	\$ 2,226			93.45	422.86	\$ 3,238	\$ 5,464		5901 COSTA LLC C/O MARKET STREET RETAIL ET AL
940360890010	7301 SW 57 CT	1988	\$ 129					\$ -	\$ 129		7300 INVESTMENTS LLC
940360890011	7301 SW 57 CT	1665	\$ 108					\$ -	\$ 108		7300 INVESTMENTS LLC
940360890012	7301 SW 57 CT	1521	\$ 99					\$ -	\$ 99		7300 INVESTMENTS LLC
940360890013	7301 SW 57 CT	1521	\$ 99					\$ -	\$ 99		7300 INVESTMENTS LLC
940360890014	7301 SW 57 CT	1213	\$ 79					\$ -	\$ 79		7300 INVESTMENTS LLC
940360890020	7301 SW 57 CT	3701	\$ 241					\$ -	\$ 241		7300 INVESTMENTS LLC
940360890030	7301 SW 57 CT	2047	\$ 133					\$ -	\$ 133		7300 INVESTMENTS LLC
940360890050	7301 SW 57 CT	2980	\$ 194					\$ -	\$ 194		7300 INVESTMENTS LLC
940360220530	7300 RED RD	8,887	\$ 578	178.52	117.32			\$ 3,315	\$ 3,893		A D P INC
940360890085	7301 SW 57 CT	1186	\$ 77					\$ -	\$ 77		ANDREW WENGER PHD PA
940360220120	5850 SUNSET DR	6,918	\$ 450	77.31		138.46		\$ 1,966	\$ 2,416		ANDROULAKIS KORRES INC
940250300020	5893 SW 72 ST	2,862	\$ 186	63.34		104.44		\$ 1,543	\$ 1,729		ANDROULAKIS KORRES INC
940360320010	7400 RED RD	5,346	\$ 347				276.38	\$ 1,658	\$ 2,006		AWAD BAIG INC
940250310060	5701 SW 72 ST	299,725	\$ 19,482	486.21		1,718.22		\$ 18,721	\$ 38,203		FRIT SHOPS AT SUNSET PLACE
940360220540	7230 RED RD	7,204	\$ 468	77.37	119.32			\$ 2,122	\$ 2,590		BALOGH ERDHEIM PARTNERSHIP
940360220040	5734 SUNSET DR	6,596	\$ 429	35.26				\$ 423	\$ 852		BALOGH FAMILY HOLDINGS LTD
940360270020	6050 S DIXIE HWY	6,275	\$ 408			92.56	165.90	\$ 1,690	\$ 2,097		BARDISA ENTERPRISES LLC
940360890040	7301 SW 57 CT	2940	\$ 191					\$ -	\$ 191		BILLFISH INVESTMENTS LLC
940360890160	7301 SW 57 CT	2482	\$ 161					\$ -	\$ 161		BLUE GROUP MEDIA INC
940360890140	7301 SW 57 CT	2107	\$ 137					\$ -	\$ 137		CHILD PSYCHOLOGY ASSOCIATES P A
940360220080	5796 SUNSET DR	6,399	\$ 416	54.95		93.18		\$ 1,358	\$ 1,774		CINQUE PARTNERS LTD
940250300100	5820 S DIXIE HWY	5,373	\$ 349			415.57	145.63	\$ 3,991	\$ 4,340		COLLEGIATE MKTG INC
940250300070	5801 SW 72 ST	6,791	\$ 441	93.37		119.90		\$ 2,020	\$ 2,461		COURTNEY SUNSET LLC
940360220341	5800 SW 73 ST	1,789	\$ 116		85.38	120.69		\$ 1,759	\$ 1,875		CREDO HOLDINGS LLC
940360890210	7301 SW 57 CT	1352	\$ 88					\$ -	\$ 88		CRN ENTERPRISES LLC
940360220090	5800 SUNSET DR	18,367	\$ 1,194	232.91		103.88		\$ 3,574	\$ 4,768		DABBY PROPERTIES
940360220110	5840 SUNSET DR	4,587	\$ 298	52.65		93.43		\$ 1,333	\$ 1,631		DABBY PROPERTIES
940360220150	5898 SUNSET DR	4,567	\$ 297	102.41		164.13		\$ 2,460	\$ 2,757		DIVERSIFIED INVESTMENTS OF FLORIDA CORP
940360290110	6022 S DIXIE HWY	5,543	\$ 360			110.38	124.09	\$ 1,572	\$ 1,933		S MIAMI RETAIL BH LLC
940360270011	6030 S DIXIE HWY	4,504	\$ 293			66.15	67.02	\$ 898	\$ 1,191		DXIE ACQUISITIONS NUMBER ONE LLC
940360300010		-	\$ -				47.97	\$ 288	\$ 288		DXIE ACQUISITIONS NUMBER ONE LLC
940360270090	7435 SW 61 Ave	2,233	\$ 145				166.31	\$ 998	\$ 1,143		DXIE ACQUISITIONS NUMBER ONE LLC
940360320020	5730 SW 74 ST	6,664	\$ 433				378.06	\$ 2,268	\$ 2,702		BLANCK HOLDINGS LLC and J MARK QUINLIVAN
940360220160	5885 SW 73 ST	9,871	\$ 642			285.78		\$ 2,143	\$ 2,785		EVIENCE INV INC
940360320030	7420 SW 57 AVE	748	\$ 49				214.68	\$ 1,288	\$ 1,337		F S STORES INC
940360890230	7301 SW 57 CT	2488	\$ 162					\$ -	\$ 162		GARSH INVESTMENTS LLLP
940360890190	7301 SW 57 CT	885	\$ 58					\$ -	\$ 58		GATEWAY INTEREST LLC
940360890170	7301 SW 57 CT	3884	\$ 252					\$ -	\$ 252		GB 57 LLC
940360890150	7301 SW 57 CT	1680	\$ 109					\$ -	\$ 109		GFS CORP
940360890220	7301 SW 57 CT	1352	\$ 88					\$ -	\$ 88		ANP 510 LLC
940250300130	5840 SW 71 ST	5,448	\$ 354				75.92	\$ 456	\$ 810		GRUPPER SOMI LLC
940360290080	5958 S DIXIE HWY	9,827	\$ 639			250.85	193.63	\$ 3,043	\$ 3,682		GRST SOMI INVESTORS LLC C/O BRADLEY SAFCHIK
940360240070	5930 S DIXIE HWY	1,366	\$ 89			61.93		\$ 464	\$ 553		HARVEY AMSTER & W ELLEN &
940360220130	5864 SUNSET DR	3,449	\$ 224	105.92				\$ 1,271	\$ 1,495		JALI LLC
940250310170	5795 SUNSET DR	7,082	\$ 460			261.10		\$ 1,958	\$ 2,419		JEC FUNDING INC C/O CVS PHARMACY INC
940250300110	5830 S DIXIE HWY	1,833	\$ 119			84.87	98.73	\$ 1,229	\$ 1,348		KURT L ANDERSON
940360890080	7301 SW 57 CT	1085	\$ 71					\$ -	\$ 71		L RICHARD MATTAWAY LISA C MATTAWAY
940360290070	5940 SW 73 ST	6,321	\$ 411		130.07		47.35	\$ 1,585	\$ 1,996		LINDA COURT INC
940360290060	7311 SW 59 CT	3,798	\$ 247				98.16	\$ 589	\$ 836		LINDA COURT INC
940360220010	5700 SUNSET DR	34,901	\$ 2,269	382.20				\$ 4,586	\$ 6,855		LOUIS M JEPEWAY JR
940360220260	5829 SW 73 ST	7,620	\$ 495		287.97	229.39		\$ 4,600	\$ 5,095		MARK RICHMAN PROPERTIES INC
940360220140	5880 SUNSET DR	6,616	\$ 430	80.44				\$ 965	\$ 1,395		HARRIET L HARRISTRS MARCHALL S HARRIS REV TRUST

