

(Public Hearing 1-20-05)

**Date:** November 30, 2004

Agenda Item No. 4(C)

**To:** Honorable Chairman Joe A. Martinez  
and Members, Board of County Commissioners

**From:** George W. Burgess  
County Manager



**Subject:** Pinewood Park Extension 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 Pinewood Park Extension Street Lighting Special Taxing District.

**BACKGROUND**

<b>Commission District:</b>	Two
<b>Boundaries:</b>	On the North, theo. N.W. 111 <sup>th</sup> Terrace; On the South, N.W. 103 <sup>rd</sup> Street; On the East, N.W. 7 <sup>th</sup> Avenue; On the West, approx. 150 feet west of N.W. 12 <sup>th</sup> Avenue.
<b>Number of Parcels:</b>	570
<b>Number of Resident Owners:</b>	329
<b>Number of Owners With Homestead Exemption Signing Petition:</b>	168 or 51.1 % of the resident property owners.
<b>Preliminary Public Meeting:</b>	October 20, 2004
<b>Type of Improvements:</b>	Installation of 127 - 9,500 and 28 - 16,000 lumen sodium vapor bracket-arm street lights mounted on new concrete or existing wood poles.

**Required Referendum:**

Every qualified registered voter residing within the district limits will be afforded the opportunity to vote at an election conducted by mail, estimated to be held in March 2005.

**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 and subsequent ratifying referendum. The implementation of the assessment roll will be in accordance with the procedures defined in Chapter 18 of the Code.

**Construction Completed:**

September 2006.

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

The creation of this district is at the request of the proposed district property owners in accordance with Chapter 18 of the Miami-Dade County Code. The economic impact on the County's budget will be from the advancement of funds by several County Departments. Advancement of funds will result from various Departments' expenditure of labor and materials necessary to engineer and administer the district. All district costs incurred will be reimbursed to each Department after the Board's adoption of the preliminary assessment roll, ratification of the district by the qualified electorate within the district limits, and collection of the assessments from the affected property owners on their November 2006 and subsequent annual tax bills.

The economic impact on the private sector will be a perpetual annual assessment for the cost of street lighting to all property owners within the district.

At this time, there will be no increase or decrease in County staffing due to the creation of this district. The private sector may increase their 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.

	<u>First Year</u>	<u>Second Year</u>
<b>Estimated Total District Cost:</b>	\$121,770	\$23,540
<b>Method Of Apportionment:</b>	Front Footage	

<b>Estimated Assessments:</b>	<b><u>First Year</u></b>	<b><u>Second Year</u></b>
<b>Per Assessable Front Foot:</b>	\$2.564	\$0.496
<b>Per Year For A Typical 75 Foot Interior Lot:</b>	\$192.30	\$37.20
<b>Per Year For A Typical 80 x 140 Foot Corner Lot:</b>	\$338.45	\$65.47

The assessments shown above are representative costs for properties within this district.

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

Each special taxing district is unique due to its geographical boundaries, affected property owners and level of services to be provided. Therefore, a previously approved ordinance could not be used and only a new ordinance will satisfy the requirements of Chapter 18 of the Code.

In accordance with the requirements of Section 18-3 of the Code, I have reviewed the facts submitted by the Public Works Director and concur with his recommendation that this district be created, if approved by the referendum required subsequent to this public hearing.

*T. Marko for Pedro G. Hernandez*  
Deputy County Manager



# MEMORANDUM

(Revised)

**TO:** Honorable Chairman Joe A. Martinez      **DATE:** January 20, 2005  
and Members, Board of County Commissioners

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

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

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(C)  
01-20-05

Veto \_\_\_\_\_

Override \_\_\_\_\_

ORDINANCE NO. \_\_\_\_\_

ORDINANCE CREATING AND ESTABLISHING A SPECIAL TAXING DISTRICT IN MIAMI-DADE COUNTY, FLORIDA, KNOWN AND DESCRIBED AS PINEWOOD PARK EXTENSION 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 PINEWOOD PARK EXTENSION 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

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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 **PINEWOOD PARK EXTENSION 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 35, Township 52 South, Range 41 East, Miami-Dade County, Florida; being more particularly described as follows:

The SE1/4 of said Section 35, less the SE ¼ of the SW ¼ of the SE ¼;

And

The south 335.00 feet of the east 175.00 feet of the SE ¼ of the SW ¼ of the SE ¼;

And

The west 245.00 feet of the east 420.00 feet of the south 165.00 feet of the SE ¼ of the SW ¼ of the SE ¼;

And

The south 141.00 feet of the SW ¼ of the NE ¼ of said Section 35;

And

Lots 13 thru 36, Block 6 of “Pinewood Park Extension”, as described in Plat Book 34 at Page 91;

And

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Lots 16 thru 40, Block 1 of "1<sup>st</sup> Addition to Lawndale", as described in Plat Book 39 at Page 53;

And

The east 200.00 feet of the SW1/4 of said Section 35, less the west 95.00 feet of the north 170.00 feet.

