

MEMORANDUM

Agenda Item No. 4(B)

(Public Hearing 2-17-04)

TO: Hon. Chairperson Barbara Carey-Shuler, Ed.D.  
and Members, Board of County Commissioners

DATE: September 23, 2003

FROM: George M. Burgess  
County Manager



SUBJECT: South Kendall Estates  
Multipurpose  
Special Taxing District

**RECOMMENDATION**

It is recommended that the Board approve a petition submitted in accordance with Article 1, Chapter 18 of the Code, for creation of the South Kendall Estates Multipurpose Special Taxing District.

**BACKGROUND**

- Commission District:** Eight
- Boundaries:** On the North, S.W. 212<sup>th</sup> Street;  
On the East, theo. S.W. 169<sup>th</sup> Avenue;  
On the South, S.W. 216<sup>th</sup> Street;  
On the West, S.W. 172<sup>nd</sup> Avenue.
- Number of Parcels:** 1 (Tentative plat proposes 52 buildable single family lots).
- Number of Owners:** 1
- Number of Owners With Homestead Exemption Signing Petition:** None – The petition was submitted by West Kendall Family Acre Homes, Corp., the sole property owner and developer.
- Preliminary Public Meeting:** None necessary.
- Type of Service:** The services to be provided will initially consist of the maintenance of turf and shrubs within the swales areas and the exterior face of a

decorative masonry wall, as shown on the attached Exhibit A.

**Required Referendum:**

The creation of the district will be subject only to Board of County Commissioners approval; no election will be necessary as 100 percent of the owners signed the petition.

**Preliminary Assessment Roll:**

Submitted on the same agenda as a separate agenda item for consideration and adoption by the Board of County Commissioners and contingent upon the Board's approval of this district's creation ordinance. The implementation of the assessment roll will be in accordance with the procedures defined in Chapter 18 of the Code.

**Estimated Completion:**

September 2004

**ECONOMIC/FISCAL/HOUSING COSTS IMPACT ANALYSIS**

Creation of this district will result in no immediate economic impact on the County's budget. The creation of this district is required as maintenance could not conveniently be provided by the property owners since the parcels have limited access to the areas to be maintained by the district. Cost savings are realized from processing a district with the developer rather than trying to achieve a consensus from an established community through a special election.

The economic impact on the property owners will be a perpetual annual special assessment for the cost of the maintenance program.

At this time there will be no increase or decrease in County staffing due to this district. Increases in staffing levels, to provide the service requirements created by additional landscape maintenance special taxing districts, may be necessary in the future.

**Estimated Initial Billing:** November 2004. Assessment billed annually as an itemized portion of the annual tax bill.

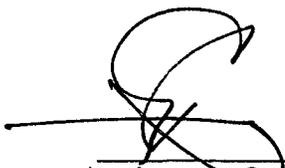
	<u>First Year</u>	<u>Second Year</u>
<b>Estimated Total District Cost:</b>	\$12,990	\$7,780
<b>Method Of Apportionment:</b>	Square Footage	
<b>Estimated Annual Assessments:</b>		
<b>Cost Per Square Foot:</b>	\$0.010	\$0.006
<b>Per Year For A 26,231 Sq. Ft. Lot:</b>	\$262.31	\$157.39
<b>Per Year For A 29,375 Sq. Ft. Lot:</b>	\$293.75	\$176.25

The annual assessments shown above are representative of costs for typical lots within this district.

State or Federal grants are not applicable to this special taxing district.

Each maintenance special taxing district is unique due to its geographical boundaries, affected property owners, and level of services to be provided. Adoption of a new ordinance to provide this service is the best and most cost-effective method to achieve this benefit.

As required by the provisions of Section 18-3 (c) of the Code, I have reviewed the facts submitted by the Public Works Director and concur with his recommendation that this district be created pursuant to Section 18-22.1 of the Code.

  
Assistant County Manager

*PEDRO G. HERNANDEZ*



# MEMORANDUM

(Revised)

**TO:** Hon. Chairperson Barbara Carey-Shuler, Ed.D.  
and Members, Board of County Commissioners

**DATE:** February 17, 2004

**FROM:** Robert A. Ginsburg  
County Attorney

**SUBJECT:** Agenda Item No. 4(B)

Please note any items checked.

- "4-Day Rule" ("3-Day Rule" for committees) applicable if raised
- 6 weeks required between first reading and public hearing
- 4 weeks notification to municipal officials required prior to public hearing
- Decreases revenues or increases expenditures without balancing budget
- Budget required
- Statement of fiscal impact required
- Bid waiver requiring County Manager's written recommendation
- Ordinance creating a new board requires detailed County Manager's report for public hearing
- Housekeeping item (no policy decision required)
- No committee review

Approved \_\_\_\_\_ Mayor

Agenda Item No. 4(B)

2-17-04

Veto \_\_\_\_\_

Override \_\_\_\_\_

ORDINANCE NO.

