

**MIAMI-DADE COUNTY, FLORIDA**  
**Stormwater Utility Fees Bonds**

**SECURITY FOR THE BONDS**

**General**

The Bonds and the interest on the Bonds shall be a special and limited obligation of the County, payable solely from and secured by a prior lien upon and a pledge of the Pledged Revenues as provided in Ordinance No. 98-187, enacted by the Board on December 15, 1998 (the "Ordinance").

"Pledged Revenues" is defined in the Ordinance as the Stormwater Utility Revenues and all moneys and investments (and interest earnings) on deposit to the credit of the funds and accounts created in the Ordinance, except for moneys and investments on deposit to the credit of any rebate fund. "Stormwater Utility Revenues" is defined in the Ordinance as all moneys received by the County from the collection of the Stormwater Utility Fees less the amount retained by the County as an administrative charge in accordance with law. "Stormwater Utility Fees" is defined in the Ordinance as fees collectable on all residential, developed property and all nonresidential, developed property in the County permitted under the provisions of Section 403.0893, Florida Statutes, and imposed by the Board pursuant to Section 24-61.4 of the County Code.

Until payment has been provided for as permitted in the Ordinance, the payment of the principal of and interest on the Bonds shall be secured by an irrevocable lien on the Pledged Revenues. The County irrevocably pledges and grants a lien upon such Pledged Revenues to the payment of and interest on the Bonds, the reserves for the Bonds and for all other required payments under the Ordinance, to the extent, in the manner and with the priority of application as provided in the Ordinance. No Holder shall have the right to require or compel the exercise of the ad valorem taxing power of the County for payment of the Bonds, or be entitled to payment of such amount from any other funds of the County, except from the Pledged Revenues in the manner provided in the Ordinance.

**Limited Obligations**

**The Bonds are special, limited obligations of the County payable solely from and secured by a prior lien upon and a pledge of the Pledged Revenues as provided in the Ordinance. Neither the faith and credit of the State of Florida nor the faith and credit of any agency or political subdivision of the State of Florida or of the County are pledged to the payment of the principal of, premium, if any, or the interest on the Bonds. The issuance of the Bonds shall not directly or indirectly or contingently obligate the State of Florida or any agency or political subdivision of the State of Florida or the County to levy any taxes or to make any appropriation for their payment except from the Pledged Revenues pledged to and provided for the payment of the Bonds under the Ordinance.**

**Reserve Account**

Under the Ordinance, the County is required to maintain on deposit in the Reserve Account an amount equal to the Reserve Account Requirement, which is defined in the Ordinance as the Maximum Principal and Interest Requirements in the then current or any subsequent Fiscal Year on all Outstanding Bonds or such lesser amount which is the greatest allowed under the Code. The Reserve Account may be funded with cash, investments or a Reserve Account Credit Facility or any combination of them. The Ordinance provides that with respect to the Reserve Account Requirement for any subsequent Series of Bonds, if the County shall have obtained written evidence from each Rating Agency that a withdrawal or reduction in the rating(s) then assigned to the Outstanding Bonds will not result, the County may fund not less than fifty percent (50%) of the Reserve Account

Requirement applicable to any Series of Bonds on the date of issuance of the applicable Bonds, and the remaining Reserve Requirement may be funded in substantially equal monthly installments over a period not to exceed sixty (60) months, all as may be provided for in the applicable Series Resolution.

Moneys held for the credit of the Reserve Account shall first be used for the purpose of paying the interest on and the principal of the Bonds whenever and to the extent that the available moneys held for such purpose for the credit of the Bond Service Account and the Revenue Fund shall be insufficient for such purpose, and thereafter for the purpose of making deposits to the credit of the Redemption Account pursuant to the requirements of the Ordinance whenever and to the extent that withdrawals from the Revenue Fund are insufficient for such purposes, and shall next be used to pay Payment Obligations with respect to the applicable Reserve Account Credit Facility, if any. Amounts withdrawn from the Reserve Account for the purpose of payment of debt service on any Bonds shall be replenished by substantially equal monthly deposits into the Reserve Account over a period not to exceed sixty (60) months. If any time the moneys held for the credit of the Reserve Account shall exceed the Reserve Account Requirement, such excess shall be withdrawn by the Finance Director and deposited to the credit of the Revenue Fund.