**Red Sunset Business Improvement District  
Property Owner Roll as of information available on July 1, 2017**

Folio	Address	Building Portion		Linear Frontage by Street Rating				Assessment	Total Assmnt.	Parking Lot	Owner
		Building SqFt	Assessment	A	B	C	D				
940360890100	7301 SW 57 CT	2482	\$ 161					\$ -	\$ 161		MICHAEL E CRIDEN P A
940360890110	7301 SW 57 CT	1680	\$ 109					\$ -	\$ 109		7300 INVESTMENTS LLC
940360290010	5900 SW 73 ST	18,368	\$ 1,194		159.35	191.16		\$ 3,027	\$ 4,221		ORENSE COMPANY
940250300060	5825 SUNSET DR	21,420	\$ 1,392	106.48				\$ 1,278	\$ 2,670		PETER PREVITI TR
940360890001	7301 SW 57 CT	3959	\$ 257		153.03	310.06	141.96	\$ 4,708	\$ 4,965		REDSUNSET PROPERTIES LLC
940360220380	7211 SW 58 AVE	3,003	\$ 195			115.75		\$ 868	\$ 1,063		REMSEAOLIV LLC
940360240010	5900 SUNSET DR	8,770	\$ 570			215.99		\$ 1,620	\$ 2,190		ROBINS PLAZA LLC
940360240050	5920 SUNSET DR	6,090	\$ 396			61.50		\$ 461	\$ 857		ROBINS PLAZA LLC
940360240060	5922 S DIXIE HWY	3,275	\$ 213			47.54		\$ 357	\$ 569		ROBINS PLAZA LLC
940360240090	5946 S DIXIE HWY	1,840	\$ 120		109.22	187.61		\$ 2,499	\$ 2,619		ROBINS PLAZA LLC
940360240140	7230 SW 59 AVE	-	\$ -		132.42			\$ 1,324	\$ 662	Yes	ROBINS PLAZA LLC
940360240150	7230 SW 59 AVE	-	\$ -		23.08			\$ 231	\$ 115	Yes	ROBINS PLAZA LLC
940360240160	7230 SW 59 AVE	-	\$ -		34.29			\$ 343	\$ 171	Yes	ROBINS PLAZA LLC
940360240170	7230 SW 59 AVE	-	\$ -		88.42	77.06		\$ 1,462	\$ 731	Yes	ROBINS PLAZA LLC
940360240180	7230 SW 59 AVE	4,830	\$ 314			83.00		\$ 623	\$ 936		ROBINS PLAZA LLC
940360240190		-	\$ -			63.75		\$ 478	\$ 239	Yes	ROBINS PLAZA LLC
940360220050	5738 SUNSET DR	18,958	\$ 1,232	100.14	134.21	280.54		\$ 4,648	\$ 5,880		SEVEN SKIES CO NV
940360890060	7301 SW 57 CT	1650	\$ 107					\$ -	\$ 107		7301 SW 57 CT LLC
940360890130	7301 SW 57 CT	2784	\$ 181					\$ -	\$ 181		SKIPPER JOE'S LLC
940360220430	5791 SW 74 ST	2,582	\$ 168			252.98	279.91	\$ 3,577	\$ 3,745		SO MIAMI CORP
940360220450	7320 SW 57 CT	-	\$ -				58.73	\$ 352	\$ 176	Yes	SO MIAMI CORP
940360220240	5859 SW 73 ST	7,012	\$ 456			287.58		\$ 2,157	\$ 2,613		SOMA CORPORATION
940360320040	7400 SW 57 CT	7,709	\$ 501				201.14	\$ 1,207	\$ 1,708		SOMI 7400 LLC
940360290090	5966 S DIXIE HWY	-	\$ -			58.84	19.35	\$ 557	\$ 557		SOMI CENTER LLC
940360290100	5970 S DIXIE HWY	-	\$ -			47.96	64.96	\$ 749	\$ 749		SOMI CENTER LLC
940360290120		-	\$ -				237.98	\$ 1,428	\$ 1,428		SOMI CENTER LLC
940360220280	5824 SW 73 ST	12,142	\$ 789		140.34	109.03		\$ 2,221	\$ 3,010		SOUTH MIA CENTER LLC
940360220060	5750 SUNSET DR	29,781	\$ 1,936	118.60	134.56	260.59		\$ 4,723	\$ 6,659		SOUTH MIAMI CORP
940360220070	5760 SUNSET DR	8,081	\$ 525	99.54				\$ 1,194	\$ 1,720		SOUTH MIAMI CORP
940360220400	5795 SW 73 ST	-	\$ -		142.00	51.12		\$ 1,803	\$ 902	Yes	SOUTH MIAMI CORP
940360220410	5795 SW 73 ST	-	\$ -		282.28	121.51		\$ 3,734	\$ 1,867	Yes	SOUTH MIAMI CORP
940360220420	5795 SW 73 ST	-	\$ -			89.94		\$ 675	\$ 337	Yes	SOUTH MIAMI CORP
940360220290	5801 SW 74 ST	-	\$ -			61.93		\$ 464	\$ 232	Yes	SOUTH MIAMI CORP
940360220300	5801 SW 74 ST	-	\$ -			58.54		\$ 439	\$ 220	Yes	SOUTH MIAMI CORP
940360220310	5801 SW 74 ST	-	\$ -			60.20	141.48	\$ 1,300	\$ 650	Yes	SOUTH MIAMI CORP
940360220320	5801 SW 74 ST	-	\$ -			117.61	144.14	\$ 1,747	\$ 873	Yes	SOUTH MIAMI CORP
940360220330	5801 SW 74 ST	-	\$ -			59.80		\$ 449	\$ 224	Yes	SOUTH MIAMI CORP
940360220440	7320 SW 57 CT	-	\$ -				57.20	\$ 343	\$ 172	Yes	SOUTH MIAMI CORP
940360220520	7390 SW 57 AVE	6,941	\$ 451	154.33			143.55	\$ 2,713	\$ 3,164		STEPHEN HESSEN CO OF FLA
940360300030	7400 SW 59 PL	8,809	\$ 573				120.00	\$ 720	\$ 1,293		West Caribe LLC