ORDINANCE CREATING AND ESTABLISHING A SPECIAL TAXING DISTRICT IN MIAMI-DADE COUNTY, FLORIDA, KNOWN AND DESCRIBED AS SOUTH KENDALL ESTATES MULTIPURPOSE SPECIAL TAXING DISTRICT IN ACCORDANCE WITH THE PROVISIONS OF CHAPTER 18 OF THE CODE OF MIAMI-DADE COUNTY, FLORIDA; AND PROVIDING AN EFFECTIVE DATE

WHEREAS, the Miami-Dade County Home Rule Amendment to the Florida Constitution (Article VIII, Section 6) grants to the electors of Miami-Dade County power to adopt a home rule charter of government for Miami-Dade County, Florida, and provides that such charter may provide a method for establishing special taxing districts and other governmental units in Miami-Dade County from time to time; and

WHEREAS, the Home Rule Charter adopted by the electors of Miami-Dade County on May 21, 1957, provides that the Board of County Commissioners, as the legislative and the governing body of Miami-Dade County, shall have the power to establish special purpose districts within which may be provided essential facilities and services, including landscape improvement and maintenance programs, and that all funds for such districts shall be provided by service charges, special assessments, or general tax levies within such districts only, and that the County Commission shall be the governing body of all such districts; and

WHEREAS, pursuant to such provisions of the Florida Constitution and the Home Rule Charter, the Board of County Commissioners duly enacted Chapter 18 of the Code of Miami-Dade County, Florida, providing for the creation and establishment of special taxing districts and prescribing the procedures therefor; and

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WHEREAS, in accordance with the provisions of Chapter 18 of the Code of Miami-Dade County, Florida, a petition for the creation of a special taxing district to be known as the SOUTH KENDALL ESTATES MULTIPURPOSE SPECIAL TAXING DISTRICT duly signed by 100% of the owners (developer/petitioner) of property within the proposed district, was filed with the Clerk of the County Commission. Such petition prayed for the creation and establishment of a special taxing district for the purpose of providing maintenance of the exterior face of a decorative masonry wall and swales including turf, and shrubs located within the public domain to be financed solely by means of special assessments levied and collected within the area therein and hereinafter described; and

WHEREAS, upon receipt of such petition the Clerk of the County Commission transmitted a copy thereof to the County Manager who examined it and filed a written report with the Clerk certifying that such petition was sufficient in form and substance and signed and properly presented in accordance with the requirements of Chapter 18 of the Code of Miami-Dade County, Florida; and

WHEREAS, the County Manager, after making appropriate investigations, surveys, plans and specifications, compiled and filed with the Board of County Commissioners his written report and recommendations setting forth the boundaries of the proposed special taxing district, the location, nature and character of the maintenance programs to be provided within the proposed district, an estimate of the cost of maintaining and operating such improvements and/or services his certification that the proposed district improvements and/or services conform to the master plan of development for the County, and setting forth his recommendations concerning the need for and desirability of the requested district, the ability of the affected property to bear special assessments to fund the cost of maintaining and operating such improvements and/or services, and an estimate of the amount to be assessed against each square foot of the benefited property within the proposed district, and expressing his opinion that the property to be specially assessed will be benefited in excess of the special assessments to be levied, and the County Manager attached to such report and recommendations a map or sketch showing the boundaries

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and location of the proposed district. Such "Report and Recommendations" of the County Manager was filed with the Clerk and transmitted to the Chairperson; and

WHEREAS, it appearing to the Board of County Commissioners from such report of the County Manager and other investigations that the district petitioned for would be of special benefit to all property within the proposed boundaries and that the total amount of the special assessments to be levied would not be in excess of such special benefit; the Clerk of the Board certified the place, date and hour for a public hearing on the petition of the property owners and the report and recommendations of the County Manager -- said hearing was held on Tuesday,

. Copies of the notice of the public hearing were duly published in newspapers of general circulation published in Miami-Dade County, Florida, and copies thereof were posted in not less than five (5) public places within the proposed district, and copies thereof were mailed to all owners of taxable real property within the boundaries of the proposed district as their names and addresses appear on the latest Miami-Dade County Real Property Tax Roll; and

WHEREAS, pursuant to said notice, the Board of County Commissioners on Tuesday, , held a public hearing, at which all interested persons were be afforded the opportunity to present their objections, if any, to the creation and establishment of the proposed special taxing district; and

WHEREAS, the Board of County Commissioners, upon review and consideration of the report and recommendations of the County Manager and the views expressed by the property owners within the proposed special taxing district, has determined to create and establish such special taxing district in accordance with the report and recommendations of the County Manager, and the provisions of Chapter 18 of the Miami-Dade County Code.

