Memorandum

MIAMI-DADE COUNTY

(Public Hearing 10-19-04)

Date: September 21, 2004

Agenda Item No.4(V)

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

From: George M. Burgess
County Manager

Subject: Shrader's Haven
Street Lighting 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 Shrader's Haven Street Lighting Special Taxing District.

BACKGROUND

Commission District:	Nine
Boundaries:	On the North, S.W. 286th Street; On the East, approx. 100' east of S.W. 153rd Court; On the South, S.W. 287th Street; On the West, theo. S.W. 154th Avenue.
Number of Parcels:	1 (Tentative plat proposes 22 buildable single family lots).
Number of Owners:	1
Number of Owners With Homestead Exemption Signing Petition:	None – The petition was submitted by Habitat for Humanity of Greater Miami, Inc., the sole property owner and developer.
Preliminary Public Meeting:	None necessary.
Type of Improvements:	The installation of 8 - 9,500 lumen sodium vapor bracket-arm street lights mounted on concrete poles.

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: November 2005.

ECONOMIC/FISCAL/HOUSING COSTS IMPACT ANALYSIS

Creation of this district will result in no economic impact on the County's budget. The creation of this district is a subdivision requirement pursuant to Chapter 28 of the Code of Miami-Dade County. The developer is required to fund the district's first year's lease of the equipment, electricity costs to operate the system, and cover all costs incidental to creation and administration incurred by Miami-Dade County. Furthermore, to install the street lighting as part of the development's infrastructure is the most effective, cost-saving, and least disruptive means of providing the improvement. Additional cost savings are realized from processing a district with a single owner (the developer) rather than trying to achieve a consensus from an established community through a special election.

After the first year, the economic impact on the private sector will be a perpetual annual special assessment for the cost of street lighting to all property owners within the district. The City of Homestead is the owner of the system and therefore will derive revenues from it.

At this time there will be no increase or decrease in County staffing due to this district. The private sector may increase its staffing levels to provide the service requirements created by this special taxing district.

Estimated Initial Billing: November 2006. Assessment billed annually as an itemized portion of the annual tax bill.

	First Year	Second Year
Estimated Total District Cost:	$9,300	$1,660
Method Of Apportionment:	Front Footage	
Estimated Annual Assessments:		
Per Assessable Front Foot		$1.29
For A Typical Interior Single Family Lot	Cost to be provided by the petitioners	$64.34
For A Typical Corner Single Family Lot		$109.38

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

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

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

In accordance with the requirements of Chapter 28 of the Code to provide street lighting in new sub-divisions through the creation of street lighting special taxing districts, and in compliance with 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 18-2 of the Code.

Assistant County Manager

MEMORANDUM
(Revised)

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

DATE: October 19,2004

FROM: Robert A. Ginsburg
County Attorney

SUBJECT: Agenda Item No. 4(V)

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**

4

Approved _____ Mayor

Veto _____

Override _____

Agenda Item No. 4 (V)
10-19-04

ORDINANCE NO. _____

ORDINANCE CREATING AND ESTABLISHING A SPECIAL TAXING DISTRICT IN MIAMI-DADE COUNTY, FLORIDA, KNOWN AND DESCRIBED AS SHRADER'S HAVEN STREET LIGHTING 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 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 street lighting 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

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

SHRADER'S HAVEN STREET LIGHTING 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 street lighting 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 street lighting improvements to be provided and maintained within the proposed district, an estimate of the cost of constructing such improvements, an estimate of the cost of maintaining and operating such improvements and/or services, his certification that the proposed district's 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 front 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 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 owner/developer/petitioner and the report and recommendations of the County Manager -- said hearing was held on Tuesday, . Copies of the public notice were duly published in a newspaper 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 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 SHRADER'S

HAVEN STREET LIGHTING SPECIAL TAXING DISTRICT is hereby created and established in the unincorporated area of Miami-Dade County.

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

> A portion of Section 4, Township 57 South, Range 39 East, Miami-Dade County, Florida; being more particularly described as follows:
>
> The N 1/2 of the W 1/2 of the SW 1/4 of the SE 1/4 of the NW 1/4 less the south 35.00 feet; and the N 1/2 of the W 1/2 of the E 1/2 of the SW 1/4 of the SE 1/4 of the NW 1/4 (a.k.a. Shrader's Haven, Tentative Plat # T-21898).