940250300050	5837 SUNSET DR	9,342	\$ 607	119.38				\$ 1,433	\$ 2,040		SUNSET 58 LLC
940250300040	5855 SW 72 ST	4,347	\$ 283	49.58				\$ 595	\$ 878		SUNSET 58 LLC
940250300010	5875 SUNSET DR	9,636	\$ 626	105.42		104.36		\$ 2,048	\$ 2,674		SUNSET ONE PROPERTIES LLC CO/ROBERT G BERRIN
940250300030	5857 SUNSET DR	14,607	\$ 949	88.48		214.08	17.86	\$ 2,775	\$ 3,724		SUNTRUST BANK MIAMI NA
940360220340	5818 SW 73 ST	4,012	\$ 261		69.99			\$ 700	\$ 961		THOMAS ARMOUR YOUTH BALLET INC
940360300030		8,809	\$ 573				163.02	\$ 978	\$ 1,551		WEST CARIBE LLC
940360300010		-	\$ -				48.00	\$ 288	\$ 288		S MIAMI RETAIL BH LLC
940360890070	7301 SW 57 CT	2200	\$ 143				137.17	\$ 823	\$ 966		WON HOLDINGS LLC
940360890180	7301 SW 57 CT	1675	\$ 109					\$ -	\$ 109		WYNBROOK PROP LLC
<b>Totals</b>		<b>848,338</b>	<b>\$ 55,142</b>	<b>2,965</b>	<b>2,630</b>	<b>8,913</b>	<b>4,835</b>	<b>\$ 157,737</b>	<b>\$ 202,980</b>		

# Downtown South Miami Business Improvement District Plan



Prepared by Redevelopment Management Associates  
for  
Red Sunset Merchants Association  
South Miami Hometown, Inc.  
City of South Miami

## Downtown Business Improvement District Plan

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# Introduction

**What is a Business Improvement District (BID)?** A BID is a legal mechanism for property owners and businesses in a defined geographic area to jointly plan and put in place a sustainable funding source that can pay for a set of services to improve their area. In the case of South Miami BID, the BID's mission envisions programming and benefits to businesses and commercial properties that will include enhanced safety, marketing, advocacy, promotions, and maintenance. BID services will be in addition to services currently provided by the City of South Miami. The South Miami BID will serve as an organizational mechanism to ensure that the management and activities within the South Miami's public space is beneficial not only to the District itself, but also to the City and surrounding residential community. The BID serves as a unified voice and centralized communication center that speaks equally among all of its stakeholders which is of particular importance in building a strong and positive relationship with the City. Importantly, the BID is a critical tool to ensuring that property values continue to rise for all property owners in and around the City of South Miami and a mechanism to help all businesses in the district.

The following is a summary of primary characteristics of the South Miami BID, the detail of which is provided in this Business Plan:

<b>Name:</b>	South Miami Business Improvement District (BID).
<b>Proposed</b>	
<b>Boundaries:</b>	Generally US 1 to the North; Red Road (SW 57 <sup>th</sup> Avenue) to the East; SW 61 <sup>st</sup> Avenue to the West; SW 74 <sup>th</sup> Street to the South.
<b>Potential BID</b>	
<b>Programs:</b>	Marketing, Landscaping & Aesthetics, Special Events, Advocacy, Maintenance and Public Relations.
<b>Budget:</b>	\$200,000 annually
<b>Method of</b>	
<b>Assessment:</b>	Blended Methodology of Weighted Linear Front Footage and Total Building Square Feet

The basic premise of a BID is that the City agrees to continue to provide a base level of service and that the BID may provide enhanced services, such as extra police protection for expanded special events, maintenance for specialty landscaping, downtown marketing programs, cleaning after special events, while providing for a unified voice to advocate on behalf of the district's stakeholders.