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF MIAMI-DADE COUNTY, FLORIDA:

Section 1. In accordance with the provisions of Chapter 18 of the Code of Miami-Dade County, Florida, a special taxing district to be known and designated as the SOUTH KENDALL

ESTATES MULTIPURPOSE SPECIAL TAXING DISTRICT is hereby created and established in the unincorporated Miami-Dade County, Florida..

Section 2. The area or boundaries of this proposed special taxing district are as follows:

A portion of Section 7, Township 56 South, Range 39 East, Miami-Dade County, Florida; being more particularly described as follows:

The SW ¼ of the SE ¼ of said Section 7; (A.K.A. South Kendall Estates, Tentative Plat # T-21476).

The area and location of this proposed special taxing district are shown on the map or sketch which is made a part hereof by reference.

Section 3. The service to be provided within this proposed special taxing district will initially consist of the following:

The services to be provided will initially consist of the maintenance of turf and shrubs within the swale areas and the exterior face of a decorative masonry wall.

Section 4. The estimated cost to the property owners for the maintenance and operation of the district's improvements and/or services, program including engineering, administration, billing, collecting and processing for the first year is \$12,990, and \$7,780 for the second year. It is estimated that the cost per assessable square foot of real property within the proposed district is \$0.010 for the first year and \$0.006 for the second year. The succeeding years' assessments will be adjusted from actual experience.

Section 5. It is hereby declared that said improvements and/or services will be a special benefit to all property within the proposed special taxing district and the total amount of special assessments to be levied as aforesaid will not be in excess of such special benefit.

Section 6. Miami-Dade County, as administrator of this district's maintenance program, is directed to provide service by the most effective and efficient means available on a yearly basis, as detailed in the County Manager's report which is made a part hereof by reference. The Parks and Recreation Department is also directed to conduct one meeting

annually in the community, inviting all affected district property owners for the purpose of reviewing the district's budget and level of services provided.

Section 7. The County Manager is authorized and directed to cause to be made the maintenance and operation of various public improvements to be installed within the district in accordance with the provisions of this Ordinance.

Section 8. The County Manager is further directed, to cause to be prepared and filed with the Clerk of the County Commission a Preliminary Assessment Roll in accordance with the provisions of Section 18-14 of the Code of Miami-Dade County, Florida. As authorized by Section 197.363, Florida Statutes, all special assessments levied and imposed under the provisions of this Ordinance shall be collected, subject to the provisions of Chapter 197, Florida Statutes, in the same manner and at the same time as ad valorem taxes. In accordance with utilization of the ad valorem tax collection method, if such special assessments are unpaid, when due, the potential for loss of title to the property exists.

Section 9. A duly certified copy of this Ordinance shall be filed in the Office of the Clerk of the Circuit Court of Miami-Dade County, Florida, and recorded in the appropriate book of records.

Section 10. The provisions of this Ordinance shall become effective ten (10) days after the date of its enactment, unless vetoed by the Mayor, and if vetoed, shall become effective only upon an override by this Board.

Section 11. This ordinance does not contain a sunset provision.

PASSED AND ADOPTED:

Approved by County Attorney as to  
form and legal sufficiency. RA6

Prepared by:

James K. Kracht



**REPORT AND RECOMMENDATIONS  
ON THE CREATION OF SOUTH KENDALL ESTATES  
MULTIPURPOSE SPECIAL TAXING DISTRICT  
MIAMI-DADE COUNTY, FLORIDA**

Pursuant to Chapter 18 of the Code, and as a result of a detailed investigation of a duly petitioned for special taxing district, the following facts are hereby submitted concerning the creation of South Kendall Estates Multipurpose Special Taxing District.

**1. BOUNDARIES OF THIS DISTRICT**

The proposed district is located entirely within a portion of Unincorporated Miami-Dade County, and the boundaries, as set forth in the petition, are as follows:

A portion of Section 7, Township 56 South, Range 39 East, Miami-Dade County, Florida; being more particularly described as follows:

The SW ¼ of the SE ¼ of said Section 7; (A.K.A. South Kendall Estates, Tentative Plat # T-21476).

The boundaries are shown on the attached plan entitled South Kendall Estates Multipurpose Special Taxing District and hereinafter referred to as Exhibit A.

**2. LOCATION AND DESCRIPTION OF THIS DISTRICT**

The service to be provided under the district will consist initially of a maintenance program to maintain turf and shrubs within the swale area and the exterior face of a decorative masonry wall along S.W. 216<sup>th</sup> Street between S.W. 169<sup>th</sup> Court and S.W. 172<sup>nd</sup> Avenue, as shown on the attached Exhibit A. Service will commence at the earliest practicable time following the creation and establishment of the district and will be provided initially by the Miami-Dade County Park and Recreation Department using the most effective and efficient means available.