### **Issuance of Additional Bonds and First Lien Obligations**

Upon satisfying certain conditions contained in the Ordinance, the County from time to time may issue Additional Bonds, or any other obligations that are First Lien Obligations, payable on a parity with the Bonds for the purpose of: (i) paying all or any part of the cost of a Project; and (ii) to pay or refund any obligations of the County incurred with respect to any Project.

### **Refunding Bonds**

Upon compliance with the terms and conditions set forth in the Ordinance, the County may issue Refunding Bonds from time to time, which are secured by a pledge of Pledged Revenues on a parity with any Bonds issued under the Ordinance to refund all or any part of the outstanding Bonds previously issued or other First Lien Obligations, including the payment of any redemption premium and interest which will accrue on such Bonds or other First Lien Obligations to the redemption date or stated maturity date of such Bonds or other First Lien Obligations, funding any funds and accounts to be held under the Ordinance and paying any expense in connection with such refunding and for any lawful purpose.

### **Rate Covenant**

Pursuant to the Ordinance, the County represents and warrants that it is presently assessing and collecting the Stormwater Utility Fee. The County covenants and agrees that as long as any Bonds are outstanding, it shall not amend or modify the ordinances under which it is assessing and collecting the Stormwater Utility Fee in any manner so as to adversely affect the County's ability to meet its obligations with respect to the Bonds.

## **STORMWATER UTILITY FEES**

The County created the Stormwater Utility pursuant to Ordinance No. 91-66 enacted by the Board on June 20, 1991, as amended and codified in Sections 24-61 through 24-61.5 of the County Code (the "Stormwater Ordinance"). The Stormwater Utility is authorized and directed to establish, assess, and collect Stormwater Utility Fees upon all residential, developed property and all nonresidential, developed property in Miami-Dade County, Florida, sufficient to plan, construct, operate and maintain stormwater management systems set forth in the local program required pursuant to Section 403.0891(3), Florida Statutes. The fees are established by an Administrative Order of the County Manager, from time to time, after approval by the Board. In accordance with the local program, the Stormwater Utility is also responsible for the operation and maintenance of

the Stormwater System.

Each residential, developed property is assessed a Stormwater Utility Fee calculated by multiplying the rate for an equivalent residential unit (ERU) by the number of the dwelling units on the parcel.

Each nonresidential developed property is assessed a Stormwater Utility Fee calculated by multiplying the rate for one (1) ERU by a factor derived by dividing the actual impervious area of the particular nonresidential, developed property by the statistically estimated average horizontal impervious area of residential developed property per dwelling unit, to wit, the square footage base equivalent established for one (1) ERU. Notwithstanding the foregoing, each nonresidential, developed property classified by the Miami-Dade County Property Appraiser as land use type 71 (property containing a church) shall be assessed a Stormwater Utility Fee which is fifty percent (50%) of the fee for nonresidential developed property calculated as described in the preceding sentence.

The fees payable under the Stormwater Ordinance are required to be deposited in a separate County fund and used exclusively by the 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. No part of said fund may be used for any other purposes.

The Stormwater Utility Fees are \$3.50 per month per ERU, effective October 1, 2003. This rate applies to all residential and non-residential developed property within the service area of the Stormwater Utility.

The table below shows the percentage of collection of Stormwater Utility Fees based on land use.

**MIAMI-DADE COUNTY STORMWATER UTILITY  
BILLING DISTRIBUTION BY TYPE OF PROPERTY**

<u>Type of Property</u>	<u>% of ERU</u>
Residential	53.7
Non-residential (other than land use type 71)	45.6
Non-residential land use type 71	0.7

The table below shows the actual Stormwater Utility Fees assessed and collected by the Utility since 1997.

**MIAMI-DADE COUNTY STORMWATER  
UTILITY FEE COLLECTIONS<sup>(1)</sup>**

<u>Fiscal Year</u>	<u>Total Stormwater Fees Assessed</u>	<u>Total Stormwater Fees Collected</u>	<u>Percent of Assessment Collected</u>
2003	\$28,103,000	\$29,772,886	105.94%
2002	29,515,200	28,642,974	97.04
2001	23,978,200	24,071,887	100.39
2000	24,789,600	23,381,000	94.31
1999	21,736,600	21,397,600	98.44
1998	17,722,600	17,204,500	97.08
1997	16,568,900	16,107,000	97.21

Source: Miami-Dade County Department of Environmental Resources Management

(1) Collections within the unincorporated Miami-Dade County Stormwater Utility Service Area. This excludes fees collected on behalf of certain municipalities in the Utility under the terms of various Interlocal Agreements. The fees collected in a given period are not necessarily related to billings for that period. This timing difference explains why the amount collected is in some instances higher than the amount billed.