Use of these funds will be governed by the Board of Directors of a new not-for profit organization created to oversee the BID. The Board will include property and business owners in the district, the City of South Miami and will ensure representation of all interests. The process for establishing the District and ensuring that funds are collected and properly spent will be governed by Florida Statutes, Chapter 170 and by an agreement between the new not-for profit organization and the City of South Miami.

## Why Form the South Miami BID?

The first BID established in the US was in the City of New Orleans in 1974 and, since then, there have been more than 1,200 BIDs created nationally. The continual growth of BIDs nationwide is a testament to the success that many of these organizations achieved over a long period of time. Though gauging success among BIDs varies greatly by community, there are often common evaluations including but not limited to: increased sales; stronger occupancy rates; improved pedestrian traffic; support for larger events; and/or increased permit activity. Perhaps the most important measure, however, is likely to be the increase in property values within the BID. A City-wide analysis of New

York City BIDs indicates **the value of commercial properties within the BID's boundary increases significantly more rapidly than other, comparable properties in the neighborhood. Our estimates suggest that impacts are as large as 15 percentage points<sup>1</sup>**



Until recently, the utilization of BIDs in Miami Dade County was relatively limited. However, this is quickly changing and the growing interest and need for BIDs in our own backyard is clearly evident. Coral Gables (commonly branded as Downtown Coral Gables and Miracle Mile) was among the first BIDs established within the County, which was initially formed in 1997, and has since enacted two successful BID renewal terms (in 2005 and 2012). The Coconut Grove Bid was formed in 2009, followed by the recently formed Wynwood and Lincoln Road BIDs. Additional BIDs have recently been contemplated for the Miami Design District, the MIMO District and Doral Tile and Marble District.



<sup>1</sup> Furman Center Policy Brief: The Benefits of Business Improvement Districts: Evidence from New York City (2007)

The proposed Business Improvement District (BID) could focus on improving the commercial district in the area east of US 1 between Red Road and SW 64th Avenue by acting as an advocate for Downtown South Miami, promoting a new image for the district, and establishing an annual marketing program in order to compete with other South Florida shopping and dining destinations. The BID would represent the interests of both property and business owners and provide an ongoing, dedicated source of revenue to support BID programs, and to work in partnership with the City for the enhancement of the neighborhood for all South Miami stakeholders.

***Objectives of the proposed Business Improvement District (BID):***

- To identify and implement organization strategies to advocate for Downtown South Miami issues including parking, urban design/image, maintenance, improvements, and zoning/permitted uses to enhance Downtown South Miami for all stakeholders.
- To create a unified voice for the broader Red Sunset business community and advocate on behalf of district stakeholders at the City of South Miami and Miami-Dade County.
- To strengthen the district's identity, identify and implement marketing and public relations strategies to promote and market Downtown South Miami as a unique destination for dining, shopping, and recreation to South Florida residents and visitors to the area.
- To establish benchmarks for measurement of success.
- To encourage Stakeholder participation and responsibility.
- To create a steady source of funding for BID programs including area and aesthetic improvements and maintenance, marketing, public and government relations.

# Proposed BID Programs

A Downtown South Miami BID could accomplish these objectives by developing strategies to improve the Downtown area, through advocacy and image-based marketing.

The BID's Board of Directors (made up of property and business owners) will determine the BID's operating plan annually based upon priorities and goals agreed upon by committee. The following provides a summary of recommended programs for the first year of BID operations. The Board may amend program activities from time to time within the general categories authorized by state law and in the approved annual operating plan and budget. Final programs and budgets will be subject to the annual review and approval of the BID Board of Directors.

## **BID PROGRAMS**

### ***Marketing***

Implement programs that identify a "brand" for Downtown South Miami and promote image/brand through website(s), social media, public relations, and advertising for its businesses.

The benefits of a BID are that it provides enhanced buying power, economies of scale, and serves as a mechanism for implementation of these activities and an ongoing source of funding. The activities of the BID would supplement, and would not replace, any routine activities currently undertaken or funded by the City of South Miami or individual business owners. Some activities that the BID could undertake include:

- ❖ ***Special Events***
- ❖ ***Walking Guide / Brochure***
- ❖ ***Website***
- ❖ ***Advertising***
- ❖ ***Social Media and Public Relations***
- ❖ ***Coordination with GMCVB and other marketing initiatives***



Proven success of image-based improvement initiatives can be seen in BID districts throughout the nation as well as in the state of Florida, such as the BIDs in Coral Gables ([www.shopcoralgables.com](http://www.shopcoralgables.com)) and Naples ([www.fifthavenuesouth.com](http://www.fifthavenuesouth.com)).

**Aesthetics**

- ❖ Landscaping
- ❖ Maintenance and upkeep by part-time BID Street Personnel – services may include cleaning, litter maintenance, event assistance, visitor/customer assistance, and identification of issues for the City to address.

**Advocacy**

- ❖ More effective communication with City Administration and Elected Officials – work with the City to establish and maintain a baseline of municipal services for the district, especially Security and Sanitation.
- ❖ Parking – encourage the City to implement “user friendly” parking solutions and explore further the need to create additional parking spaces in the Downtown area, including the possibility of new parking structures.
- ❖ Future Streetscape Improvements – work with the City and County to identify future opportunities for streetscape improvements, capital improvements, lighting and signage.
- ❖ Façade Improvements – encourage property and business owners to improve facades and awnings through Miami-Dade “Mom & Pop” Grants and any future funding sources.
- ❖ Downtown Code Enforcement – encourage property and business owners to work with the City to identify priority code enforcement issues and effective strategies for improvement.
- ❖ Zoning – encourage a comprehensive review of zoning code to ensure that commercial and mixed-use zoning is most conducive to increasing business and creating the best business climate/environment.