**3. ESTIMATED COST FOR THIS DISTRICT**

The proposed district is to be created initially to provide maintenance as described in Item 2 above. An increase in future landscape maintenance functions may be recommended by a majority of the property owners for consideration by Miami-Dade County as administrator. The deletion of services is subject to

maintaining a minimum level of services as determined by the Miami-Dade County Public Works Department. The expense of the landscape maintenance program will be continuous. However, because cost and/or level of maintenance may increase, the estimated annual expense, as indicated herein, can only be based on the initial maintenance program. The cost of the maintenance program will therefore require adjustment annually through the budget process performed by the Park and Recreation Department or the Public Works Department as administrator of the district.

The County may elect, due to the location and type of maintenance required, to provide landscape maintenance services utilizing an open contract for swale and median maintenance when significant service cost savings can be realized.

A cost estimate developed by the Public Works Department based on estimates previously provided by the Park and Recreation Department for similar maintenance taxing districts, indicates the annual cost for the initial maintenance program to be \$6,050 for the first and second years. In addition to that cost, it will be necessary for the County to recover the administrative, processing, billing, and advertising costs incurred in establishing and maintaining the district as provided by Chapter 18 of the Code, as well as provide for contingency and discount costs. This cost is estimated to be \$6,940 the first year and \$1,730 the second year. An annual meeting will be conducted with the owners of real property within the district as an integral part of the annual budget process. This will enable Miami-Dade County, as administrator, to secure suggestions from affected community representatives or association to improve delivery and lower costs of the services provided within the scope of the district's authorized functions as specified in Item 2 above, and to determine the following:

1. Level of service;
2. Areas to be maintained;

3. Approximate effect on cost and rate of assessment for any changes.

Miami-Dade County shall determine the minimum service level (residents may not delete maintenance altogether).

**ESTIMATED ANNUAL COSTS**

	<b><u>First Year</u></b>	<b><u>Second Year</u></b>
Initial Annual Maintenance	\$6,050	\$6,050
Administrative, Processing, Billing and Advertising Costs	5,250	1,360
Contingency/Discount	<u>1,690</u>	<u>370</u>
Total Estimated Cost to District	\$12,990	\$7,780

The above costs are estimated and will be adjusted annually based on actual experience.

4. **CONFORMITY TO THE MASTER PLAN OF MIAMI-DADE COUNTY**

The proposed district conforms to and in no way conflicts with the Comprehensive Development Master Plan of Miami-Dade County (see attached memorandum from the Department of Planning and Zoning).

5. **RECOMMENDATION CONCERNING THE DESIRABILITY OF THIS DISTRICT**

The proposed maintenance program is desirable, needed and, in my opinion, provides special benefits to property within the district exceeding the amount of special assessment to be levied.

6. **ESTIMATE OF ASSESSMENT AGAINST BENEFITTED PROPERTY**

The combined cost of the maintenance program, processing and administrative expenses as shown Item 3 above is to be paid for by special assessments levied against all benefited properties and is to be apportioned to individual properties within the district on the basis of square footage. The cost per assessable

square foot to be assessed for this service is estimated as follows:

	<u>First Year</u>	<u>Second Year</u>
Estimated Total District Cost	\$12,990	\$7,780
Estimated Total Assessable Property Square Footage	1,268,528	1,268,528
Estimated Cost Per Square Foot of Property	\$0.010	\$0.006
<u>SAMPLE ASSESSMENTS</u>	<u>First Year</u>	<u>Second Year</u>
Per Year For A 26,231 Sq. Ft. Lot:	\$262.31	\$157.39
Per Year For A 29,375 Sq. Ft. Lot:	\$293.75	\$176.25

The annual assessments shown above are representative of costs for typical lots within this district.

These costs are based on the above estimated total assessable property square footage and will be adjusted from actual experience.