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:

Installation of 127 - 9,500 and 28 - 16,000 lumen sodium vapor bracket-arm street lights mounted on new concrete or existing wood 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 \$121,770 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 \$23,540. The estimated cost per assessable front foot of real property within the proposed district for the second year is \$0.496. 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 take effect when approved at an election to be formally called by this Board and noticed and conducted as this Board shall determine by Resolution, unless vetoed by the Mayor, and if vetoed, shall become effective only upon an override by this Board and an approval by a majority of those voting at the election referred to herein.

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  
PINWOOD PARK EXTENSION 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 Director concerning the creation of Pinewood Park Extension 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 35, Township 52 South, Range 41 East, Miami-Dade County, Florida; being more particularly described as follows:

The SE $\frac{1}{4}$  of said Section 35, less the SE  $\frac{1}{4}$  of the SW  $\frac{1}{4}$  of the SE  $\frac{1}{4}$ ;

And

The south 335.00 feet of the east 175.00 feet of the SE  $\frac{1}{4}$  of the SW  $\frac{1}{4}$  of the SE  $\frac{1}{4}$ ;

And

The west 245.00 feet of the east 420.00 feet of the south 165.00 feet of the SE  $\frac{1}{4}$  of the SW  $\frac{1}{4}$  of the SE  $\frac{1}{4}$ ;

And

The south 141.00 feet of the SW  $\frac{1}{4}$  of the NE  $\frac{1}{4}$  of said Section 35;

And

Lots 13 thru 36, Block 6 of "Pinewood Park Extension", as described in Plat Book 34 at Page 91;

And

Lots 16 thru 40, Block 1 of "1<sup>st</sup> Addition to Lawndale", as described in Plat Book 39 at Page 53;

And

The east 200.00 feet of the SW1/4 of said Section 35, less the west 95.00 feet of the north 170.00 feet.

All the above named plats are recorded in the Public Records of Miami-Dade County, Florida.

The boundaries are shown on the attached plan entitled Pinewood Park Extension Street Lighting Special Taxing District and hereinafter referred to as Exhibit A.

A preliminary community meeting was held on October 20, 2004, in the Van E. Blanton Elementary School, to present the facts pertaining to the boundaries of this district, a description of the improvement to be provided, its costs, and the method of payment.

**2. LOCATION OF THE INSTALLATION TO BE CONSTRUCTED**

The facilities to be provided under the district will consist of sodium vapor bracket-arm street lights mounted on new concrete or existing wood poles located within the street right-of-way. The spacing of the street lights will be between approximately 150 to 225 feet.

**3. ESTIMATED COST FOR THIS DISTRICT**

The Florida Power and Light Company will install the lights, poles and service lines at their expense. However, the special taxing district 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 Florida Power and Light restoration cost in the districts first year's cost estimate. The cost of street lights in this district will be continual and is based on a preliminary estimate using Rate Schedule No. SL-1 prepared by the Florida Power and Light Company, and approved by the Florida Public Service Commission, a copy of which is attached.

Based on the street light arrangement, there will be 155 lights and 71 pole rentals served by overhead wiring for an annual cost of \$17,710 for the first and second years.

In addition to the cost for the street light service, it is necessary that the County recover the engineering and administrative costs involved in establishing and maintaining the district. This is estimated to be \$5,360

the first year and \$2,760 the second year. The cost of handling the billing, collecting the assessment, first year election expenses and processing the payments to the Florida Power and Light Company is estimated to be approximately \$10,400 the first year and \$1,950 the second year. Additionally, contingency funds in the amount of \$15,880 the first year and \$1,120 the second year are provided.

**ESTIMATED ANNUAL COSTS**

	<b><u>First Year</u></b>	<b><u>Second Year</u></b>
127 – 9,500 Lumen Sodium Vapor Luminaries	\$8,900	\$8,900
28 – 16,000 Lumen Sodium Vapor Luminaries	2,140	2,140
71 – Concrete Poles	2,970	2,970
84 – Existing Poles	0	0
Annual Fuel Adjustment (Based on 82,644 KWH At \$0.03645 Per KWH)	3,010	3,010
Franchise Cost (Based on 0.0406 of Total \$17,020)	<u>690</u>	<u>690</u>
<b>TOTAL STREET LIGHTING SERVICE COSTS</b>	<b>\$17,710</b>	<b>\$17,710*</b>
<b>F.P.&amp;L RESTORATION COST</b>	<b>72,420</b>	<b>0</b>
<b>ENGINEERING AND ADMINISTRATIVE COSTS</b>	<b>5,360</b>	<b>2,760*</b>
<b>BILLING, COLLECTING, PROCESSING, &amp; ELECTION COSTS</b>	<b>10,400</b>	<b>1,950*</b>
<b>CONTINGENCIES</b>	<b><u>15,880</u></b>	<b><u>1,120*</u></b>
<b>ESTIMATED COST TO DISTRICT EACH YEAR THEREAFTER</b>	<b>\$121,770</b>	<b>\$23,540*</b>

\*To be adjusted from actual experience

4. **PROCEDURE**

Miami-Dade County enters into an agreement with the Florida Power and Light Company, wherein Miami-Dade County will pay to the Florida Power and Light Company, in equal monthly installments, one-twelfth of the annual cost for this street light service estimated at \$17,710 or approximately \$1,476 per month.