**Additional Opportunity**

- ❖ Expansion to include Coral Gables and Unincorporated Miami-Dade County properties east of Red Road to share in the costs, including future Red Road improvements efforts.



For the South Miami BID, a blended methodology is being utilized. Under this methodology, 2/3 of the assessment revenue is based on the linear front feet and 1/3 is based on the total square feet of the building. Vacant lots and parking lots without buildings will pay a rate per linear foot that is 50% of the linear front foot rate. Owners will be assessed based on a combination of total building square feet and the amount of linear feet of street frontage.

### Linear Foot Methodology

The rate per linear foot will depend on the street. Streets have been assigned assessment levels based on the benefit properties on said streets will receive. Streets that are the most prominent (SW 72<sup>nd</sup> and SW 73<sup>rd</sup> Streets) will have the highest rates, based on an allocation that accounts for pedestrian and vehicular traffic and levels of service.

- Level A = \$12.00 per linear foot
- Level B = \$10.00 per linear foot
- Level C = \$7.50 per linear foot
- Level D = \$6.00 per linear foot

The assessment for vacant lots and parking lots will be 50% of the linear front foot rate for improved properties:

- Level A = \$6.00 per linear foot
- Level B = \$5.00 per linear foot
- Level C = \$3.75 per linear foot
- Level D = \$3.00 per linear foot

### Square Foot Methodology

The assessment per square foot of building area is \$0.07736. This assessment is only applied to the square footage within a building that is utilized for commercial activity.

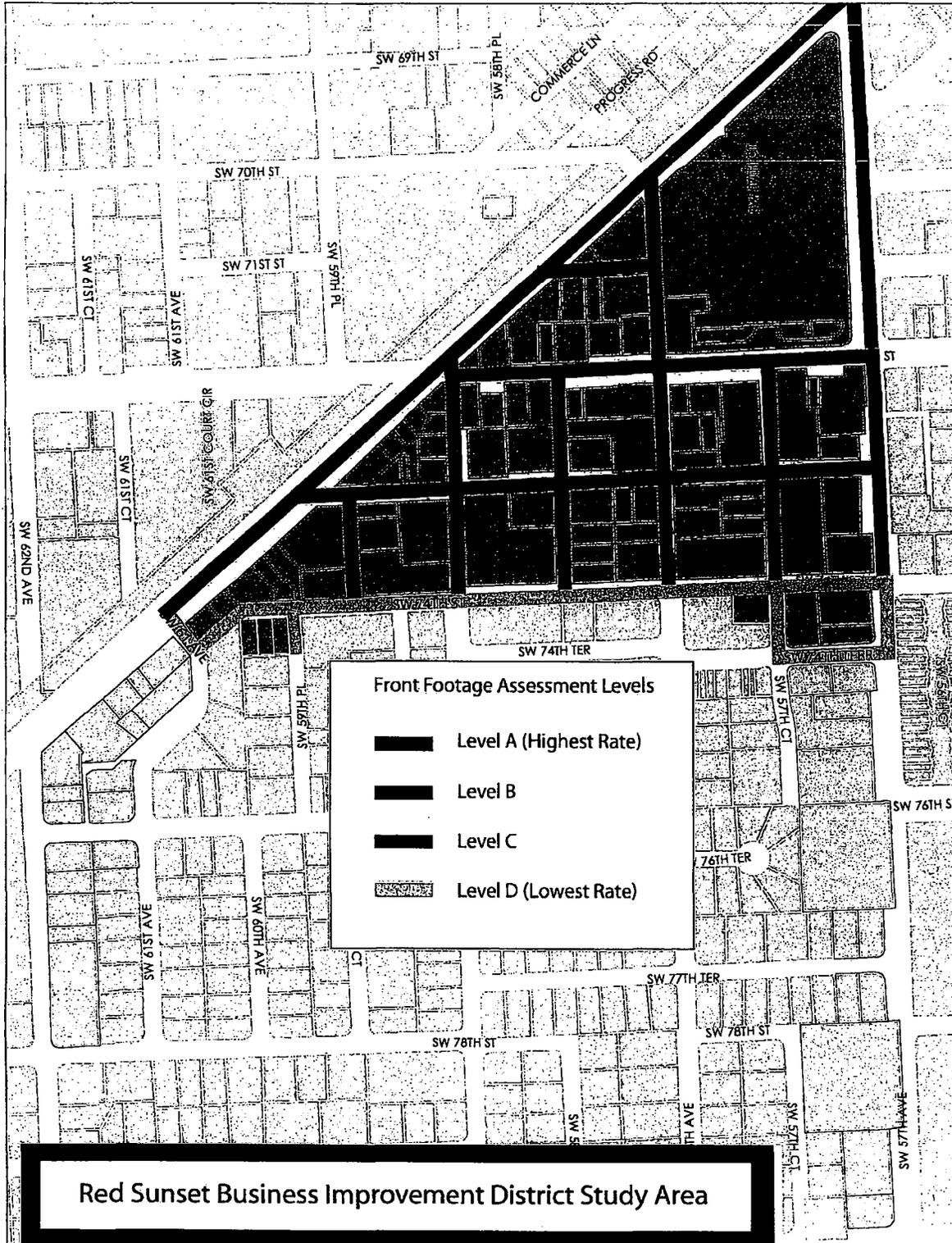
### Example

For example, a 1,500 square foot commercial property located on a 100' x 50' lot, with 50' facing a Level B Street (73<sup>rd</sup> St.), would pay the following annual assessment:

Linear Methodology:	50 feet x \$10.00 = \$500
Square Foot Methodology:	1,500 sq ft x \$0.07736 = \$116.04
Total Assessment:	\$666.04 or \$55.50 per month

Only parcels that include frontage on a street or structures of at least 300 square feet that include space that is leased or occupied for commercial activity shall be assessed and are eligible to vote on approval of the BID and its ongoing governance.