**7. RECOMMENDATION**

I recommend that this district be created pursuant to Section 18-22.1 of the Code, as 100% of the property owners have signed the petition and no referendum is required. I also recommend that the County Attorney cause to be prepared an ordinance authorizing the creation of the South Kendall Estates Multipurpose Special Taxing District. Pursuant to Section 18-22.1 of the Code, the Board shall receive and hear, at a public hearing, remarks by interested persons on this district, and thereafter may adopt such ordinance. Following adoption of the creation ordinance, it is further recommended that the Board adopt the district's Preliminary Assessment Roll Resolution. Adoption of this resolution will enable the Miami-Dade

County Tax Collector to provide the funding necessary to reimburse affected County Agencies involved in the creation and establishment of this district, as well as operate and maintain this district. In the event actual costs are lower than the costs estimated, the Director of the Public Works Department or his designee shall adjust and decrease the square foot rate of assessment. In the event actual costs are higher than those estimated in the ordinance, the County Manager may at his discretion cause to be prepared a revised preliminary assessment roll and file the same with the Clerk of the Board for a scheduled public hearing to adopt the revised assessment roll. The ordinance creating the district shall take effect ten (10) days after the date of its adoption unless vetoed by the Mayor, and if vetoed, it shall become effective only upon an override by the Board. My office will also be available to answer any questions from the public or your office in regards to the financial and/or engineering facts of this project. We further recommend that the County Manager forward this report to the Board of County Commissioners after he has reviewed it and concurred with our findings.

- Encls:
- (1) Copy of Petition and Attachments
  - (2) Copy of Memo from Department of Planning and Zoning
  - (3) Copy of Summary of Report
  - (4) District Boundary Map (Exhibit A)

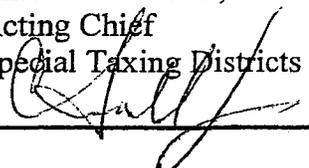
MEMORANDUM

To: [Handwritten initials]

TO: Kay M. Sullivan, Director  
Office of the Clerk of the Board  
Attn. Keith Knowles

DATE: August 1, 2003

FROM: Charles W. Small, Jr.  
Acting Chief  
Special Taxing Districts Division



SUBJECT: South Kendall Estates  
Multipurpose  
Special Taxing District

In reference to the subject petition, we hereby certify that, in compliance with Section 18-22.1 of the Miami-Dade County Code, this Department has verified the attached name against the records of the Property Appraisal Department, and has concluded that said petition relates to real property in a new subdivision and the signator is an owner and/or individual signing in his official capacity as representative of the owner of the property in question. We are therefore submitting the following information:

- |    |  |             |
|----|--|-------------|
| 1. | Total number of parcels of land within district boundaries                                     | <u>1</u>    |
| 2. | Total number of owners of property within district boundaries                                  | <u>1</u>    |
| 3. | Total number of resident owners within district boundaries<br>(This is a new subdivision area) | <u>0</u>    |
| 4. | Total number of signatures on the petition   | <u>1</u>    |
| 5. | Total number of owners or representatives signing the petition<br>in an official capacity      | <u>1</u>    |
| 6. | Percentage of owners or representatives signing the petition<br>in their official capacity     | <u>100%</u> |

Pursuant to Section 18-22.1 of the Code, this is a valid petition.

By copy of this memorandum, I am forwarding this petition for review by the County Attorney for legal sufficiency.

Attachment

DT/so

cc: James Kracht

**MIAMI-DADE COUNTY ATTORNEY'S OFFICE  
MEMORANDUM**

**TO:** Charles W. Small, Jr.  
Acting Chief  
Special Taxing District

**FROM:** James K. Kracht  
Assistant County Attorney

**DATE:** August 4, 2003

**SUBJECT:** South Kendall Estates  
Multipurpose  
Special Taxing District

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Please be advised that I have reviewed the above referenced petition and find it to be legally sufficient, provided that the decorative fence/columns are adjacent to or accessible from the public right of way. This district is not approved as legally sufficient for purposes of providing lake maintenance.

JKK/cg J.K.K. / M.Z.

RECEIVED  
PUBLIC WORKS DEPT  
2003 AUG -5 PM 1:08  
SPECIAL TAXING  
DISTRICTS DIVISION

MIAMI-DADE COUNTY  
PUBLIC WORKS DEPARTMENT  
SPECIAL TAXING DISTRICTS DIVISION

March 24, 2003

Document Prepared  
Date

Departmental Acceptance Date  
(Government Use Only)

PETITION FOR SPECIAL TAXING DISTRICT

To the Board of County Commissioners of Miami-Dade County, Florida:

We, the undersigned property owners, do hereby petition Miami-Dade County, Florida for the creation of the Special Taxing District(s) required by the respective plat(s) pursuant to Chapter 18 of the Code of Miami-Dade County Florida, for any or all of the following: installation, operation and maintenance of sodium vapor street lights of an intensity of 9,500 up to 50,000 lumens, mounted on concrete, fiber glass or existing poles. The petitioned for district lies within the following described unincorporated area of Miami-Dade County as more fully described on the attached Exhibit "A."

Tentative Plat(s) Name(s) and Number(s) South Kendall Estates (T- 21476 )

It is understood and agreed that the boundaries of this district may be reviewed by the appropriate County authorities and the street lights to be provided shall be in accordance with minimum standards and requirements set forth by the Miami-Dade County Public Works Department.