Based on front footage each owner of property along the lighted roadway will pay the County, through a special assessment a proportionate share of the total annual cost each year.

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

The proposed improvement 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).

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

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

The 2003 net property valuation within the district, as taken from the Miami-Dade County Real Estate Property Cards, is \$42,126,341, which is a good indication that the affected property is able to pay such assessments as may be required and, in my opinion, the proposed improvements will provide special benefits to property within the district exceeding the amount of special assessments to be levied.

7. **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. This cost will be shown as an itemized portion of the annual combined tax bill. The annual assessments shown below are representative costs for properties within this district.

<b>Estimated Annual Assessments:</b>	<b><u>First Year</u></b>	<b><u>Second Year</u></b>
<b>Per assessable Front Foot</b>	\$2.564	\$0.496
<b>Per A Typical 75 Foot Interior Lot</b>	\$192.30	\$37.20
<b>Per A Typical 80 x 140 Foot Corner Lot</b>	\$338.45	\$65.47

These costs are based on a preliminary estimate of 47,500 total assessable front feet and will be adjusted from actual experience.

**8. RECOMMENDATION**

It is my recommendation that the creation of the district be authorized by an ordinance to be adopted by the Board of County Commissioners, subject to ratification by the district's electorate at a special referendum to be called by the Board. It is also recommended that upon adoption of the ordinance creating this special taxing district, the Board adopt, as the next agenda item, a resolution calling for a special election, as required by Chapter 18 of the Code. Said election will be conducted by the Miami-Dade County Elections Department using a mailed ballot provided, along with a project report summary, to each district registered voter. It is further recommended that the Board also adopt the district's preliminary assessment roll resolution. Adoption of this resolution will enable the Miami-Dade County Tax Collector to bill the affected property owners, collection of which will provide the necessary funds to reimburse affected County Agencies involved in the creation and establishment of the district, as well as provide funds to construct and maintain the improvement provided by the district. The implementation of the assessment roll will follow the procedures defined in Chapter 18 of the Code and be subject to district ratification by the qualified electorate. The assessment will appear on the November 2006 tax bill following the election, if approved by the electorate. In the event actual construction costs are lower than the estimated costs in the ordinance, the Director of the Public Works Department or his designee shall adjust and decrease the front foot rate of assessment necessary to provide adequate revenue to cover the expenses. Should actual costs be 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 it. The ordinance shall take effect when ratified at an election to be formally called, noticed and conducted as this Board shall determine by resolution, unless vetoed by the Mayor, and if vetoed, it shall become effective only upon an override by the Board and the district approved at the subsequent election. My office will also be available to answer any questions from the public or from your office with regards to the financial and/or engineering facts of this district. 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 Validation Memo
  - (2) Copy of FP&L Rate Schedule SL-1
  - (3) Copy of Memo from Department of Planning and Zoning
  - (4) Copy of Summary of Report
  - (5) District Boundaries Map (Exhibit A)

# MEMORANDUM

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

**DATE:** September 14, 2004

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

**SUBJECT:** Pinewood Park Extension  
Street Lighting Special  
Taxing District

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In reference to the subject petition, we hereby certify that, in compliance with Chapter 18 of the Miami-Dade County Code, this Department has verified the names in the attached petition against the records of the Property Appraisal Department, and is submitting the following information:

- |    |                                                                        |              |
|----|------------------------------------------------------------------------|--------------|
| 1. | Total number of parcels of land within district boundaries             | 570          |
| 2. | Total number of resident owners of property within district boundaries | 329          |
| 3. | Total number of resident owners signing the attached petition          | 168          |
| 4. | Percentage of resident owners signing the attached petition            | 51.1%        |
| 5. | Net property valuation.                                                | \$42,126,341 |

Utilizing Homestead Exemption as the basis for the resident owner requirement, we certify that this petition does contain more than the 50% affirmative signatures of the resident property owners within the proposed district boundaries required by Section 18-3 of the Code; therefore, the subject petition is valid.

Attachment

PINEWOOD PARK EXTENSION STREET LIGHTING SPECIAL TAXING DISTRICT  
MIAMI-DADE COUNTY PUBLIC WORKS DEPARTMENT SPECIAL TAXING DISTRICTS DIVISION

Issue Date 2/23/04

Petition Received Date 7/22/04  
(TO BE COMPLETED BY THE DEPARTMENT)

**the Petitioner:** You are required to circulate this petition among all property owners and residents within the district boundaries listed below. Persons signing the petition must indicate their position either **FOR** or **AGAINST** the improvement. In order for the petition to be considered a valid current indicator of community preference, it is required that it be completed and returned to Miami-Dade County within four months of the date of issue. All submitted petition forms must be original and completed in ink.