The resulting South Miami BID would be a small district and create a relatively small annual assessment of approximately \$200,000 per year. For comparison purposes, the last annual assessment for the Coral Gables BID was approximately \$800,000.



# Proposed BID Operating Budget

In order to provide efficiencies and commit the largest amount of funding possible to BID programs, the BID may outsource implementation and administration to a firm that provides similar services to other BIDs, CRAs, and cities, rather than employ full time staff.

It is estimated that this approach could reduce administrative costs by \$100,000 and allow for the addition of social media and enhanced public relations efforts. A first-year budget for the BID might contain the following components, although a final budget not to exceed \$200,000 would be created by the BID Board of Directors once it is formed.

## Proposed Annual Budget

	<b>Contracted</b>	<b>Staffed</b>
Events	\$8,000	\$6,000
Walking Guide	\$2,500	\$0
Website	\$3,900	\$7,200
Advertising	\$43,000	\$43,000
Social Media / PR	\$33,600	\$3,500
Implementation/Contract Marketing Staff	\$60,000	\$0
<b>Total Marketing</b>	<b>\$133,000</b>	<b>\$41,700</b>
Landscape and Upkeep	\$10,000	\$3,300
Personnel (Maint/Sanitation/Ambassadors)	\$30,000	\$30,000
<b>Total Aesthetics</b>	<b>\$40,000</b>	<b>\$33,300</b>
Executive Director	\$0	\$75,000
Office Space/Utilities	\$0	\$11,000
Printing and Supplies	\$3,000	\$3,000
Insurance/Legal	\$3,600	\$3,600
Memberships	\$1,200	\$1,200
Secretary	\$0	\$15,000
Misc	\$1,200	\$1,200
<b>Total Administration</b>	<b>\$9,000</b>	<b>\$110,000</b>
<b>Total BID Budget</b>	<b>\$200,000</b>	<b>\$200,000</b>

# BID Organization and Governance

Chapter 170, Florida Statutes, provides that a municipality, subject to the approval of a majority of the affected property owners, may levy and collect special assessments against property benefited in a retail business district for the purposes of stabilizing and improving such district through promotion, management, marketing, and other similar services in such districts.

Creation of a BID would require actions approved by the South Miami City Commission. These actions include:

- Resolution of the City Commission – This resolution would include the proposed cost of improvements, required public and property owner notice, location of the retail district to be improved, the expense to be paid by special assessments, and when assessments are to be paid.
- Vote of the property owners – Following approval of the Resolution by City Commission, property owners of affected properties would vote on creation of the BID. To apply the assessment, there would need to be a majority (50 percent plus one) of property owners approving the BID. Each Folio (parcel) represents one vote, and property owners that do not vote would be considered a “no” vote.
- Public Hearing/Equalizing Board – Upon the approval of the BID by the property owners, the City Commission would hold a final public hearing, which would include an equalization hearing to consider complaints as to the special assessments.

A Board of Directors of a new not-for-profit organization (BID) would manage the BID. According to discussions to date, an example of the composition of a BID Board of Directors will include 7 voting members, six of whom serve staggered three-year terms.

- 3 property owners from the District\*;
- 3 business owners from the District;
- 1 representative from the City of South Miami (permanent)

\*At least one representative must be from the Shops at Sunset Place;

RMA recommends the Downtown South Miami BID assessment be proposed for an initial period of ten years and be extended for an additional period of ten years upon approval of the City Commission. However, upon receipt of a petition executed by affected property owners representing in excess of fifty percent (50%) of the most recent assessment roll, the Commission may elect to abolish the District. Key to consideration of extension to the District would be its successful implementation of the advocacy, marketing and other BID programs.

## EXHIBIT A

## DRAFT RESOLUTION

## SOUTH MIAMI BUSINESS IMPROVEMENT DISTRICT

A RESOLUTION RELATING TO THE ESTABLISHMENT OF A SPECIAL ASSESSMENT DISTRICT TO BE KNOWN AS THE DOWNTOWN SOUTH MIAMI BUSINESS IMPROVEMENT DISTRICT; DESCRIBING THE PROPERTY TO BE LOCATED WITHIN THE DOWNTOWN SOUTH MIAMI BUSINESS IMPROVEMENT DISTRICT ASSESSMENT AREA IN THE CITY OF SOUTH MIAMI; PROVIDING THAT THE FUNDS COLLECTED THROUGH ASSESSMENT ARE FOR THE PURPOSE OF STABILIZING AND IMPROVING BUSINESS IN THE DISTRICT THROUGH PROMOTION, MAINTENANCE, MANAGEMENT, MARKETING, AND OTHER SIMILAR ACTIVITIES WITHIN THE ASSESSMENT AREA; ESTIMATING THE COST OF THE DISTRICT; ESTABLISHING THE METHOD OF ASSESSING THE COSTS OF STABILIZING AND IMPROVING BUSINESSES IN THE AREA AGAINST REAL PROPERTY THAT WILL BE SPECIALLY BENEFITED; AUTHORIZING EXTRAORDINARY PAYMENT ALTERNATIVES; DIRECTING THE CITY MANAGER TO PREPARE A PRELIMINARY ASSESSMENT ROLL; ESTABLISHING A PUBLIC HEARING TO CONSIDER IMPOSITION OF THE PROPOSED ASSESSMENTS; DIRECTING THE PROVISION OF NOTICE IN CONNECTION THEREWITH; AND PROVIDING AN EFFECTIVE DATE.