OWNER'S NAME	OWNER'S ADDRESS	LEGAL DESCRIPTION OF THE PROPERTY	TAX FOLIO NUMBER
West Kendall Family Acre Homes, Corp.	25359 SW 189 <sup>th</sup> Avenue Homestead, Florida	T- <u>21476</u> South Kendall Estates  MORE FULLY DESCRIBED ON THE ATTACHED EXHIBIT "A"	<u>30-6907-000-0310</u>
By: <del>_____</del> <u>Felix Pollock, Pres.</u>			

NOTARY STATEMENT AND STAMP

The foregoing instrument was acknowledged before me this 25 day of March, 2003, by Felix Pollock, President of West Kendall Family Acre Homes, Corp., a Florida corporation, who is personally known to me or has produced N/A as identification.



Tania Valdes  
My Commission DD062524  
Expires December 8, 2005

Tania Valdes  
Notary Public - State of Florida

**EXHIBIT "A"**  
**(Page 1 of 1)**

**EXHIBIT "A" TO THE PETITION FOR THE PLAT  
KNOWN AS SOUTH KENDALL ESTATES, DATED  
MARCH 24, 2003, FOR THE CREATION OF A SPECIAL  
TAXING DISTRICT FOR STREET LIGHTING.**

A portion of land lying in Section 7, Township 56 South, Range 29 East in Miami-Dade County, Florida. Being more particularly described as follows:

The Southwest  $\frac{1}{4}$  of the Southeast  $\frac{1}{4}$  of Section 7, Township 56 South, Range 39 East, lying and being in Miami-Dade County, Florida.

**EXHIBIT B**  
(Amendment to the Petition)

Exhibit B to the Petition for the Subdivision known as South Kendall Estates (T:21476) dated 03-24-03 for the creation of a Special Taxing District for Street Lighting, Landscape and Lake Maintenance.

**AREA TO BE MAINTAINED:**

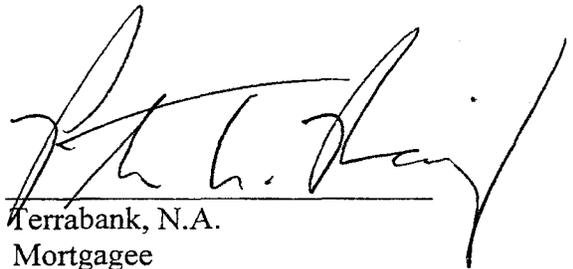
The swale and landscape buffer area and the exterior face of a decorative fence/column on the North Side of S.W. 216 Street between S.W. 169 Court and S.W. 172 Avenue.

**MAINTENANCE SCHEDULE;**

A. Lawn/Grass

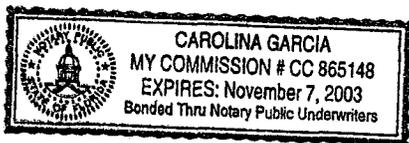
1. Cut bi-monthly as required
2. Fertilize and weed control as needed
3. Treat for disease and pests as needed

  
West Kendall Family Acre Homes, Corp.  
Owner  
Felix Pollock, President

  
Terrabank, N.A.  
Mortgagee

STATE OF FLORIDA            )  
COUNTY OF MIAMI-DADE)

The foregoing instrument was acknowledged before me this 30<sup>th</sup> day of July, 2003, by Felix Pollock and Peter Ramirez, who are personally known to me or has produced \_\_\_\_\_ as identification.



  
Notary Public, State of Florida

Carolina Garcia  
Print Name

My Commission Expires:



## MEMORANDUM

To: Aristides Rivera, P.E., P.L.S., Director  
Public Works Department

Date: January 15, 2002

From:   
Diane O'Quinn Williams, Director  
Department of Planning and Zoning

Subject: Street Lighting, Maintenance of  
Landscape, Walls Adjacent to  
Double-Frontage Lots and Lakes  
Special Taxing Districts

Section: As Required

District: As Required

Council: As Required

Effective September 5, 2001, all tentative plats in the unincorporated area of Miami-Dade County submitted to the Land Development Division of the Public Works Department, must be accompanied by a properly executed petition for all applicable special taxing districts including, but not limited to street lights, maintenance of landscape, walls adjacent to double frontage lots, entrance features and lakes. Final Plats will not be presented to the Board of County Commissioners for consideration until the applicable special taxing districts are created, and all fees have been paid. In that regard, to ensure expeditious processing, this Memorandum may serve as approval for certain future special taxing district application requests as being consistent with the intent and purpose of the adopted 2005-2015 Comprehensive Development Master Plan (CDMP). Policy 4A – Capital Improvement Element states: Appropriate funding mechanisms will be adopted and applied by Miami-Dade County in order to assure the fiscal resources to maintain acceptable levels of service. Such funding mechanisms include special tax districts, municipal taxing service units, local option taxes, user fees, local gas tax, general obligation bond, impact fees, and special purpose authorities, or others as appropriate and feasible (Adopted Components as Amended through April 2001, page IX-10). The provision for services over and above minimum for neighborhoods and communities may be accomplished through the special taxing district as may be prescribed by the code.