**the Board of County Commissioners of Miami-Dade County, Florida:** We, the undersigned, do hereby indicate our preference, **FOR** or **AGAINST**, the proposed improvement identified in this petition. Those indicating a preference **FOR** the proposed public improvement are requesting Miami-Dade County, Florida for the creation and establishment of a street light special taxing district. If approved by the Board, a subsequent special election will be held for all registered voters residing in the district to ratify the Board's decision.

**PROPOSED PUBLIC IMPROVEMENT:** Installation, operation and maintenance of approximately 149 - 9,500 Lumen Sodium Vapor Street-arm Street Lights mounted on concrete or existing wooden poles within the following boundaries.

Bounded on the: North by N.W. 111<sup>th</sup> Street; East by N.W. 7<sup>th</sup> Avenue;  
South by N.W. 103<sup>rd</sup> Street; West by N.W. 12<sup>th</sup> Avenue.

A sketch showing the location and boundaries of the District is attached hereto as Exhibit A. It is understood and agreed that the final district boundaries and design will be determined by the County.

See attached Exhibit "A" on reverse side.

**ESTIMATED INDIVIDUAL PROPERTY TAX BILL INCREASE FOR THIS IMPROVEMENT: FOR A TYPICAL 75' INTERIOR LOT THE COSTS MAY RANGE FROM \$263.00 TO \$288.00 THE FIRST YEAR, AND FROM \$53.00 TO \$59.00 EACH YEAR THEREAFTER. FOR A TYPICAL 80' X 140' CORNER LOT THE COSTS MAY RANGE FROM \$462.00 TO \$508.00 THE FIRST YEAR, AND FROM \$94.00 TO \$103.00 EACH YEAR THEREAFTER.**

OWNER'S NAME	PROPERTY ADDRESS	FOR	AGAINST	DATE SIGNED
Signature: Morigene Falet	801 NW 103 St	<input checked="" type="checkbox"/>	<input type="checkbox"/>	4-25-04
Signature: [unclear]	Folio:			
Signature: Sandra Pundary	705 NW 103 St	<input type="checkbox"/>	<input checked="" type="checkbox"/>	4-25-04
Signature: [unclear]	Folio:			
Signature: Celia Kersey	10390 NW 8th Ave	<input type="checkbox"/>	<input checked="" type="checkbox"/>	5-1-04
Signature: [unclear]	Folio:			
Signature:	Folio:			
Signature:	Folio:			
Signature:	Folio:			

NOTE: Only affirmative signatures of resident property owners, and only one resident owner's signature per household, will count toward the 50% Code requirement for petition validation. However, circulation of the petition among non-owner residents is urged to ensure these persons are informed of this proposal on which they may be called to vote. Altering this form in any way invalidates the entire petition.

STREET LIGHTING

RATE SCHEDULE: SL-1

AVAILABLE:

In all territory served.

APPLICATION:

For lighting streets and roadways, whether public or private, which are thoroughfares for normal flow of vehicular traffic. Lighting for other applications such as: municipally and privately-owned parking lots; parks and recreational areas; or any other area not expressly defined above, is not permitted under this schedule.

TYPE OF INSTALLATION:

FPL-owned fixtures normally will be mounted on poles of FPL's existing distribution system and served from overhead wires. On request of the Customer, FPL will provide special poles or underground wires at the charges specified below. Customer-owned systems will be of a standard type and design, permitting service and lamp replacement at no abnormal cost to FPL.

SERVICE:

Service includes lamp renewals, patrol, energy from dusk each day until dawn the following day and maintenance of FPL-owned Street Lighting Systems.

LIMITATION OF SERVICE:

For Mercury Vapor, Fluorescent and Incandescent luminaires, no additions or changes in specified lumen output on existing installations will be permitted under this schedule after October 4, 1981 except where such additional lights are required in order to match existing installations.

Stand-by or resale service is not permitted hereunder.

CUSTOMER CONTRIBUTIONS:

A Contribution-in-Aid-of-Construction (CIAC) will be required for:

- a) the differential cost between employing rapid construction techniques in trenching, backfilling and pole installation work where no obstructions exist, and the added cost to overcome obstructions such as sprinkler systems, paved surfaces (such as sidewalks, curbs, gutters, and roadways), landscaping, sodding and other obstructions encountered along the Street Light System installation route, including repair and replacement. If the Customer elects to perform work such as trenching and restoration, they will be reimbursed by FPL with a credit (not to exceed the total CIAC cost) for the value of this work as determined by FPL;
- b) the installation cost of any new overhead distribution facilities and/or the cost of alterations to existing distribution facilities which are required in order to serve the Street Lighting System less four (4) times the additional annual non-fuel energy revenue generated by the installation or alteration of the Street Lighting System, plus where underground facilities are installed, the differential installation cost between underground and overhead distribution facilities.

These costs shall be paid by the Customer prior to the initiation of any construction work by FPL. The Customer shall also pay any additional costs associated with design modifications requested after the original estimate has been made.

(Continued on Sheet No. 8.716)

(Continued from Sheet No. 8.715)

REMOVAL OF FACILITIES:

If Street Lighting facilities are removed either by Customer request or termination or breach of the agreement, the Customer shall pay FPL an amount equal to the original installed cost of the removed facilities less any salvage value and any depreciation (based on current depreciation rates as approved by the Florida Public Service Commission) plus removal cost.

MONTHLY RATE:

Luminaire Type	Lamp Size		KWH/Mo. Estimate	Charge for FPL-Owned Unit (\$)				Charge for Customer-Owned Unit (\$)	
	Initial Lumens/Watts			Fixtures	Mainten- nance	Energy Non-Fuel **	Total ***	Relamping/ Energy ****	Energy Only
High Pressure Sodium Vapor	5,800	70	29	3.55	1.36	.60	5.51	1.29	.60
" "	9,500	100	41	3.62	1.37	.85	5.84	1.55	.85
" "	16,000	150	60	3.72	1.40	1.24	6.36	1.94	1.24
" "	22,000	200	88	5.64	1.79	1.81	9.24	2.51	1.81
" "	50,000	400	168	5.71	1.76	3.46	10.93	4.17	3.46
" "	* 12,800	150	60	3.88	1.56	1.24	6.68	2.17	1.24
" "	* 27,500	250	116	6.00	1.90	2.39	10.29	3.13	2.39
" "	* 140,000	1,000	411	9.04	3.47	8.46	20.97	10.10	8.46
Mercury Vapor	* 6,000	140	62	2.81	1.23	1.28	5.32	1.97	1.28
" "	* 8,600	175	77	2.84	1.23	1.59	5.66	2.28	1.59
" "	* 11,500	250	104	4.74	1.77	2.14	8.65	2.88	2.14
" "	* 21,500	400	160	4.73	1.75	3.30	9.78	4.02	3.30
" "	* 39,500	700	272	6.68	2.96	5.61	15.25	7.17	5.61
" "	* 60,000	1,000	385	6.85	2.88	7.93	17.66	8.91	7.93
Incandescent	* 1,000	103	36				6.91	2.46	.74
" "	* 2,500	202	71				7.17	3.18	1.46
" "	* 4,000	327	116				8.41	4.16	2.39
" "	* 6,000	448	158				9.37	5.03	3.26
" "	* 10,000	690	244				11.31	6.93	5.03
Fluorescent	* 19,800	300	122				-	3.43	2.52
" "	* 39,600	700	264				-	6.62	5.44

- \* These units are closed to new FPL installations.
- \*\* The non-fuel energy charge is 2.060¢ per kwh.
- \*\*\* Bills rendered based on "Total" charge. Unbundling of charges is not permitted.
- \*\*\*\* New Customer installations of those units closed to FPL installations cannot receive relamping service.

Charges for other FPL-owned facilities:

Wood pole used only for the street lighting system	\$ 2.54
Concrete pole used only for the street lighting system	\$ 3.49
Fiberglass pole used only for the street lighting system	\$ 4.13
Underground conductors not under paving	1.91¢ per foot
Underground conductors under paving	4.66¢ per foot

The Underground conductors under paving charge will not apply where a CIAC is paid pursuant to section "a)" under "Customer Contributions." The Underground conductors not under paving charge will apply in these situations.

(Continued on Sheet No. 8.717)

Issued by: P. J. Evanson, President  
 Effective: April 15, 1999

(Continued from Sheet No. 8.716)

On Customer-owned Street Lighting Systems, where Customer contracts to relamp at no cost to FPL, the Monthly Rate for non-fuel energy shall be 2.060¢ per kwh of estimated usage of each unit plus adjustments.

During the initial installation period:

- Facilities in service for 15 days or less will not be billed;
- Facilities in service for 16 days or more will be billed for a full month.

WILLFUL DAMAGE:

Upon the second occurrence of willful damage to any FPL-owned facilities, the Customer will be responsible for the cost incurred for repair or replacement. If the lighting fixture is damaged, based on prior written instructions from the Customer, FPL will:

- a) Replace the fixture with a shielded cutoff cobrahead. The Customer shall pay \$120.00 for the shield plus all associated costs. However, if the Customer chooses to have the shield installed after the first occurrence, the Customer shall only pay the \$120.00 cost of the shield; or
- b) Replace with a like unshielded fixture. For this, and each subsequent occurrence, the Customer shall pay the costs specified under "Removal of Facilities"; or
- c) Terminate service to the fixture.

Option selection shall be made by the Customer in writing and apply to all fixtures which FPL has installed on the Customer's behalf. Selection changes may be made by the Customer at any time and will become effective ninety (90) days after written notice is received.

Conservation Charge	See Sheet No. 8.030
Capacity Payment Charge	See Sheet No. 8.030
Environmental Charge	See Sheet No. 8.030
Fuel Charge	See Sheet No. 8.030
Franchise Fee	See Sheet No. 8.031
Tax Clause	See Sheet No. 8.031

TERM OF SERVICE:

Initial term of ten (10) years with automatic, successive five (5) year extensions unless terminated in writing by either FPL or the Customer at least ninety (90) days prior to the current term's expiration.

RULES AND REGULATIONS:

Service under this schedule is subject to orders of governmental bodies having jurisdiction and to the currently effective "General Rules and Regulations for Electric Service" on file with the Florida Public Service Commission. In case of conflict between any provision of this schedule and said "General Rules and Regulations for Electric Service", the provision of this schedule shall apply.

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**STREET LIGHTING AGREEMENT**

In accordance with the following terms and conditions, \_\_\_\_\_

(hereinafter called the Customer), requests on this \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_, from FLORIDA POWER & LIGHT COMPANY (hereinafter called FPL), a corporation organized and existing under the laws of the State of Florida, the following installation or modification of street lighting facilities at (general boundaries): \_\_\_\_\_

located in \_\_\_\_\_, Florida.  
(city/county)

(a) Installation and/or removal of FPL-owned facilities described as follows:

Lights Installed			Lights Removed		
Fixture Rating (in Lumens)	Fixture Type	# Installed	Fixture Rating (in Lumens)	Fixture Type	# Removed
_____	_____	_____	_____	_____	_____
_____	_____	_____	_____	_____	_____
_____	_____	_____	_____	_____	_____
_____	_____	_____	_____	_____	_____
_____	_____	_____	_____	_____	_____
_____	_____	_____	_____	_____	_____
_____	_____	_____	_____	_____	_____

Poles Installed		Poles Removed		Conductors Installed		Conductors Removed	
Pole Type	# Installed	Pole Type	# Removed	_____	_____	_____	_____
_____	_____	_____	_____	_____	_____	_____	_____
_____	_____	_____	_____	_____	_____	_____	_____
_____	_____	_____	_____	_____	_____	_____	_____
_____	_____	_____	_____	_____	_____	_____	_____
_____	_____	_____	_____	_____	_____	_____	_____

(b) Modification to existing facilities other than described above (explain fully):  
 \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

That, for and in consideration of the covenants set forth herein, the parties hereto covenant and agree as follows:

**FPL AGREES:**

- To install or modify the street lighting facilities described and identified above (hereinafter called the Street Lighting System), furnish to the Customer the electric energy necessary for the operation of the Street Lighting System, and furnish such other services as are specified in this Agreement, all in accordance with the terms of FPL's currently effective street lighting rate schedule on file at the Florida Public Service Commission (FPSC) or any successive street lighting rate schedule approved by the FPSC.

**THE CUSTOMER AGREES:**

- To pay a contribution in the amount of \$ \_\_\_\_\_ prior to FPL's initiating the requested installation or modification.
- To purchase from FPL all of the electric energy used for the operation of the Street Lighting System.
- To be responsible for paying, when due, all bills rendered by FPL pursuant to FPL's currently effective street lighting rate schedule on file at the FPSC or any successive street lighting rate schedule approved by the FPSC, for facilities and service provided in accordance with this agreement.
- To 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 non-FPL underground facilities within or near pole or trench locations, and appropriate plats necessary for planning the design and completing the construction of FPL facilities associated with the Street Lighting System.
- To perform any clearing, compacting, removal of stumps or other obstructions that conflict with construction, and drainage of rights-of-way or easements required by FPL to accommodate the street lighting facilities.

IT IS MUTUALLY AGREED THAT:

7. Modifications to the facilities provided by FPL under this agreement, other than for maintenance, may only be made through the execution of an additional street lighting agreement delineating the modifications to be accomplished. Modification of FPL street lighting facilities is defined as the following:

- a. the addition of street lighting facilities;
- b. the removal of street lighting facilities; and
- c. the removal of street lighting facilities and the replacement of such facilities with new facilities and/or additional facilities.

Modifications will be subject to the costs identified in FPL's currently effective street lighting rate schedule on file at the FPSC, or any successive schedule approved by the FPSC.

8. FPL will, at the request of the Customer, relocate the street lighting facilities covered by this agreement, if provided sufficient right-of-ways or easements to do so. The Customer shall be responsible for the payment of all costs associated with any such Customer-requested relocation of FPL street lighting facilities. Payment shall be made by the Customer in advance of any relocation.

9. FPL may, at any time, substitute for any luminaire/lamp installed hereunder another luminaire/lamp which shall be of at least equal illuminating capacity and efficiency.

10. 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. The written notice shall be by certified mail and shall be given not less than ninety (90) days before the expiration of the initial ten (10) year term, or any extension thereof.

11. In the event street lighting facilities covered by this agreement are removed, either at the request of the Customer or through termination or breach of this agreement, the Customer shall be responsible for paying to FPL an amount equal to the original installed cost of the facilities provided by FPL under this agreement less any salvage value and any depreciation (based on current depreciation rates as approved by the FPSC) plus removal cost.

12. Should the Customer fail to pay any bills due and rendered pursuant to this agreement or otherwise fail to perform the obligations contained in this Agreement, said obligations being material and going to the essence of this Agreement, FPL may cease to supply electric energy or service until the Customer has paid the bills due and rendered or has fully cured such other breach of this Agreement. Any failure of FPL to exercise its rights hereunder shall not be a waiver of its rights. It is understood, however, that such discontinuance of the supplying of electric energy or service shall not constitute a breach of this Agreement by FPL, nor shall it relieve the Customer of the obligation to perform any of the terms and conditions of this Agreement.

The obligation to furnish or purchase service shall be excused at any time that either party is prevented from complying with this Agreement by strikes, lockouts, fires, riots, acts of God, the public enemy, or by cause or causes not under the control of the party thus prevented from compliance, and FPL shall not have the obligation to furnish service if it is prevented from complying with this Agreement by reason of any partial, temporary or entire shut-down of service which, in the sole opinion of FPL, is reasonably necessary for the purpose of repairing or making more efficient all or any part of its generating or other electrical equipment.

This Agreement supersedes all previous Agreements or representations, either written, oral or otherwise between the Customer and FPL, with respect to the facilities referenced herein and constitutes the entire Agreement between the parties. This Agreement does not create any rights or provide any remedies to third parties or create any additional duty, obligation or undertakings by FPL to third parties.

This Agreement shall inure to the benefit of, and be binding upon the successors and assigns of the Customer and FPL.

This Agreement is subject to FPL's Electric Tariff, including, but not limited to, the General Rules and Regulations for Electric Service and the Rules of the FPSC, as they are now written, or as they may be hereafter revised, amended or supplemented. In the event of any conflict between the terms of this Agreement and the provisions of the FPL Electric Tariff or the FPSC Rules, the provisions of the Electric Tariff and FPSC Rules shall control, as they are now written, or as they may be hereafter revised, amended or supplemented.

IN WITNESS WHEREOF, the parties hereby caused this Agreement to be executed in triplicate by their duly authorized representatives on the day and year first written above.

Witnesses and Terms Accepted:

FLORIDA POWER & LIGHT COMPANY

\_\_\_\_\_  
Customer (Print or type name of Organization)

By: \_\_\_\_\_  
(Signature)

\_\_\_\_\_  
Signature (Authorized Representative)

\_\_\_\_\_  
(Print or type name)

\_\_\_\_\_  
(Print or type name)

Title: \_\_\_\_\_



## 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.

D'QW: GA: TBS

SUMMARY OF THE REPORT ON THE CREATION OF  
 PINWOOD PARK EXTENSION STREET LIGHTING SPECIAL TAXING DISTRICT  
 MIAMI-DADE COUNTY, FLORIDA

A petition submitted to Miami-Dade County for the creation of a special taxing district to be known as the Pinewood Park Extension Street Lighting Special Taxing District was presented in accordance with the requirements of Article I, Chapter 18 of the Code of Miami-Dade County.

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

- On the North, theo. N.W. 111<sup>th</sup> Terrace;
- On the South, N.W. 103<sup>rd</sup> Street;
- On the East, N.W. 7<sup>th</sup> Avenue;
- On the West, approx. 150 feet west of N.W. 12<sup>th</sup> Avenue.

The district boundaries are shown on the attached plan entitled Pinewood Park Extension Street Lighting Special Taxing District, and hereinafter referred to as Exhibit A.

The improvement to be provided under this district will consist of sodium vapor bracket-arm street lights mounted on new concrete or existing wood poles served by overhead wiring. The service provided by Florida Power and Light Company includes electric energy, lamp replacement, replacement of damaged equipment, and all the operation and maintenance costs.

**ESTIMATED COSTS**

	<u>FIRST YEAR</u>	<u>SECOND YEAR</u>
Annual Street Lighting Cost (Service Provided by FP&L)	\$17,710	\$17,710
FP&L Restoration Cost	72,420	0
Engineering and Administrative Costs	5,360	2,760
Advertising, Billing, Collecting, Processing and Election Costs	10,400	1,950
Contingency Cost	<u>15,880</u>	<u>1,120</u>
Estimated Cost To District Each Year Thereafter	\$121,770	\$23,540

ESTIMATED SAMPLE ASSESSMENTS

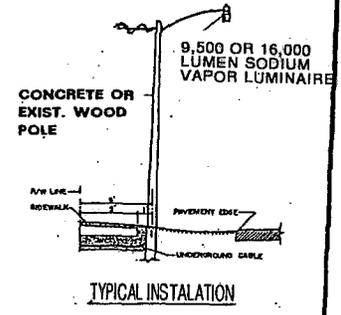
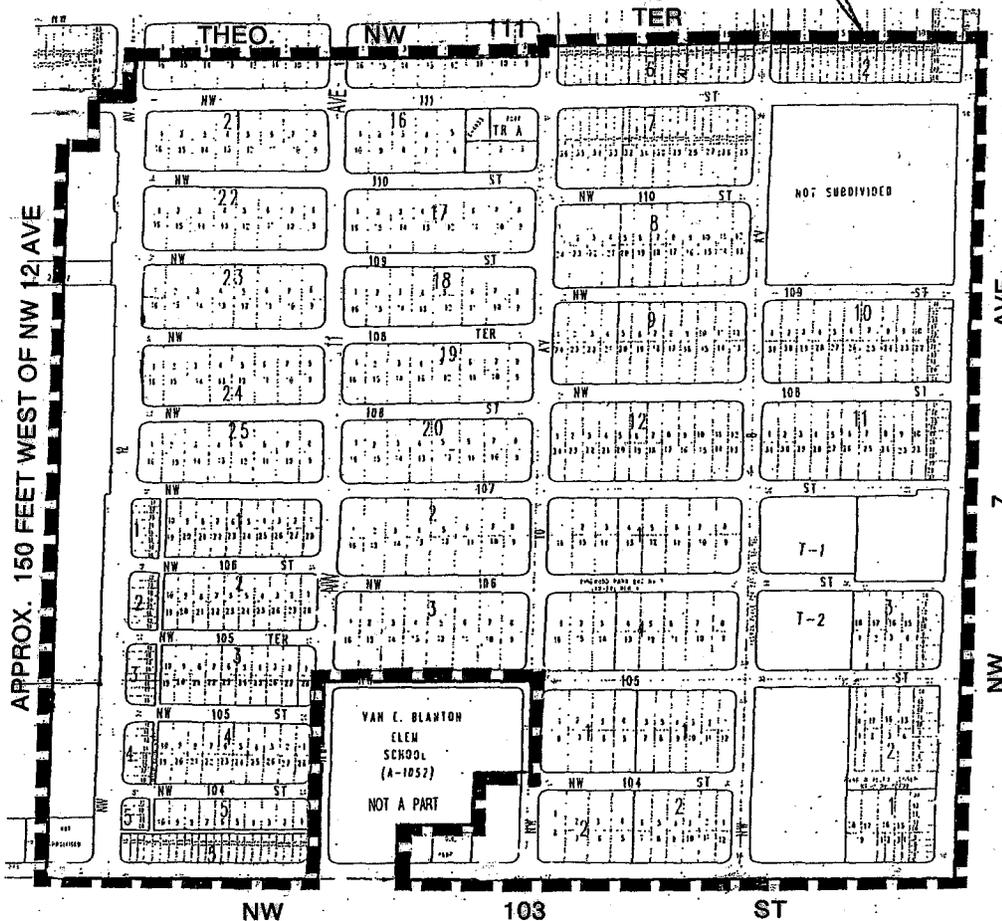
	<u>First Year</u>	<u>Second Year</u>
Cost Per Assessable Foot	\$2.564	\$0.496
Cost Per Year For A Typical 75 Foot Interior Lot	\$192.30	\$37.20
Cost Per Year For A Typical 80x140 Foot Corner Lot	\$338.45	\$65.47

The sample assessments shown above were derived using 47,500 total assessable front feet as a basis.

The proposed improvement conforms with the Comprehensive Development master Plan of Miami-Dade County and will provide benefits to all property within the district at least equal to or exceeding the total amount of special assessments.

The creation of the district will be subject to the results of an election which will be conducted by the Miami-Dade County Elections Department in which a ballot will be sent by mail to each qualified registered elector living within the proposed boundaries. The elector will, at that time, have the opportunity to vote for or against the services. The results of this election will determine whether or not the district is created.

# DISTRICT BOUNDARIES



## PINWOOD PARK EXTENSION STREET LIGHTING SPECIAL TAXING DISTRICT

NOTE: N.W. 7 AVE & N.W. 103 ST. LIT BY ARTERIAL STREET LIGHTING.

- 27 – 16,000 LUMEN SODIUM VAPOR BRACKET-ARM STREET LIGHTS MOUNTED ON EXISTING WOOD POLES, INSTALLED APPROX. 150-225 FEET APART ALONG NW 12 AVE. & NW 111 ST.
- 1 – 16,000 LUMEN SODIUM VAPOR BRACKET-ARM STREET LIGHT MOUNTED ON NEW CONCRETE POLE, INSTALLED APPROX. 210-225 FEET FROM ADJACENT LIGHTS ALONG NW 111 ST.
- 70 – 9,500 L.S.V. BRACKET-ARM STREET LIGHTS MOUNTED ON NEW CONCRETE POLES, INSTALLED APPROX. 150 – 225 FEET APART ALONG ALL OTHER PUBLIC ROADWAYS WITHIN THE S.T.D. BOUNDARIES
- 57 – 9,500 L.S.V. BRACKET-ARM STREET LIGHTS MOUNTED ON EXISTING WOOD OR CONCRETE POLES, INSTALLED APPROX. 150-225 FEET APART ALONG ALL OTHER PUBLIC ROADWAYS WITHIN THE S.T.D. BOUNDARIES

SECTION: 35-52-41

EXHIBIT "A"  
(Revised 9/17/04)

L-1061 (COMM. 0002)