**WHEREAS**, pursuant to Chapter 170, Florida Statutes, the City may provide for the imposition and collection of charges in the form of special assessments; and

**WHEREAS**, Chapter 170, Florida Statutes, provides that a municipality, subject to the approval of a majority of the affected property owners, may levy and collect special assessments against property benefited in a retail business district for the purposes of stabilizing and improving such district through promotion, improvements, maintenance, management, marketing, and other similar services in such districts; and

**WHEREAS**, the Business Improvement District concept is based upon collaboration among the City of South Miami and the Red/Sunset Merchants Association and South Miami Hometown, Inc., with funding to be generated by special assessments to be levied on commercial property owners within the District, with commercial property owners agreeing to accept the establishment of an Assessment Area for the creation of a Business Improvement District intended to stabilize and improve business activity; in accordance with the terms and conditions of an Agreement that may be entered into between a not-for-profit corporation established by property owners within the District and the City; and

**WHEREAS**, the development of a Business Improvement District will improve the economic activity of the District for the benefit of property owners and businesses located within the Assessment Area by providing a means to organize and manage promotions, marketing, and other similar services on behalf of all properties within the Assessment Area, thereby providing a special benefit to such property; and

**WHEREAS**, the Business Improvement District is substantially composed of similarly zoned parcels and it is fair and reasonable to use a computation using the taxable value of property, as determined by the most recent tax rolls developed by the Miami-Dade County Property Appraiser, multiplied by a numeric factor; and

**WHEREAS**, the District and the assessment set forth herein enhance and specially benefit the property owners and improve the health, safety and welfare of property owners within the District; and

**WHEREAS**, the Assessments to be imposed in accordance with this Resolution provide an equitable method of funding authorized District activities by fairly and reasonably allocating the cost to specially benefited properties; and

**WHEREAS**, the City and the two associations have worked with a contractor, Redevelopment Management Associates, to create an organization plan for a Downtown South Miami Business Improvement District, including boundaries, programs, assessment methodology, and preliminary budget for the District; and

**WHEREAS**, the City Commission desires to create the Assessment Area.

**NOW THEREFORE BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF SOUTH MIAMI, FLORIDA, AS FOLLOWS:**

**SECTION 1. ESTIMATED BUSINESS IMPROVEMENT COST.**

The estimated Cost allocated to the Assessment Area for the promotion, management, marketing, maintenance, administration, and similar expenses is \$200,000.00 for the first year beginning January 1, 2016. The Cost identified herein will be funded through the imposition of Assessments against property located in the Assessment Area in the manner set forth in Section 9 hereof, beginning in the year 2016.

**SECTION 2. ASSESSMENT ROLL.**

The City Manager is hereby directed to prepare a preliminary Assessment Roll in the manner provided in Chapter 170, Florida Statutes for the Assessment Area.

The City Manager shall compute and allocate the Assessments for the District among the parcels of real property within the Assessment Area as reflected on the Tax Roll in conformity with Section 9 hereof.

The Assessment Roll shall be maintained on file in the offices of the City Manager or designee and open to public inspection. The foregoing shall not be construed to require that the Assessment Roll be in printed form if the amount of the Assessment for each property can be determined by use of a computer terminal or Internet access available to the public.

**SECTION 3. PUBLIC HEARING.**

A public hearing will be conducted by the City Commission at \_\_\_ p.m. on \_\_\_\_\_ at the City Commission Chambers, to consider imposition of the Assessments for the District.

**SECTION 4. NOTICE BY PUBLICATION.**

Upon completion of the materials required by Section 2 hereof, the City Manager shall publish notices of the public hearing authorized by Section 3 hereof in the manner and the time provided in Chapter 170, Florida Statutes. Such notice shall be in substantially the form attached hereto as Exhibit C.

**SECTION 5. NOTICE BY MAIL.**

Upon completion of the preliminary Assessment Roll, the City Manager shall, at the time and in the manner specified in Chapter 170, Florida Statutes, provide first class mailed notice of the public hearing authorized by Section 3 hereof to each property owner proposed to be assessed at the address indicated on the Tax Roll. Such notice shall be in substantially the form attached hereto as Exhibit B.

**SECTION 6. DESCRIPTION OF PROPOSED ASSESSMENT AREA.**

The proposed Assessment Area shall include the area described in Exhibit D attached hereto. The Assessment Area is proposed for the purpose of improving the business and economic environment, enjoyment of property, and funding the provision of the District benefiting property located therein. The City Commission may expand the Assessment Area, in accordance with the procedures utilized to create

the District.

#### **SECTION 7. IMPOSITION OF ASSESSMENTS.**

Assessments shall be imposed against real property located within the Assessment Area, the annual amount and term of which shall be computed for each property in accordance with this Section. When imposed, the Assessment for each Year shall constitute a lien pursuant to Chapter 170, Florida Statutes upon the Tax Parcels located in the Assessment Area as described in the Assessment Role.

#### **SECTION 8. DETERMINATION OF APPORTIONMENT APPROACH.**

In determining the method of apportionment, it is fair and reasonable to take into consideration the distinctions between the relative position of owners of commercial properties, owners of property identified by individual Folio Numbers and utilized solely for residential purposes, property owned by religious institutions, governmental agencies, and other properties exempted from payment of local taxes or special assessments.

#### **SECTION 9. COMPUTATION OF ASSESSMENTS.**

The Assessment Area is substantially composed of similarly zoned parcels. Accordingly, it is fair and reasonable to use a computation using the taxable value of property, as determined by the most recent tax rolls developed by the Miami-Dade County Property Appraiser, multiplied by a numeric factor.

The method for computing Assessments to fund the authorized activities within the Assessment Area is based upon linear frontage facing a street multiplied by the assessment rate for that street plus total building square feet multiplied by \$0.775 for the first year. For each year thereafter, the rates shall be no more than 5% higher than the previous year.

The rate per linear foot will depend on the street. Streets have been assigned assessment levels based on the benefit properties on said streets will receive. Streets that are the most prominent (SW 72<sup>nd</sup> and SW 73<sup>rd</sup> Streets) will have the highest rates, based on an allocation that accounts for pedestrian and vehicular traffic and levels of service.