The Department of Planning and Zoning (DP&Z) has no objection to a blanket approval with condition to establish future special taxing districts as limited to requests for street lighting, landscape maintenance, walls adjacent to double-frontage lots and lake maintenance districts. The previously noted special taxing districts may be established on the condition that the DP&Z review all landscape maintenance districts for compliance with plantings in public rights-of-way and lake maintenance districts for consistency with Landscape Code (Chapter 18A) Section 18A-6(L) Storm Water Retention/Detention Areas.

SUMMARY OF THE REPORT  
 ON THE CREATION OF SOUTH KENDALL ESTATES MULTIPURPOSE  
 SPECIAL TAXING DISTRICT  
 MIAMI-DADE COUNTY, FLORIDA

A petition submitted to Miami-Dade County for the creation of a landscape maintenance special taxing district to be known as the South Kendall Estates Multipurpose Special Taxing District was presented in accordance with the requirements of Section 18-22.1 of the Code of Miami-Dade County.

The proposed district is located entirely within a portion of Unincorporated Miami-Dade County, Florida, and its boundaries are set forth as follows:

On the North, S.W. 212<sup>th</sup> Street;  
 On the East, theo. S.W. 169<sup>th</sup> Avenue;  
 On the South, S.W. 216<sup>th</sup> Street;  
 On the West, S.W. 172<sup>nd</sup> Avenue.

The boundaries are shown on the attached plan entitled South Kendall Estates Multipurpose Special Taxing District, and hereinafter referred to as Exhibit A.

The service to be provided under the district will consist initially of a maintenance program to maintain turf and shrubs within the swale area and the exterior face of a decorative masonry along S.W. 216<sup>th</sup> Street, between S.W. 169<sup>th</sup> Court and S.W. 172<sup>nd</sup> Avenue, as shown on the attached Exhibit A. The maintenance will be provided by the most effective and efficient means available, on a yearly basis, as administered by the Miami-Dade County Park and Recreation Departments.

Total cost of this maintenance program will be prorated on the basis of lot square footage. The cost per square foot to be assessed for this service is estimated as follows:

	<u>First Year</u>	<u>Second Year</u>
Estimated Total District Cost	\$12,990	\$ 7,780
Estimated Total Assessable Property Square Footage	1,268,528	1,268,528
Estimated Cost Per Square Foot of Property	\$0.010	\$0.006

<u>SAMPLE ASSESSMENT</u>	<u>First Year</u>	<u>Second Year</u>
Per Year For A 26,231Sq. Ft. Lot:	\$262.31	\$157.39
Per Year For A 29,375Sq. Ft. Lot:	\$293.75	\$176.25

The annual assessments shown above are representative of costs for typical lots within this district.