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 improvements and services to be provided within this proposed special taxing district will consist of the following:

> The installation of 8 - 9,500 lumen sodium vapor bracket-arm street lights mounted on concrete poles.

Section 4. The installation of such street lighting project will be accomplished pursuant to an agreement between Miami-Dade County and the Florida Power & Light Company. The cost of furnishing electric energy to the street lighting project, together with the costs of service, maintenance, and administration for handling billing, collecting assessments, and processing for the first year is estimated to be $9,300 and shall be advanced by petitioners. The cost of furnishing electric energy to the street lighting project, together with the costs of service, maintenance, and administration for handling billing, collecting assessments, and processing for the second year is estimated to be $1,660. The estimated cost per assessable front foot of real property within the proposed district for the second year is $1.29. 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. The proposed Street Lighting agreement between Miami-Dade County and Florida Power & Light Company is hereby approved and made a part hereof by reference, and the County Manager or designee and the Clerk or Deputy Clerk of the County Commission are hereby authorized and directed to execute said agreement for and on behalf of Miami-Dade County.

Section 7. The County Manager is authorized and directed to cause the installation of said street lights to be accomplished within the district in accordance with the provisions of said agreement and with the terms 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 not paid, 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 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:

RAG

Prepared by:

James K. Kracht

REPORT AND RECOMMENDATIONS ON THE CREATION OF SHRADER'S HAVEN STREET LIGHTING 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 submitted by the Public Works Department Director concerning the creation of Shrader's Haven Street Lighting 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 4, Township 57 South, Range 39 East, Miami-Dade County, Florida; being more particularly described as follows:
>
> The N ½ of the W ½ of the SW ¼ of the SE ¼ of the NW ¼ less the south 35.00 feet; and the N ½ of the W ½ of the E ½ of the SW ¼ of the SE ¼ of the NW ¼ (a.k.a. Shrader's Haven, Tentative Plat # T-21898).

The boundaries are shown on the attached plan entitled Shrader's Haven Street Lighting Special Taxing District and hereinafter referred to as Exhibit A.

2. LOCATION OF THE INSTALLATIONS TO BE CONSTRUCTED

The facilities to be provided under the district will consist of sodium vapor bracket-arm street lights mounted on concrete poles located within the street right-of-way. The spacing of the street lights will be between approximately 200 to 250 feet.

3. ESTIMATED COST FOR THIS DISTRICT

As provided for under Section 18-2 of the Code, the property owner (the developer) within the proposed district shall guarantee payment of all costs and expenses incidental to the creation of such district and shall pay the entire cost of providing street lighting within the district for the first year. The City of Homestead will install the lights, poles and service lines at its expense. However, the special taxing district

(the developer) may be required to pay a differential cost if rapid construction techniques cannot be used on this project. This cost is estimated and shown as City of Homestead Utility cost in the district's cost estimate.

4. ESTIMATE OF THE ANNUAL EXPENSE FOR MAINTENANCE, REPAIR AND OPERATION OF THIS DISTRICT

The facilities provided will remain the property of the City of Homestead, which will be responsible for the maintenance of the light standards, fixtures, lamps, and all connecting service lines. The cost of street lights in this district will be continual and is based on a preliminary estimate using the City of Homestead Street Lighting Rate Schedule approved by the Florida Public Service Commission, a copy of which is attached. The district will pay the City of Homestead a monthly rental fee on each installation. There will be 8 lights and 8 pole rentals served by underground wiring for an annual cost of $1,350 for the first and second years.

As provided by Chapter 18 of the Code of Miami-Dade County, the petitioner shall advance the first year's estimated street light costs and pay all costs incurred to create and maintain the district for its first year of operation. The district's property owners shall pay these costs for the second and succeeding years. The engineering and administrative costs involved in establishing and maintaining the district are estimated to be $2,680 the first year and $80 the second year. The cost of handling the billing, collecting the assessment, and processing the payments to the City of Homestead is estimated to be $2,060 the first year and $150 the second year. Additionally, contingency funds in the amount of $1,210 the first year and $80 the second year are provided.

ESTIMATED ANNUAL COSTS

	First Year	Second Year
8 – 9,500 Lumen Sodium Vapor Luminaires on Concrete Poles	$1,210	$1,210
Annual Fuel Adjustments (Based on 3,936 KWH at $0.0284 Per KWH)	110	110
Franchise Cost (Based on 2.5 % of $1,320)	30	30
TOTAL STREET LIGHTING SERVICE COSTS	$1,350	$1,350
CITY OF HOMESTEAD UTILITIES COST*	2,000	0
ENGINEERING & ADMINISTRATIVE COSTS*	2,680	80
BILLING, COLLECTING & PROCESSING COSTS*	2,060	150
CONTINGENCIES*	1,210	80
TOTAL COST COVERED BY PETITIONERS	$9,300	
TOTAL COST TO DISTRICT EACH YEAR THEREAFTER*		$1,660

*To be adjusted from actual experience.

5. PROCEDURE

Following the creation of the district by the Board of County Commissioners, and upon receipt of the payment by the developer of the total estimated cost for the first year as specified in Item 4 above, the County Manager shall cause the petitioner's plat to be placed on a Commission Agenda for acceptance and subsequent recordation.

Miami-Dade County may then enter into an agreement with the City of Homestead, form attached, wherein Miami-Dade County will pay to the City of Homestead any costs associated with the street light

installation, and monthly payments for the annual cost of the street light service estimated at $1,350 or approximately $113 per month. These amounts will be charged during the first year's operation against funds advanced by the petitioners. Based on front footage, each property owner along the lighted roadway will pay the County, through a special assessment, a proportionate share of the total annual cost each year thereafter.

6. 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).

7. RECOMMENDATION CONCERNING THE DESIRABILITY OF THIS DISTRICT

The need for street lighting in Miami-Dade County is apparent. Residents and property owners of Miami-Dade County continue to demonstrate their desire for street lighting through numerous petitions and personal requests.

In my opinion, the proposed street lights will provide special benefits to property within the district exceeding the amount of special assessments to be levied.

8. ESTIMATE OF ASSESSMENT AGAINST BENEFITED PROPERTY

As was determined in Item 4 above, each property owner along the lighted roadway will pay the County, through a special assessment, a proportionate share of the total annual cost the second year and each succeeding year thereafter. The annual assessments shown below are representative of costs for typical single family lots within this district.

Estimated Annual Assessments:	**First Year**	**Second Year**
Per Assessable Front Foot		$1.29
For A Typical Interior Single Family Lot	Cost to be provided by the petitioners	$64.34
For A Typical Corner Single Family Lot		$109.38

These costs are based on a preliminary estimate of 1,290 total assessable front feet and will be adjusted from actual experience.

9. RECOMMENDATION

I recommend that Shrader's Haven Street Lighting Special Taxing District be created pursuant to Section 18-2 of the Code, which provides for the creation of special taxing districts for street lighting in new subdivisions. The creation of the district will be subject to Commission approval; no election will be necessary as 100 percent of the property owners signed the petition. 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 administer the district, as well as provide funds for payment to the City of Homestead for the district's monthly power bills for the second and succeeding years. 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 front foot rate of assessment. In the event actual second year costs are higher than the costs estimated, 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 regard to the financial

and/or engineering facts of this project. We further recommend that the County Manager forward the attached 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 City of Homestead Street Light Rate Schedule
(3) City of Homestead Street Lighting Agreement Form
(4) Copy of Memo from Department of Planning and Zoning
(5) Copy of Summary of Report
(6) District Boundary Map (Exhibit A)

MEMORANDUM

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

DATE: June 16, 2004

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

SUBJECT: Shraders Haven
Street Lighting Special
Taxing District

In reference to the subject petition, we hereby certify that, in compliance with Section 18-2 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	1
2.	Total number of owners of property within district boundaries	1
3.	Total number of resident owners within district boundaries (this is a new subdivision area)	0
4.	Total number of signatures on the petition	1
5.	Total number of owners or representatives signing the petition in an official capacity	1
6.	Percentage of owners or representatives signing the petition in their official capacity	100%

Pursuant to Section 18-2 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

cc: James Kracht

MIAMI-DADE COUNTY ATTORNEY'S OFFICE
M E M O R A N D U M

TO: Charles W. Small
Acting Chief, Special Taxing

FROM: James K. Kracht
Assistant County Attorney

DATE: June 21, 2004

SUBJECT: Shraders Haven
Street Lighting
Special Taxing District

Please be advised that I have reviewed the above referenced petition and find it to be legally sufficient.

JKK/cg

PUBLIC WORKS DEPT
2004 JUN 22 AM 10:28
SPECIAL TAXING
DISTRICTS DIVISION

June 9 2004
Document Preparation Date

MIAMI-DADE COUNTY
PUBLIC WORKS DEPARTMENT
SPECIAL TAXING DISTRICTS DIVISION

Departmental Acceptance Date
(Government Use Only)

PETITION FOR MULTIPURPOSE 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; landscape, lake, wall, entrance features and other maintenance services shall be more fully described on the attached Exhibit B. The petitioned for district lies within that portion of the unincorporated area of Miami-Dade County more fully described on the attached Exhibit A.

Tentative Plat(s) Name(s) SHRADER'S HAVEN

It is understood and agreed that the boundaries of this district and the type and level of services to be provided by this district will be reviewed by the appropriate County authorities. It is also understood that the street lights and other improvements 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 PROPERTY	TAX FOLIO NUMBER
HABITAT FOR			
HUMANITY OF	9350 S Dadeland Blvd.		30-7904-000-0350
GREATER miami,	Suite 200		
Inc.	Miami, FL 33256	MORE FULLY	
		DESCRIBED ON	
x Anne E Manning		THE ATTACHED	
Anne E. Manning		"EXHIBIT A"	
Executive Director			

PLACE NOTARY STATEMENT AND STAMP HERE :

The foregoing instrument was acknowledged before me this 9th day of June, 2004 by Anne E. Manning, as Executive Director of Habitat for Humanity of Greater Miami, Inc., a Florida not-for-profit corporation on behalf of the corporation. She is personally known to me and did not take an oath.

STATE OF FLORIDA
COUNTY OF DADE

Yolanda Schon
MY COMMISSION # DD119927 EXPIRES
May 21, 2006
BONDED THRU TROY FAIN INSURANCE, INC.

EXHIBIT A

EXHIBIT A TO THE PETITION FOR THE PLAT (s)
KNOWN AS SHRADER'S HAVEN
DATED June 9, 04 FOR THE CREATION OF
SPECIAL TAXING DISTRICT(s).

LEGAL DESCRIPTION: THE NORTH ½ OF THE WEST ½ OF THE SW ¼ OF THE SE ¼, OF THE NW ¼ LESS THE SOUTH 35 FEET THEREOF FOR ROAD PURPOSES AND THE NORTH ½ OF THE WEST ½ OF THE EAST ½ OF THE SW ¼ OF THE SE ¼ OF THE NW ¼, BOTH PARCELS IN SECTION 4, TOWNSHIP 57 SOUTH, RANGE 39 EAST, MIAMI-DADE COUNTY, FLORIDA.

Sec. 28-256. Street lighting and rental outdoor lighting rates.

The following rates shall be charged for roadway and public property lighting and rental outdoor lighting for fixtures installed on existing city-owned poles. The rates set forth below may be adjusted periodically to reflect changes in maintenance, equipment and average energy cost to the city. There shall be no prorating of rental outdoor lighting charges.

(1) *Rental charge—Roadway and public property lighting:*

High Pressure Sodium Vapor
(Fixture type: Open bottom, cobra head, directional)

Fixture Type	*Lamp Initial Lumens*	*Lamp Watts*	*KWH/Mo Estimate*	*Monthly Rental Rate**
Open bottom	9,500	100	35	$ 6.90
Cobra head	16,000	150	57	8.08
Cobra head	27,500	250	121	10.72
Cobra head	50,000	400	182	12.92
Directional	16,000	150	57	8.08
Directional	27,500	250	121	10.72
Directional	50,000	400	182	12.92

*plus power cost adjustment.

High Pressure Sodium Vapor
(Decorative lighting—Underground distribution only)

Fixture Type	*Lamp Initial Lumens*	*Lamp Watts*	*KWH/Mo Estimate*	*Monthly Rental Rate**
Traditional	9,500	100	35	$ 7.71
Traditional	16,000	150	57	8.43
Contemporary	9,500	100	35	8.82
Contemporary	16,000	150	57	9.51
Contemporary	27,500	250	121	14.05
Acorn	9,500	100	35	10.92
Acorn	16,000	150	57	11.66

*plus power cost adjustment.

When a pole is required and electric service is overhead, the monthly charge for each pole shall be:

Wood pole	$3.99
Concrete pole	4.92

Where the distribution system is underground, the monthly charge for rental of the pole required to mount the light fixture shall be:

Concrete pole	$ 7.22
20′ fiberglass pole	6.61
12′ fiberglass pole (Washington style)	13.55

(2) *Rental charge—Rental outdoor lighting:*

High Pressure Sodium Vapor
(Fixture type: Open bottom, cobra head, directional)

Fixture Type	*Lamp Initial Lumens*	*Lamp Watts*	*KWH/Mo Estimate*	*Monthly Rental Rate**
Open bottom	9,500	100	35	$ 6.90
Cobra head	16,000	150	57	8.08
Cobra head	27,500	250	121	10.72
Cobra head	50,000	400	182	12.92
Directional	16,000	150	57	8.08
Directional	27,500	250	121	10.72
Directional	50,000	400	182	12.92

*plus power cost adjustment.

When a pole is required and electric service is overhead, the monthly charge for each pole shall be:

Wood pole	$3.99
Concrete pole	4.92

(Ord. No. 88-02-12, § IX, 2-15-88; Ord. No. 95-05-26, § 1, 6-5-95)

Sec. 28-257. Service availability.

Service availability and application, installation, term of service, relocation of facilities and maintenance and repair of lighting fixtures shall be in accordance with Chapter 28, sections 28-351 through 28-405.
(Ord. No. 95-05-26, § 1, 6-5-95)

Secs. 28-258—28-270. Reserved.

DIVISION 3. BILLING PROCEDURE

Sec. 28-271. Bills due and payable.

Electric bills shall be paid by all customers of the electrical system on or before the due date shown on the statement rendered the customers.
(Ord. No. 88-02-12, § IV, 2-15-88)

Sec. 28-272. Delinquent bills.

(a) If the amount of electric charges shown on the monthly bill is not paid as of the due date, a one and one-half (1.5) percent late payment charge will be applied to the amount due. The monthly bill shall stipulate a disconnect date if there is a past due amount reflected on the bill. Once disconnected, service shall not be restored until the amount due, late fee, and all reconnect charges are paid in full.

(b), (c) Reserved.

(d) Electric service shall not be disconnected for any reason on Friday of any week or on the day preceding any legal holiday.

(e) If service has been disconnected for nonpayment and is reconnected by an unauthorized person and it is not possible or practical to disconnect service at the meter, such service shall be disconnected at the meter box or service pole.
(Ord. No. 88-02-12, § IV(1), 2-15-88; Ord. No. 95-09-68, § 1, 9-18-95; Ord. No. 98-02-07, § 2, 3-2-98)

Sec. 28-273. Energy billing after termination.

If electrical service is terminated as a result of the service location being vacated and the meter reading at the time of service resumption indicates use of demand or energy in the intervening period and the seal has been broken, the owner of the property shall be responsible for payment for such use.
(Ord. No. 88-02-12, § IV(2), 2-15-88)

GOVERNMENTAL ROADWAY LIGHTING AGREEMENT

Billing Account Number: _____

IN THIS AGREEMENT made this _____ day of _____, _____, by and between _____

_____
(name and description of customer project)

it's successors and assigns (hereinafter referred to as "Customer") and the City of Homestead, Florida, a municipal corporation organized and existing under laws of the State of Florida (hereinafter referred to as "City"), in accordance with the following terms and conditions, the Customer requests from the City the following installation, removal or modification of roadway lighting facilities along _____

_____
(General description of boundaries)

located in MIAMI-DADE COUNTY, Florida.
(City / County)

Installation / Removal of City owned facilities described as follows:

Install Quantity	Fixture Rating (Lumens)	Lamp Type (HPSV, etc.)	Remove Quantity	Fixture Rating (Lumens)	Lamp Type (HPSV, etc.)

Quantity I=Installed R=Removed	Pole Type (Wood, etc.)	Underground Conductors			
		Feet Under Paving		Feet Not Under Paving	

Modification to existing facilities other that described above:

_____
_____
_____
_____
_____
_____
_____
_____
_____
_____

NOW THEREFORE, in consideration of the mutual covenants, terms and conditions herein set forth, the parties hereto covenant and agree as follows:

CITY AGREES TO:

1. Install or modify the roadway lighting facilities described and identified above (hereinafter called the Roadway Lighting System).

2. Furnish to the Customer the electric energy necessary for the operation of the Roadway Lighting System, and furnish such other services specified in this Agreement, all in accordance with the terms of the currently effective Roadway Lighting rate schedule or any successive Roadway Lighting rate schedule approved by the appropriate regulatory authority.

CUSTOMER AGREES TO:

3. Purchase from the City all electric energy consumed for the operation of the Roadway Lighting System.

4. Be responsible for the payment, when due, of all bills issued by the City pursuant to the City's currently effective Roadway Lighting rate schedule or any successive Roadway Lighting rate schedule approved by the appropriate regulatory authority, for the electric energy, facilities and service furnished by the City in accordance with this Agreement.

5. Provide access, final grading and when requested ,good and sufficient easements, suitable construction drawings showing the location of existing and proposed structures, identification of all underground facilities within or near pole or trench locations, and appropriate plats necessary for planning and completing the construction of City facilities associated with the Roadway Lighting System.

6. Perform any clearing, compacting, removal of stumps or other obstructions that conflict with construction, and drainage of rights-of-way or easements required by the City to accommodate the roadway lighting facilities.

7. Pay a contribution in the amount of _____ prior to the commencement of the requested installation or modification.

IT IS MUTALLY AGREED THAT:

8. This Agreement shall be for a term of ten (10) years from the date of initiation of service, and except as provided below, shall extend thereafter for further successive periods of five (5) years from the expiration of the initial ten (10) year term or from the expiration of any extension thereof. The date of initiation of service shall be defined as the date the first lights are energized and billing begins, not the date of this Agreement. This Agreement shall be extended automatically beyond the initial ten (10) year term or any extension thereof, unless either party shall have given written notice to the other of its desire to terminate this Agreement. Such written notice shall be by certified mail and shall be given not less than ninety (90) days before the date of expiration of the initial ten(10) year term, or any extension thereof.

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.

DO'QW: GA: TBS

SUMMARY OF THE REPORT
ON THE CREATION OF SHRADER'S HAVEN
STREET LIGHTING SPECIAL TAXING DISTRICT
MIAMI-DADE COUNTY, FLORIDA

In accordance with the requirements of Chapter 28 of the Code of Miami-Dade County, to provide street lighting in new subdivisions through the creation of a street lighting special taxing district, and in compliance with the Special Taxing District Code, Chapter 18, a petition signed by 100% of the owners of property embraced within the proposed district was presented.

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. 286th Street;
On the East, approx. 100' east of
S.W. 153rd Court;
On the South, S.W. 287th Street;
On the West, theo. S.W. 154th Avenue.

The boundaries are shown on the attached plan entitled Shrader's Haven and hereinafter referred to as Exhibit A.

The street lights to be provided under this district will consist of 9,500 lumen sodium vapor bracket-arm street lights mounted on concrete poles served by underground wiring. The service provided by the City of Homestead includes electric energy, lamp replacement, replacement of damaged equipment, and all the operation and maintenance costs.

As provided for under Section 18-2 of the Code, the owners of property embraced within the proposed district shall guarantee payment of all costs and expenses incident to the creation of such district and shall pay the entire cost of providing street lighting within the district for the first year.

ESTIMATED ANNUAL COSTS

	First Year	Second Year
Annual Street Lighting Cost (Service Provided by the City of Homestead)	$1,350	$1,350
City of Homestead Utilities Cost	2,000	0

ESTIMATED ANNUAL COSTS (CONTINUED)

	First Year	Second Year
Engineering & Administrative Cost	2,680	80
Billing, Collecting and Processing Costs	2,060	150
Contingencies	1,210	80
Total Amount To Be Advanced by Petitioners	$9,300	
Total Estimated Cost to District Each Year Thereafter		$1,660

ESTIMATED ASSESSMENTS

	First Year	Second Year
Per Assessable Front Foot		$1.29
Per Year For A Typical Interior Single Family Lot	Cost to be provided by the petitioners	$64.34
Per Year For A Typical Corner Single Family Lot		$109.38

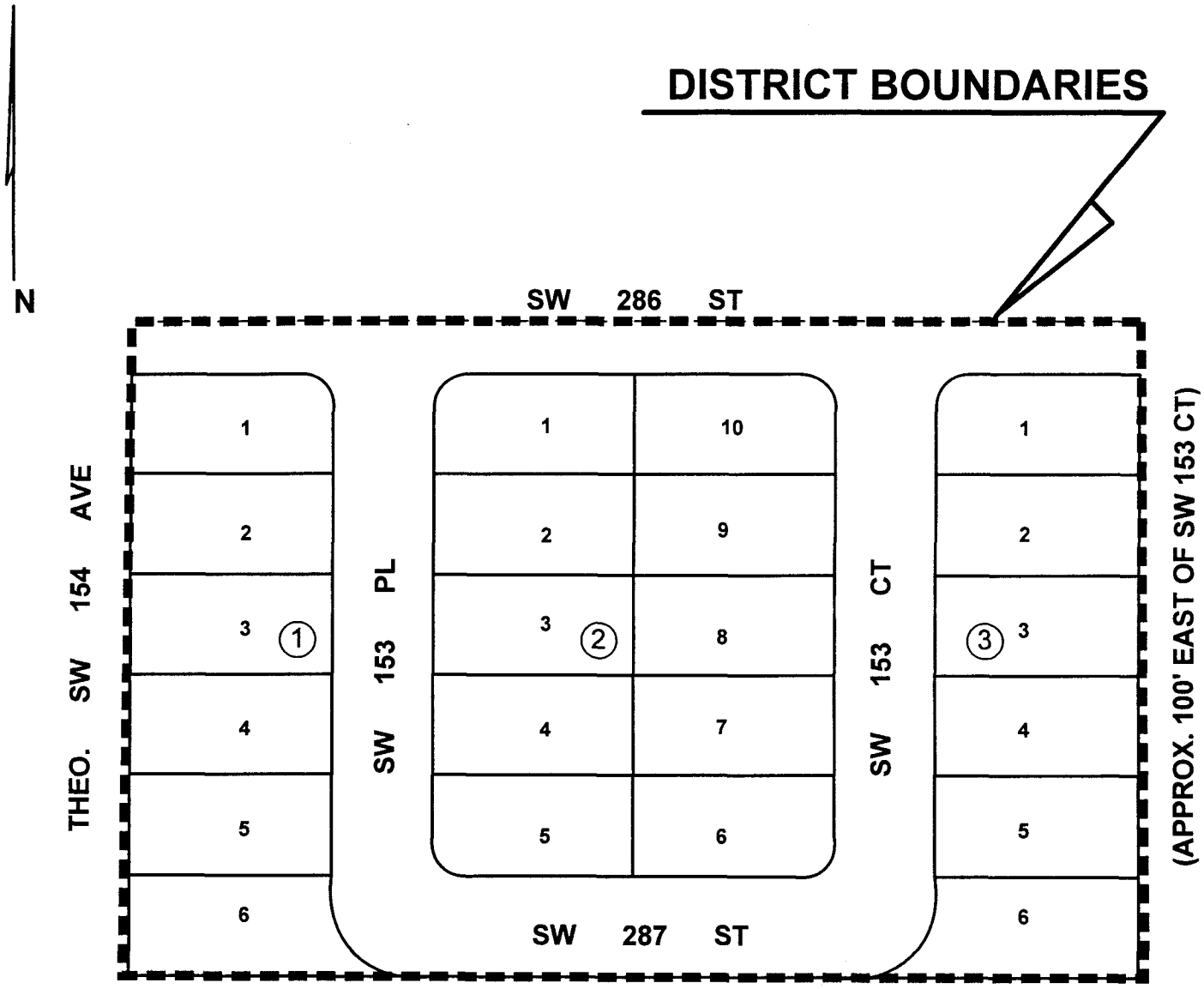
The annual assessments shown above are representative of costs for typical single family lots within this district.

The proposed district 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 creation of the district will be subject to Commission approval, no election will be necessary as 100 percent of the owners herein signed the petition.

Attachment: Exhibit A

DISTRICT BOUNDARIES



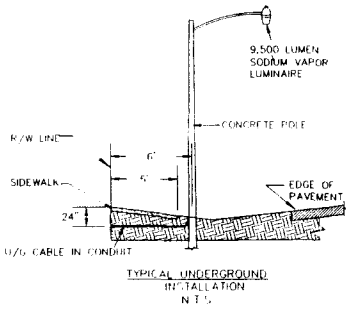
SCALE: N.T.S.

SHRADER'S HAVEN

STREET LIGHTING SPECIAL TAXING DISTRICT

NOTE: STREET LIGHTS PROVIDED BY THE CITY OF HOMESTEAD

8 - 9,500 LUMEN SODIUM VAPOR BRACKET-ARM STREET LIGHTS MOUNTED ON CONCRETE POLES, SPACED APPROXIMATELY 200 TO 250 FEET APART ALONG ALL PUBLIC ROADWAYS WITHIN THE SPECIAL TAXING DISTRICT BOUNDARIES.



L-1048 (COMM. 0009)
SECTION: 04-57-39

EXHIBIT "A" 28