- o Level A = \$12.00 per linear foot
- o Level B = \$10.00 per linear foot
- o Level C = \$7.50 per linear foot
- o Level D = \$6.00 per linear foot

The assessment for vacant lots and parking lots will be 50% of the linear front foot rate for improved properties:

- o Level A = \$6.00 per linear foot
- o Level B = \$5.00 per linear foot
- o Level C = \$3.75 per linear foot
- o Level D = \$3.00 per linear foot

**STATUTORY DISCOUNT AMOUNT.** The Statutory Discount Amount shall be computed for each assessment Parcel in the same manner as the amount established by law as the maximum discount for early payment of ad valorem taxes and non-ad valorem or other assessments.

#### **SECTION 10. METHOD OF COLLECTION.**

The Assessments shall be collected pursuant to the Uniform Assessment Collection Act when available,

or by any other lawful means. At the discretion of the City, in lieu of using the Uniform Assessment Collection Act, the City may elect to collect the assessment by any other method which is authorized by law or as provided by this Resolution.

**SECTION 11. SEVERABILITY.**

If any clause, section or provision of this Resolution shall be declared unconstitutional or invalid for any reason or cause, the remaining portion of said Resolution shall be in full force and effect and be valid as if such invalid portion thereof had not been incorporated herein.

**SECTION 12. DURATION OF THE DISTRICT**

The District shall remain in existence for an initial period of ten (10) years and shall be extended for an additional period of ten (10) years upon approval of the City Commission, provided, however, that upon receipt of a petition executed by Affected Property Owners representing in excess of fifty percent (50%) of the most recent Assessment Roll, City Commission may elect to abolish the District.

**SECTION 13. EFFECTIVE DATE.**

This Resolution shall take effect immediately upon its adoption.

**PASSED AND ADOPTED THIS \_\_\_ TH DAY OF \_\_\_\_\_ 2016.**

## EXHIBIT B

## DRAFT LETTER TO PROPERTY OWNERS

**Downtown South Miami Property Owner:**

Beginning in 2013, the Red Sunset Merchant Association and South Miami Hometown, Inc. (South Miami commercial property owners) have had discussions with Downtown property and business owners and city residents to create an organization plan for a proposed Business Improvement District (BID). A final draft of the plan is attached for your review.

The basic premise of a Downtown South Miami BID is that the City agrees to continue to provide a base level of service to the Downtown area and that enhanced services, such as the advocacy, maintenance and marketing services recommended in the attached BID Plan, are funded through a self-imposed assessment on the property owners. The BID Plan includes a preliminary assessment roll, by property, assuming the BID is created and properties are assessed based on a combination of building square feet and linear front feet facing the street. A final determination of assessment rates will be made by Resolution of the City Commission.

A Resolution to create the Business Improvement District will be placed on the \_\_\_\_\_, 2016 City Commission agenda. This is a courtesy notice, and I request that a representative from each property contact me as soon as possible so that we can ensure that all property owners are included in the discussion.

Please contact if I can provide further information.

Sincerely,

Steven Alexander  
City Manager

EXHIBIT C

DRAFT FORM OF NOTICE TO BE PUBLISHED

[INSERT MAP OF Assessment AREA]

NOTICE OF HEARING TO IMPOSE AND PROVIDE FOR COLLECTION OF SPECIAL ASSESSMENTS IN THE DOWNTOWN SOUTH MIAMI BUSINESS IMPROVEMENT DISTRICT ASSESSMENT AREA

Notice is hereby given that the City Commission of the City of South Miami will conduct a public hearing to consider the collection of special assessments within the Downtown South Miami Business Improvement District Assessment Area, as shown above, through the imposition of special assessments for the purpose of stabilizing and improving retail business through promotion, maintenance, management marketing, and other similar activities. The hearing will be held at \_\_\_ p.m. on \_\_\_\_, at the City Commission Chambers, 6130 Sunset Drive, South Miami, 33143, for the purpose of receiving public comment on the proposed Assessment Area, special assessments and improvements. All affected property owners have a right to appear and speak at the hearing and to file written objections with the City Commission within twenty (20) days of this notice. If a person decides to appeal any decision made by the City Commission with respect to any matter considered at the hearing, such person will need a record of the proceedings and may need to ensure that a verbatim record is made, including the testimony and evidence upon which the appeal is to be made. In accordance with the Americans with Disabilities Act, persons needing a special accommodation or an interpreter to participate in this proceeding should contact the City Clerk at 6130 Sunset Drive, South Miami, FL 33143, at least forty-eight (48) hours prior to the date of the hearing.

The assessment for each assessed parcel of property will be based upon a combination of the street-facing linear front feet of each parcel and the total square feet for each parcel on the date the assessment is imposed. The method for computing Assessments to fund the authorized activities within the Assessment Area is based upon linear frontage facing a street multiplied by the assessment rate for that street plus total building square feet multiplied by \$0.775 for the first year. For each year thereafter, the rates shall be no more than 5% higher than the previous year, unless the not-for-profit corporation shall propose, and the Commission shall approve a change in the rate. A more specific description of the improvements and the method of computing the assessment for each parcel of property are set forth in the Initial Assessment Resolution adopted by the City Commission on \_\_\_\_\_. Copies of the Initial Assessment Resolution and the preliminary Assessment Roll are available for inspection at the office of the City Clerk.

Commencing in October 2016, the assessments are anticipated to be collected through invoice by the City of South Miami Finance Department. Commencing in October 2017, the assessments are anticipated to be collected on the ad valorem tax bill by the Miami-Dade County Tax Collector, as authorized by Section 197.3632, Florida Statutes. Failure to pay the assessments will cause a tax certificate to be issued against the property which may result in a loss of title. The City Commission intends to collect the special assessment for a period of five (5) years, with the option for City Commission to renew the assessments for an additional five (5) years, unless a petition, signed by at least fifty percent (50%) of the property owners within the Assessment Area, is received by City Commission requesting that the special assessment be terminated. City Commission may then terminate the assessment.

If you have any questions, please contact \_\_\_\_\_.