The following table shows the amount of Pledged Revenues that were collected during the County's Fiscal Years ended September 30, 1999 through 2003 and debt service coverage during such years as if the Bonds had been outstanding during all such years:

**DEBT SERVICE COVERAGE  
STORMWATER UTILITY REVENUES  
Fiscal Years 1999 - 2003**

	<u>1999</u>	<u>2000</u>	<u>2001</u>	<u>2002</u>	<u>2003</u>
Stormwater Utility Fees	\$21,397,600	\$23,381,000	\$24,071,887	\$28,642,974	\$29,772,886
Less: County's Administrative Charges <sup>(2)</sup>	<u>1,298,600</u>	<u>1,645,000</u>	<u>1,363,000</u>	<u>901,000</u>	<u>901,000</u>
Pledged Revenues	<u>\$20,099,000</u>	<u>\$21,736,000</u>	<u>\$22,708,887</u>	<u>\$27,741,974</u>	<u>\$28,871,886</u>
Maximum Principal and Interest Requirements on Outstanding Bonds <sup>(1)</sup>	\$2,902,275	\$2,902,275	\$2,902,275	\$2,902,275	\$2,902,275
Debt Service Coverage	<u>6.93x</u>	<u>7.49x</u>	<u>7.82x</u>	<u>9.55x</u>	<u>9.95x</u>

Source: Miami-Dade County Department of Environmental Resources Management

- (1) Maximum P&I occurs in Fiscal Year 2011.
- (2) County's Administrative charges include those of the Stormwater Utility Section of the Department of Environmental Resources Management and the Water and Sewer Department billing and collection charges. Note: the administrative charges to the Stormwater Utility was reduced in Fiscal Year 1999 by approximately \$900,000 per year due to the fact that the Water and Sewer Department will no longer charge the Stormwater Utility a billing fee.

**\$41,580,000**  
**Miami-Dade County, Florida**  
**Stormwater Utility Revenue Bonds**  
**Series 1999**

**Dated:** February 1, 1999

**Final Maturity:** 2024

**Purpose:**

The Series 1999 Bonds were issued pursuant to Ordinance No. 98-187 and Resolution No. R-1414-98 to provide funds together with other available funds of the County, to pay or reimburse the County for the costs of the Series 1999 Projects which are part of the County's Quality Neighborhood Initiative Program (the "QNIP") for the unincorporated service area of the County ("UMSA") and pay the cost of issuance of the Series 1999 Bonds, including a Debt Service Reserve Account surety policy to meet the Series 1999 Bonds' reserve requirement.

**Security:**

The Series 1999 Bonds are payable solely from and secured by a prior lien upon and a pledge of the Pledged Revenues as defined in Ordinance No. 98-187, enacted by the Board on December 15, 1998 (the "Ordinance"). "Pledged Revenues" is defined in the Ordinance as the Stormwater Utility Revenues and all moneys and investments (and interest earnings) on deposit to the credit of the funds and accounts created in the Ordinance, except for moneys and investments on deposit to the credit of any rebate fund. "Stormwater Utility Revenues" is defined in the Ordinance as all moneys received by the County from the collection of the Stormwater Utility Fees less the amount retained by the County as an administrative charge in accordance with law. "Stormwater Utility Fees" is defined in the Ordinance as fees collectable on all residential, developed property and all nonresidential, developed property in the County permitted under the provisions of Section 403.0893, Florida Statutes, and imposed by the Board pursuant to Section 24-61.4 of the County Code.

**Form:**

The Series 1999 Bonds were issued as fully registered bonds in denominations of \$5,000 or any integral multiples of \$5,000. The Series 1999 Bonds are in book-entry only form and are registered initially to The Depository Trust Company, New York, New York. Interest is payable semi-annually on April 1 and October 1 of each year, commencing October 1, 1999.

**Agents:**

Registrar:	JPMorgan Chase Bank, New York, New York
Paying Agent:	JPMorgan Chase Bank, New York, New York
Bond Counsel:	McGhee and Associates, Miami, Florida The Law Office José A. Villalobos, P. A., Miami, Florida
Insurance Provider:	Ambac Assurance Corporation

**Ratings:**

Moody*s:	Aaa
Standard & Poor*s:	AAA

**Call Provisions:**

**Optional Redemption:**

The Series 1999 Bonds maturing on or before April 1, 2009 are not subject to optional redemption prior to their maturities. The Series 1999 Bonds maturing on or after April 1, 2010 are subject to optional redemption prior to maturity by the County, as a whole at any time, or in part on any Interest Payment Date and if in part, in order of maturity specified by the County and within a maturity by lot, at the following redemption prices (expressed as percentages of the

principal amount of such Series 1999 Bonds to be redeemed), plus accrued interest to the Redemption Date.

<b>Redemption Dates</b>	<b>Redemption Price</b>
April 1, 2009 through March 31, 2010	101%
April 1, 2010 through March 31, 2011	100½
April 1, 2011 and thereafter	100

**Mandatory Redemption:**

The Series 1999 Term Bonds maturing on April 1, 2019 and April 1, 2024 are subject to mandatory sinking fund redemption prior to maturity, at a redemption price equal to the principal amount of the Series 1999 Bonds to be redeemed, plus accrued interest, without a premium, in the following principal amounts and on October 1 of the years set forth below.

<b>Redemption Dates (October 1)</b>	<b>Redemption Price</b>
2016	\$1,870,000
2017	1,965,000
2018	2,060,000
2019 (Final Maturity-2019 Term)	2,165,000
2020	2,270,000
2021	2,385,000
2022	2,505,000
2023	2,630,000
2024 (Final Maturity-2024 Term)	2,760,000

***Projects Funded with Proceeds:***

The Series 1999 Project is part of the capital projects which consist of major drainage improvements throughout UMSA as identified in the master plan for the Stormwater Utility as well as local drainage improvements based on local identified needs.

***Refunded Bonds:*** NOT APPLICABLE

***Refunded Bonds Call Date:*** NOT APPLICABLE

**\$41,580,000**  
**Miami-Dade County, Florida**  
**Stormwater Utility Revenue Bonds**  
**Series 1999**  
**Debt Service Schedule**

<b>Fiscal Year Ending Sept. 30,</b>	<b>Type</b>	<b>CUSIP Number</b>	<b>Interest Rate</b>	<b>Principal</b>	<b>Interest</b>	<b>Total Debt Service</b>
2004	Serial	59334FAE9	3.700%	\$1,135,000	\$1,764,313	\$2,899,313
2005	Serial	59334FAF6	3.800	1,175,000	1,722,318	2,897,318
2006	Serial	59334FAG4	3.900	1,220,000	1,677,668	2,897,668
2007	Serial	59334FAH2	4.000	1,270,000	1,630,088	2,900,088
2008	Serial	59334FAJ8	4.050	1,320,000	1,579,288	2,899,288
2009	Serial	59334FAK5	4.150	1,375,000	1,525,828	2,900,828
2010	Serial	59334FAL3	4.300	1,430,000	1,468,765	2,898,765
2011	Serial	59334FAM1	4.400	1,495,000	1,407,275	2,902,275
2012	Serial	59334FAN9	4.500	1,560,000	1,341,495	2,901,495
2013	Serial	59334FAP4	4.600	1,630,000	1,271,295	2,901,295
2014	Serial	59334FAQ2	4.700	1,705,000	1,196,315	2,901,315
2015	Serial	59334FAR0	4.800	1,785,000	1,116,180	2,901,180
2016	Term 1	59334FAS8	5.080	1,870,000	1,030,500	2,900,500
2017	Term 1	59334FAS8	5.080	1,965,000	937,000	2,902,000
2018	Term 1	59334FAS8	5.080	2,060,000	838,750	2,898,750
2019	Term 1	59334FAS8	5.080	2,165,000	735,750	2,900,750
2020	Term 2	59334FAT6	5.100	2,270,000	627,500	2,897,500
2021	Term 2	59334FAT6	5.100	2,385,000	514,000	2,899,000
2022	Term 2	59334FAT6	5.100	2,505,000	394,750	2,899,750
2023	Term 2	59334FAT6	5.100	2,630,000	269,500	2,899,500
2024	Term 2	59334FAT6	5.100	<u>2,760,000</u>	<u>138,000</u>	<u>2,898,000</u>
Totals				<u>\$37,710,000</u>	<u>\$23,186,575</u>	<u>\$60,896,575</u>



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