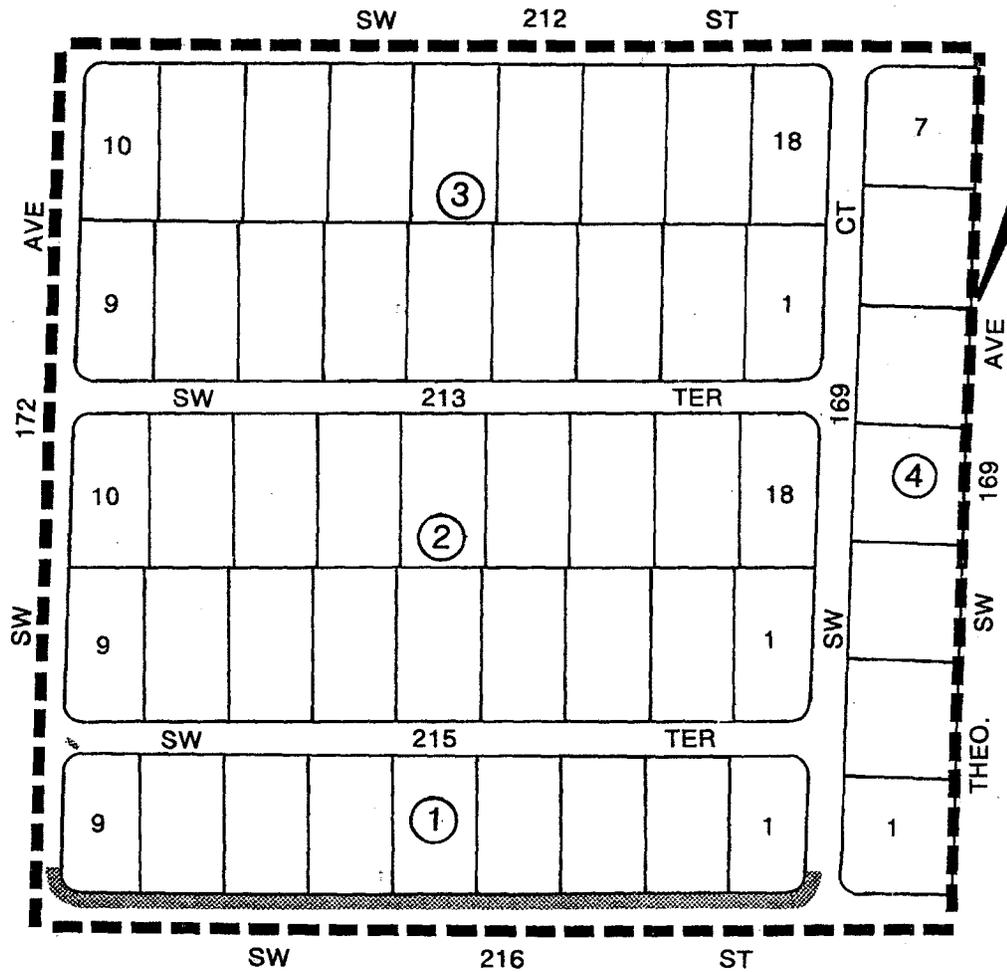
These costs are based on a preliminary estimate of 1,268,528 total square feet and will be adjusted from actual experience.

The proposed improvement conforms with the Comprehensive Development Master Plan of Miami-Dade County and will provide benefits to all property within the district exceeding the total amount of special assessments to be levied.

The proposed district will be created and established by the Board of County Commissioners pursuant to Section 18-22.1 of the Code of Miami-Dade County. No referendum is required, therefore, it is the responsibility of interested persons to express their views for or against this proposed district at the formal public hearing.

Enclosure: Exhibit A

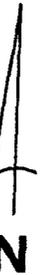
# DISTRICT BOUNDARIES



## SOUTH KENDALL ESTATES

MULTIPURPOSE  
SPECIAL TAXING DISTRICT

SEE ATTACHED SHEETS FOR SERVICE  
DESCRIPTIONS AND LOCATIONS  
(AREAS TO BE MAINTAINED SHOWN SHADED)



**EXHIBIT B**  
(Amendment to the Petition)

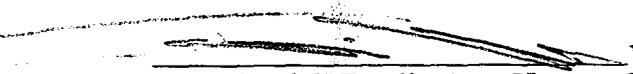
Exhibit B to the Petition for the Subdivision known as South Kendall Estates (T:21476) dated 03-24-03 for the creation of a Special Taxing District for Street Lighting, Landscape and Lake Maintenance.

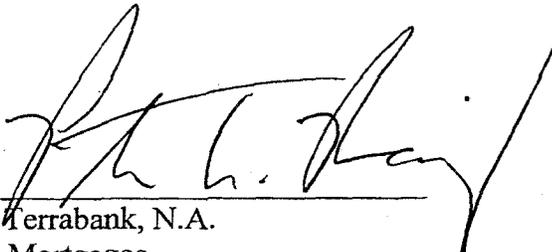
**AREA TO BE MAINTAINED:**

The swale and landscape buffer area and the exterior face of a decorative fence/column on the North Side of S.W. 216 Street between S.W. 169 Court and S.W. 172 Avenue.

**MAINTENANCE SCHEDULE;**

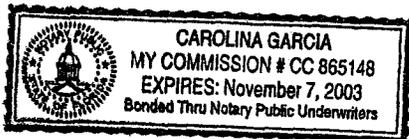
- A. Lawn/Grass
1. Cut bi-monthly as required
  2. Fertilize and weed control as needed
  3. Treat for disease and pests as needed

  
\_\_\_\_\_  
West Kendall Family Acre Homes, Corp.  
Owner  
Felix Pollock, President

  
\_\_\_\_\_  
Terrabank, N.A.  
Mortgagee

STATE OF FLORIDA            )  
COUNTY OF MIAMI-DADE)

The foregoing instrument was acknowledged before me this 30<sup>th</sup> day of July, 2003, by Felix Pollock and Peter Ramirez, who are personally known to me or has produced \_\_\_\_\_ as identification.



  
\_\_\_\_\_  
Notary Public, State of Florida

Carolina Garcia  
Print Name

My Commission Expires: