Memorandum

MIAMI-DADE COUNTY

Date: July 17, 2008

Substitute
Agenda Item No. 5(C)

To: Honorable Chairman Bruno A. Barreiro
and Members, Board of County Commissioners

From: George M. Burgess
County Manager

Subject: Sky Lake Roving Patrol Security Guard
Special Taxing District

This substitute is to correct language in the Manager's report and the Exhibit A map clarifying actions taken by the Public Works Department to expand the petition boundaries upon review of the executed petition documents submitted to the Department.

Recommendation

It is recommended that the Board of County Commissioners (BCC) approve a petition submitted in accordance with Article 1, Chapter 18 of the Code, for creation of the Sky Lake Roving Patrol Security Guard Special Taxing District. The creation of this District is requested pursuant to petition submitted by the residents of the Sky Lake neighborhood.

Scope

This proposed special taxing district is located within Commission District Four (4) and will provide roving patrol security services.

Fiscal Impact/Funding Source

Creation of this District will result in no economic impact on the County's budget except the advancement of funds from various Departments for expenditures or labor and materials necessary to process the District. All District costs incurred will be reimbursed to each Department after the BCC adopts the District's preliminary assessment roll, ratification of BCC action by registered voters through mailed ballot, and the anticipated collection of assessments on the affected property owner's November 2008 annual tax bill.

After the first year, the economic impact on the private sector will be a perpetual annual special assessment for the cost of security guard service to all property owners within the District.

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.

Track Record/Monitoring

The Public Works Department's Special Taxing Districts Division will monitor compliance with the terms and conditions of a contract with a private off-duty police officer service provider.

Background

Boundaries:	On the North, NE 199th Street; On the East, NE 22nd Avenue; On the South, NE 185th Street; On the West, NE 18th Avenue.
Number of Parcels:	689
Number of Owners:	606
Number of Owners With Homestead Exemption Signing Petition:	356 or 58.7% of the resident property owners.
Preliminary Public Meeting:	May 1, 2008.
Type of Improvements:	The service will consist of a roving security patrol service, provided by off-duty police, 24 hours per day, 365 days per year.
Required Referendum:	Every qualified registered voter residing within the District limits will be afforded the opportunity to vote at an election conducted by mail, and estimated to be held in September 2008.
Preliminary Assessment Roll:	Submitted on the same agenda as a separate agenda item for consideration and adoption by the BCC and contingent upon BCC 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.
Estimated Start of Service:	October 2008
Estimated Initial Billing:	November 2008. Assessment billed annually as an itemized portion of the annual tax bill.

	First Year	Second Year
Estimated Total District Cost:	$552,500	$454,000
Method Of Apportionment:	Unit	
Estimated Annual Assessments:		
Per Undeveloped Lot or Parcel Assessed as ½ a Unit	$401	$329
Per Developed Lot or Parcel Assessed as 1 Unit	$801	$658
Per Multifamily Residences Assessed as 2 Units	$1,602	$1,316

The annual assessments shown above are representative of costs for typical property within this District.

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

Each security guard 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 Section 18-3 of the Code, I have reviewed the facts submitted by the Public Works Director and concur with her recommendation that this District be created, if approved by the referendum required subsequent to this public hearing.

Assistant County Manager

MEMORANDUM

(Revised)

TO: Honorable Chairman Bruno A. Barreiro and Members, Board of County Commissioners

DATE: July 17, 2008

FROM: R. A. Cuevas, Jr. County Attorney

SUBJECT: Substitute Agenda Item No. 5(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**

Substitute
Agenda Item No. 5(C)
7-17-08

Approved _____ Mayor
Veto _____
Override _____

ORDINANCE NO. _____

ORDINANCE CREATING AND ESTABLISHING A SPECIAL TAXING DISTRICT IN MIAMI-DADE COUNTY, FLORIDA, KNOWN AND DESCRIBED AS SKY LAKE ROVING PATROL SECURITY GUARD SPECIAL TAXING DISTRICT IN ACCORDANCE WITH THE PROVISIONS OF CHAPTER 18 OF THE CODE OF MIAMI-DADE COUNTY, FLORIDA; AND PROVIDING AN EFFECTIVE DATE

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

WHEREAS, the Home Rule Charter adopted by the electors of Miami-Dade County on May 21, 1957, provides that the Board of County Commissioners, as the legislative and the governing body of Miami-Dade County, shall have the power to establish special purpose districts within which may be provided essential facilities and services, including police protection services, 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 therefore; 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 SKY LAKE ROVING PATROL SECURITY GUARD SPECIAL TAXING DISTRICT duly signed by more than 50% of the resident owners 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 roving patrol security services 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 roving patrol security services to be provided and maintained within the proposed district, his certification that the proposed district conform to the master plan of development for the County, and setting forth his recommendations concerning the need for and desirability of the requested services, the ability of the affected property to bear special assessments for financing the cost of providing such services, and an estimate of the amount to be assessed against each developed and/or vacant/underdeveloped benefited parcel of 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,

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 located partially within a portion of the City of North

Miami Beach, Florida and partially within a portion of unincorporated Miami-Dade County, Florida, known and designated as the SKY LAKE ROVING PATROL SECURITY GUARD SPECIAL TAXING DISTRICT is hereby created and established.

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

A portion of Section 4, Township 52 South, Range 42 East, Miami-Dade County, Florida; being more particularly described as follows:

The south 105.00 feet of the N ½ of the N ½ of the NE ¼ of the SE ¼ of the SW ¼ of said Section 4;

And

The west 232.00 feet of the north 413.63 feet of the south 598.66 feet of the SE ¼ of the NE ¼ of the SW ¼ of said Section 4;

And

The west 275.00 feet of the SE ¼ of the NE ¼ of the SW ¼ less the south 598.66 feet thereof of said Section 4;

And

The west 275.00 feet of the NE ¼ of the NE ¼ of the SW ¼ less the north 619.68 feet thereof of said Section 4;

And

The west 275.00 feet of the south 206.48 feet of the north 619.68 feet of the NE ¼ of the NE ¼ of the SW ¼ of said of Section 4;

And

The south 150.00 feet of the north 413.20 feet of the NE ¼ of the NE ¼ of the SW ¼ less the east 350.00 feet thereof of said Section 4;

And

Blocks 1 through 10 and Lots 1 through 7 of Block 11 of "Sky Lake" as described in Plat Book 60 at Page 8;

And

"Sky Lake Estates" as described in Plat Book 66 at Page 129;

And

"Greynolds Park West" as described in Plat Book 67 at Page 138;

And

Lots 1 through 8 of "Delmar Heights" as described in Plat Book 73 at Page 23;

And

Lots 1 through 5 and Lots 12 through 14 of "Ellarue Estates" as described in Plat Book 64 at Page 8;

And

Blocks 1 through 6 and Lots 19 through 56 of Block 7 of "Greyknoll Estates" as described in Plat Book 60 at Page 99;

And

Lots 2 through 28 of Block 1, all of Blocks 2 and Block 3, and Lot 2 of Block 4 of "Highland Woods Section One" as described in Plat Book 65 at Page 83;

And

Block 2, Block 3, Lots 3 through 11 of Block 4, and Block 5 of "Highland Woods Section Two" as described in Plat Book 68 at Page 33;

And

"Highland Woods Section Three" as described in Plat Book 68 at Page 93;

And

"Highland Woods Section Four" as described in Plat Book 72 at Page 24;

And

"Amended Plat of Highland Woods Section Five" as described in Plat Book 73 at Page 49;

And

Lots M, N, P, Q, R, S, T and U of "Resubdivision of Lots 1, 2, 5, 6, 7, 8, 9, 17 & 18 and Lots 57 through 62, Block 7, of Greyknoll Estates" as described in Plat Book 73 at Page 26;

And

"Highland Woods Section Seven" as described in Plat Book 76 at Page 49;

And

"Sky Lake Enchanted Gardens" as described in Plat Book 82 at Page 38;

And

Lots 8 through 14 of Block 1 of "Skylake Manors" as described in Plat Book 84 at Page 13;

And

"R & C Estates" as described in Plat Book 141 at Page 65;

And

Lot 26 of Block 4, and all of Blocks 5 and 8 of "Highland Woods Section Six" as described in Plat Book 73 at Page 24;

And

Lots 17 through 22 of Block 1 of "North Lake Estates" as described in Plat Book 87 at Page 18;

And

Lots 24 through 39 of Block 5 and Lots 8 and 9 of Block 6 of "Enchanted Lake Section 3" as described in Plat Book 65 at Page 12.

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

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:

A roving security patrol service, provided by off-duty police, 24 hours per day, 365 days per year.

Section 4. The estimated cost to the property owners for the security guard services including engineering, administrative, billing, collecting and processing for the first year is

$552,500, and $454,000 for each year thereafter. The County will advance funds for this program, which sum shall be reimbursed by special assessments. It is estimated that the cost per developed parcel of real property within the proposed district for the first year is $801 and $658 for the second and succeeding years. It is estimated that the cost per vacant/undeveloped parcel of real property within the proposed district for the first year is $401 and $329 for the second and succeeding years. It is estimated that the cost per multifamily residences/parcel of real property within the proposed district for the first year is $1,602 and $1,316 for the second and succeeding years.

Section 5. It is hereby declared that said 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 County Manager is hereby authorized and directed to take all necessary steps to solicit and receive competitive bids in accordance with established County procedures, and/or, in his discretion, enter into an interlocal agreement or service agreement with off-duty police officers for providing security guard services within the district.

Section 7. The County Manager is directed to cause to be prepared and filed with the Clerk of the County Commission a Preliminary Assessment Roll in accordance with the provisions of Section 18-14 of the Code of Miami-Dade County, Florida. As authorized by Section 197.363, Florida Statutes, all special assessments levied and imposed under the provisions of this Ordinance shall be collected, subject to the provisions of Chapter 197, Florida Statutes, in the same manner and at the same time as ad valorem taxes. In accordance with utilization of the ad valorem tax collection method, if such special assessments are unpaid, when due, the potential for loss of title to the property exists.

Section 8. 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 9. 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.

PASSED AND ADOPTED:

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

Prepared by:

James K. Kracht

REPORT AND RECOMMENDATIONS
ON THE CREATION OF SKY LAKE ROVING PATROL
SECURITY GUARD 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 Sky Lake Roving Patrol Security Guard Special Taxing District.

1. **BOUNDARIES OF THIS DISTRICT**

The proposed District is located within a portion of unincorporated Miami-Dade County and a portion of the City of North Miami Beach. Pursuant to Chapter 18 of the Code, Miami-Dade County has received approval from the City of North Miami Beach to create this special district per Resolution No. R-2008-16, a copy of which is attached. The District's original petition boundaries were expanded by the Public Works Department upon review of the executed petition documents to include twenty-five properties south of NE 199th Street along NE 22nd Avenue, two properties south of NE 199th Street along NE 19th Avenue, and two properties south of NE 199th Street along NE 19th Court because these properties will receive benefit from the planned roving patrol service and a large number of the owners of these properties signed petition documents consenting to inclusion in the district. Therefore, the general boundaries of the Sky Lake Roving Patrol Security Guard Special Taxing District are now:

On the North, N.E. 199th Street;
On the East, N.E. 22nd Avenue;
On the South, NE 185th Street;
On the West, N.E. 18th Avenue;

and are more fully described as follows:

A portion of Section 4, Township 52 South, Range 42 East, Miami-Dade County, Florida; being more particularly described as follows:

The south 105.00 feet of the N ½ of the N ½ of the NE ¼ of the SE ¼ of the SW ¼ of said Section 4;

And

The west 232.00 feet of the north 413.63 feet of the south 598.66 feet of the SE ¼ of the NE ¼ of the SW ¼ of said Section 4;

And

The west 275.00 feet of the SE ¼ of the NE ¼ of the SW ¼ less the south 598.66 feet thereof of said Section 4;

And

The west 275.00 feet of the NE ¼ of the NE ¼ of the SW ¼ less the north 619.68 feet thereof of said Section 4;

And

The west 275.00 feet of the south 206.48 feet of the north 619.68 feet of the NE ¼ of the NE ¼ of the SW ¼ of said of Section 4;

And

The south 150.00 feet of the north 413.20 feet of the NE ¼ of the NE ¼ of the SW ¼ less the east 350.00 feet thereof of said Section 4;

And

Blocks 1 through 10 and Lots 1 through 7 of Block 11 of "Sky Lake" as described in Plat Book 60 at Page 8;

And

"Sky Lake Estates" as described in Plat Book 66 at Page 129;

And

"Greynolds Park West" as described in Plat Book 67 at Page 138;

And

Lots 1 through 8 of "Delmar Heights" as described in Plat Book 73 at Page 23;

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Lots 1 through 5 and Lots 12 through 14 of "Ellarue Estates" as described in Plat Book 64 at Page 8;

And

Blocks 1 through 6 and Lots 19 through 56 of Block 7 of "Greyknoll Estates" as described in Plat Book 60 at Page 99;

And

Lots 2 through 28 of Block 1, all of Blocks 2 and Block 3, and Lot 2 of Block 4 of "Highland Woods Section One" as described in Plat Book 65 at Page 83;

And

Block 2, Block 3, Lots 3 through 11 of Block 4, and Block 5 of "Highland Woods Section Two"as described in Plat Book 68 at Page 33;

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Lots M, N, P, Q, R, S, T and U of "Resubdivision of Lots 1, 2, 5, 6, 7, 8, 9, 17 & 18 and Lots 57 through 62, Block 7, of Greyknoll Estates" as described in Plat Book 73 at Page 26;

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Lots 8 through 14 of Block 1 of "Skylake Manors" as described in Plat Book 84 at Page 13;

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Lot 26 of Block 4, and all of Blocks 5 and 8 of "Highland Woods Section Six" as described in Plat Book 73 at Page 24;

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Lots 17 through 22 of Block 1 of "North Lake Estates" as described in Plat Book 87 at Page 18;

And

Lots 24 through 39 of Block 5 and Lots 8 and 9 of Block 6 of "Enchanted Lake Section 3" as described in Plat Book 65 at Page 12.

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

The boundaries are shown on the attached plan entitled Sky Lake Roving Patrol Security Guard Special Taxing District and hereinafter referred to as Exhibit A.

A preliminary meeting was held on May 1, 2008, at Highland Oaks Middle School, at which time the property owners in attendance were presented the facts pertaining to the boundaries of this District, a description of the security service to be provided, its costs and the method of payment.

2. DESCRIPTION OF THE SERVICE TO BE PROVIDED

The service will be a visible safety and mobile security program consisting of one off-duty police officer in a marked police vehicle operating 24 hours per day, 365 days a year. The service level will be reviewed with the owners of property within the District prior to renewal or reletting of a service contract as an integral part of this District's budget process.

This service will be provided by off-duly Florida Highway Patrol officers. In the event that the services of off-duty police officers cannot be secured, the County may provide unarmed service through a State of Florida licensed and bonded security guard firm under contract with Miami-Dade County. The service, as administered by the Miami-Dade County Public Works Department, will commence at the earliest practicable time, following the creation and establishment of the District by the Miami-Dade County Board of County Commissioners (BCC) and said creation ratified by the electorate at the required subsequent referendum.

3. ESTIMATED COST FOR THIS SERVICE

The request made by the petitioners is for off-duty police officer security service as indicated in Section 2 of this report. The estimated service cost is based upon the hourly rate obtained through County experience with similar Florida Highway Patrol service providers. For this report, an average estimated

hourly rate of $45.00 for the mobile off-duty police officer in a marked vehicle was multiplied by the annual number of hours of security service for an estimated annual total service cost of $395,000. In addition to the cost for the security service, a deposit of $33,000 to ensure a minimum of 30 days service was also included.

In addition to the cost for the security service, general liability insurance is estimated at $10,000 annually and cellular phone service at $1,000 annually. It will also be necessary for the County to recover the engineering and contract administrative costs incurred to establish and maintain the District as provided by Chapter 18 of the Code. This is estimated to be $12,000 the first year and $6,000 annually thereafter. Also, it will be necessary for the County to charge the District a fee for handling the billing, advertising, collecting, processing the monthly invoices to the security service provider and election costs. This cost is estimated to be $9,500 for the first year and $1,000 annually thereafter. Also, contingency funds in the amount of $92,000 for the first year and $41,000 annually thereafter are provided. Therefore, the first year total cost is estimated to be $552,500 and the second year total cost is estimated to be $454,000. Succeeding year's costs will be determined on an annual basis.

ESTIMATED ANNUAL COSTS

	First Year	Second Year
Annual Service Cost	$395,000	$395,000
30 Days Service Advance	33,000	0
General Liability Insurance Equipment	10,000	10,000
Equipment	1,000	1,000
Engineering & Contract Administrative Cost	12,000	6,000
Billing, Collecting, Processing Cost and Election	9,500	1,000
Contingency Cost	92,000	41,000
Total District Cost	$552,500	$454,000

4. PROCEDURE

Prior to commencement of service, the Mayor or his designee, on behalf of Miami-Dade County will secure the services of off-duty Florida Highway Patrol officers or duly approved security guards wherein it is agreed that the County will pay the service providers through a contract, in equal monthly payments, one twelfth of the annual cost now estimated to be $395,000 or approximately $32,900 per month.

Each property owner in the District will pay the County, by special assessment on a unit basis, a proportionate share of the total annual cost. This cost will be shown as an itemized portion of the annual ad valorem tax bill.

5. 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).

6. RECOMMENDATION CONCERNING THE DESIRABILITY OF THIS DISTRICT

The proposed security program is desirable as evidenced by the property owners' petition. The net property valuation of $167,537,397 based on the 2007 Miami-Dade County Real Estate Property Cards is a good indication that the affected property is able to support such assessments as may be required. In my opinion, the proposed improvement will provide special benefits to properties within the District equal to or exceeding the amount of special assessments to be levied.

7. ESTIMATE OF ASSESSMENT AGAINST BENEFITED PROPERTY

The combined estimated annual cost for the security service and other expenses as estimated and indicated in Item 3 above is $552,500 the first year and $454,000 the second year, with succeeding years' cost determined annually. The cost is to be paid for by special assessment against benefited properties and is to be apportioned to individual properties within the boundaries of the District on a unit basis. The cost per unit to be assessed for this service is estimated as follows:

	First year	Second Year
Estimated Total District Cost:	$552,500	$454,000
Method Of Apportionment:	Unit	
Estimated Annual Assessments:		
Per Undeveloped Lot or Parcel Assessed as ½ a Unit	$401	$329
Per Developed Lot or Parcel Assessed as 1 Unit	$801	$658
Per Multifamily Residences Assessed as 2 Units	$1,602	$1,316

These costs are based on a preliminary estimate of 690 units and will be adjusted from actual experience.

8. RECOMMENDATION

It is my recommendation that the creation, financing and implementation of the District be authorized by an ordinance to be adopted by the BCC, subject to ratification by the District's electorate at a special referendum to be called by the BCC. It is also recommended that upon adoption of the ordinance creating this special taxing district, the BCC 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 along with a project report summary provided to each District registered voter. It is further recommended that the BCC 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 funds necessary to reimburse affected County Agencies involved in the creation and establishment of the District, as well as provide funding for 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. It is anticipated that the assessment will appear on the November 2008, and subsequent year's tax bill following the election, if approved by the electorate. In the event actual costs are lower than the estimated costs in the ordinance, the Director of the

Public Works Department or her designee may adjust and decrease the unit rate of assessment necessary to provide adequate revenue to cover District expenses. In the event actual costs are higher than the costs estimated in the ordinance, the County Manager shall 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 shall take effect when ratified at an election to be formally called, noticed and conducted as the BCC shall determine by resolution unless vetoed by the Mayor. If vetoed, it shall become effective only upon an override by the BCC and District approval at the subsequent election. My office also be available to answer any questions from the public or 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 BCC after he has reviewed it and concurred with our findings.

Enclosures:
(1) Copy of Petition Validation Memo and Petition Sample
(2) Copy of Resolution from the City of North Miami Beach
(3) Copy of Memo from Department of Planning and Zoning
(4) Copy of Summary of Report
(5) District Boundary Map (Exhibit A)

Memorandum

MIAMI-DADE COUNTY

Date: March 28, 2008

To: Kay M. Sullivan, Director
Office of the Clerk of the Board
Attn: Felicia Hurst

From: Donald L. Tock, Jr.
Chief, Special Taxing Districts Division
Public Works Department

Subject: Sky Lake Roving Patrol Security Guard 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 checked 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	689
2.	Total number of resident owners of property within district boundaries	606
3.	Total number of resident owners signing the attached petition	356
4.	Percentage of resident owners signing the attached petition	58.7%
5.	Net Property Valuation	$167,537,397

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

Attachment

SKY LAKE ROVING PATROL
SECURITY GUARD SPECIAL TAXING DISTRICT
MIAMI-DADE COUNTY PUBLIC WORKS DEPARTMENT SPECIAL TAXING DISTRICTS DIVISION

Petition Issue Date 10 / 15 / 2007 Petition Received Date 3 /18/ 08

To the Petitioner: You are required to circulate this petition among all property owners within the district boundaries listed below. In order for the petition to be considered a valid current indicator of community preference, it must be completed and returned within four months from the date of issue. All submitted petition forms must be original and completed in ink.

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 and establishment of the Sky Lake Roving Patrol Security Guard Special Taxing District. We understand that the signatures of 50% of the resident property owners signing the petition will validate the petition. 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 or Services: the proposed district will provide a roving security patrol service, provided by an off-duty armed police officer. Service will be provided 24 hours per day, 365 days a year. It is understood and agreed that the final district boundaries, operation and administration of the district will be determined by the Miami-Dade County Public Works Department.

Proposed Boundaries: North, NE 198th Terrace; East, NE 22nd Avenue;
South, NE 185th Street; West, NE 18th Avenue.
(See boundaries sketch Exhibit A on reverse side)

ESTIMATED INDIVIDUAL PROPERTY TAX BILL INCREASE FOR THE GUARD SERVICE IS BASED ON THE USE OF AN OFF-DUTY ARMED POLICE OFFICER AND IS ESTIMATED TO BE $841.68 PER DEVELOPED PARCEL THE FIRST YEAR, AND $692.11 PER DEVELOPED PARCEL THE SECOND YEAR.

OWNER'S NAME	PROPERTY ADDRESS	DATE SIGNED
Print: SARAH BEREZDIVIN	Folio No.: 07-2204-014-0020	10/11/07
Sign: [signature]	2050 N.E. 185 TER.	10/11/07
Print: ALEJANDRO C. SCOP	Folio No.: 07-2204-014-0030	10/11/07
Sign: [signature]	2030 N.E. 185 TER.	
Print: NADIE ALEXANDRE	Folio No.: 07-2204-014-0050	10/11/07
Sign: [signature]	2010 N.E. 185 TER.	
Print: DONNA GAINES	Folio No.: 07-2204-014-0090	10/11/07
Sign: [signature]	1970 N.E. 185 TER.	
Print: SHAHIDA AKHTAR	Folio No. 07-2204-014-0430	10/12/07
Sign: [signature]	1901 N.E. 185 TER.	
Print: WILMA WAX / HERBERT WAX	Folio No. 07-2204-014-1000	10/12/07
Sign: [signature] Wilma Wax	2070 N.E. 186 DR.	

NOTE: Only one resident owner's signature per household will count toward the 50% Code requirement for petition validation. However, circulation of petition among all properties in the proposed District is urged to ensure these persons are informed of the proposal on which they may be called to vote. **Altering this form in any way invalidates the entire petition.**

A RI SOLUTION OF THE MAYOR AND CITY COUI CIL OF THE CITY OF NORTH MIAMI BEAC H, FLORIDA, APPROVING THE CREATION OF T IE SKYLAKE ROVING PATROL SECURITY GUAI D SPECIAL TAXING DISTRICT IN THE SKYI AKE NEIGHBORHOOD SUBJECT TO APPR OVAL OF A SPECIAL TAXING DISTRICT AND COMPLIANCE WITH APPLICABLE MIAMI-DADI COUNTY CHARTER AND CODE REQI IREMENTS; AUTHORIZING THE CITY MAN AGER TO ENTER INTO AN INTERLOCAL AGRI EMENT.

WHEREAS, he Skylake Community has petitioned Miami-Dade County for the creation of a specia taxing district for a roving patrol security guard protecting the residential area, a po tion of which lies within the City of North Miami Beach, with the following proposed l oundaries: North, NE 198th Terrace; South, NE 185th Street; East, NE 22nd Avenue; an West, NE 18th Avenue, pursuant to Chapter XVIII of the Code of Metropolitan Miami-)ade County; and

WHEREAS, the City of North Miami Beach acknowledges and allows the operation of a roving patrol security guard, should the special taxing district be created; and

WHEREAS, the City of North Miami Beach intends to enter into an Interlocal Agreement with Mi ni-Dade County allowing the County to collect funds during the first fiscal year of he special taxing district to pay for any necessary equipment expenditures related to the roving patrol security guard, and thereafter to fund the ongoing costs of the oving patrol security guard.

NOW, THEI EFORE,

BE IT RES(LVED by the City Council of the City of North Miami Beach, Florida.

Section 1. The City of North Miami Beach hereby authorizes the County to create the Skylake R ving Patrol Special Taxing District without restraining stipulations or conditions, and to evy special assessments in support of this service.

Section 2. Th e City agrees that the County will purchase all necessary equipment for the operation of th e district.

Section 3. The City does not guarantee that off-duty police services will be made available to provide district services but would not be opposed to such services being provided.

Section 4. The City Manager is hereby authorized to execute an Interlocal Agreement between the City and the County in the event that the City provides off-duty police services to the Skylake special taxing district.

APPROVED AND ADOPTED by the City of North Miami Beach City Council at the regular meeting assembled this 27th day of May, 2008.

ATTEST:

SOLOMON ODENZ
CITY CLERK

RAYMOND F. MARIN
MAYOR

(CITY SEAL)

APPROVED AS TO FORM:

HOWARD B. LENARD
CITY ATTORNEY

SPONSORED BY: Mayor and City Council

STATE OF FLORIDA
COUNTY OF MIAMI-DADE
CITY OF NORTH MIAMI BEACH:

I, SOLOMON ODENZ, City Clerk of the City of North Miami Beach, do hereby certify that the attached and foregoing is a true and correct copy of the original thereof on file in this office.

IN WITNESS WHEREOF, I have hereunto set my hand and official seal on this ___ day of ___, A.D. 20__.

SOLOMON ODENZ
City Clerk of the City of North Miami Beach, Florida

By: _____
City Clerk

Memorandum

MIAMI-DADE COUNTY

Date: April 18, 2008

To: Esther Calas, P.E., Director
Public Works Department

From: Subrata Basu, AIA, AICP, Interim Director
Department of Planning and Zoning

Subject: Sky Lake Roving Patrol Security Guard Special Taxing District

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The following is in response to your memorandum of March 21, 2008, requesting this Department's determination that the proposed Sky Lake Roving Patrol Security Guard Special Taxing District conforms or conflicts with the Miami-Dade County Comprehensive Development Master Plan (CDMP).

The applicant is requesting a special taxing district to facilitate a proposed roving patrol for the area/neighborhood located generally between NE 199 and NE 185 Streets and between NE 18 and NE 22 Avenues, comprising the northernmost portion of the City of North Miami Beach and portions of unincorporated Miami-Dade County. Staff has reviewed the request for establishing a special taxing district and finds that there are no conflicts with the CDMP; therefore, the Department has no objection to the proposal.

It should be noted that the area subject to this request was the object of a previous petition, which sought to establish the Sky Lake Security Guard Special Taxing District. This request was denied by the Miami-Dade Board of County Commissioners (BCC) in March 2007 due to non-compliance with the CDMP and the negative effects on homes located near the three proposed guard house sites. The previous petition proposed to restrict points of ingress/egress to the neighborhood through the construction of three guardhouses and eleven barricades across the roadways accessing the neighborhood. The attached County Manager's memo dated March 20, 2007, to the Honorable Chairman Bruno A. Barreiro and members of the BCC includes a background and an outline of actions on the previous petition leading up to the BCC's March 2007 hearing.

Thank you for the opportunity to comment on this amendment. Should you or any member of your staff have any questions regarding this information, please feel free to call Mr. Mark R. Woerner, Acting Assistant Director for Planning, at ext. 2835.

SB:MRW:PHC:NS:gar

Attachment

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SUMMARY OF THE REPORT
ON THE CREATION OF SKY LAKE ROVING PATROL
SECURITY GUARD 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 Sky Lake Roving Patrol Security Guard Special Taxing District was presented in accordance with the requirements of Article 1, Chapter 18 of the Code of Miami-Dade County.

The proposed district is located within portions of unincorporated Miami-Dade County and the City of North Miami Beach, and its boundaries are set forth as follows:

On the North, N.E. 199th Street;
On the East, N.E. 22nd Avenue;
On the South, NE 185th Street;
On the West, N.E. 18th Avenue.

The boundaries are shown on the attached plan entitled Sky Lake Roving Patrol Security Guard Special Taxing District and hereinafter referred to as Exhibit A.

The purpose of the petition is to provide a roving security patrol service, to consist of one off-duty police officer operating from a mobile patrol unit, 24 hours per day, 365 days a year.

ESTIMATED ANNUAL COSTS

	First Year	Second Year
Annual Service Cost	$395,000	$395,000
30 Days Service Advance	33,000	0
General Liability Insurance	10,000	10,000
Equipment	1,000	1,000
Engineering & Contract Administrative Cost	12,000	6,000
Billing, Collecting, Processing Cost and Election	9,500	1,000
Contingency Cost	92,000	41,000
Total District Cost	$552,500	$454,000

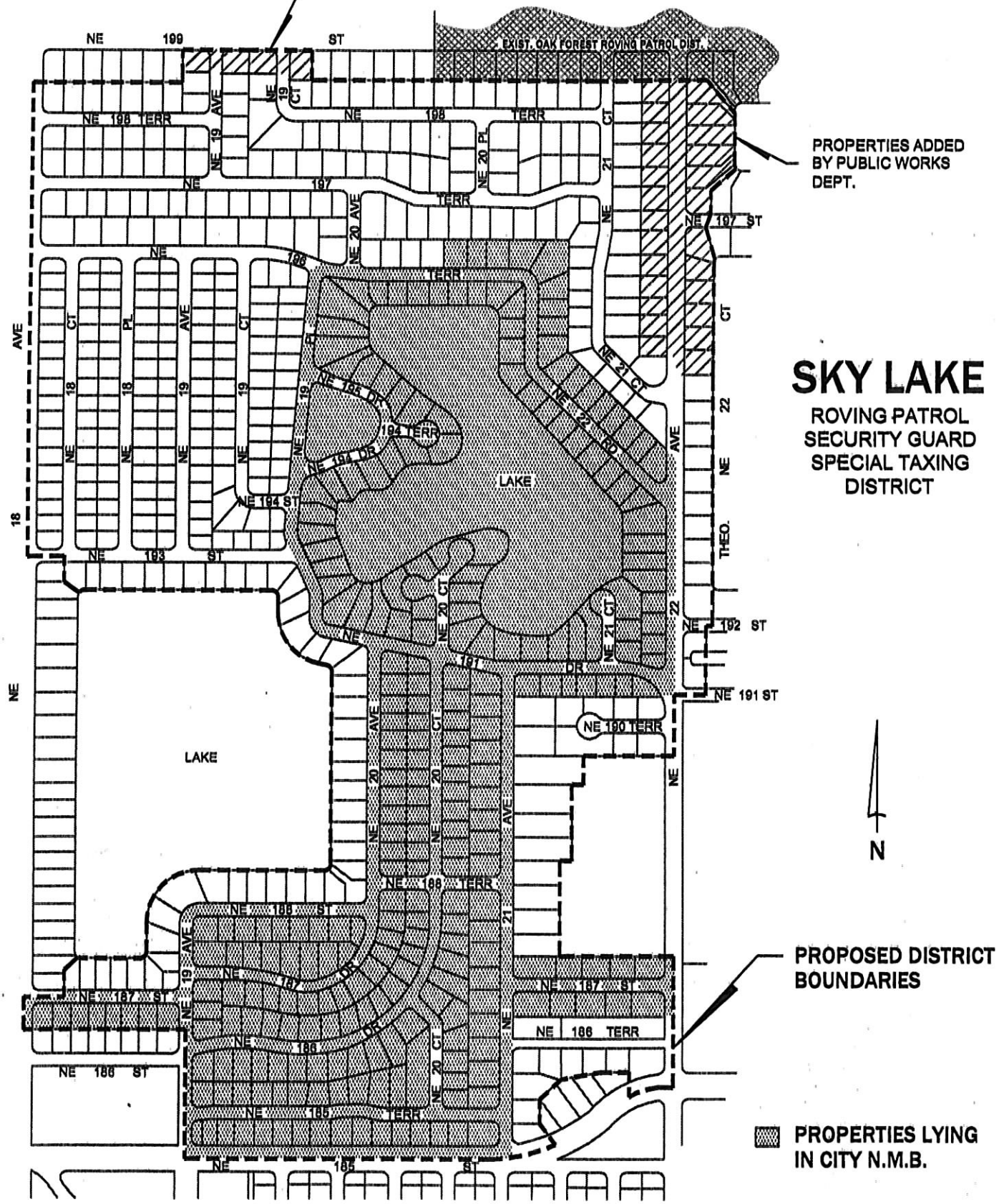
SAMPLE ASSESSMENT

	First Year	Second Year
Per Developed Lot or Parcel Assessed as 1 Unit	$801	$658
Per Multifamily Residences Assessed as 2 Units	$1,602	$1,316
Per Undeveloped Lot or Parcel Assessed as ½ a Unit	$401	$329

This cost is based on a preliminary estimate of 690 units and will be adjusted from actual experience. The proposed improvement conforms with the Comprehensive Development Master Plan of Miami-Dade County and will provide benefits to all property within the District at least equal to or exceeding the total amount of special assessments to be levied.

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 mailed ballot will be sent 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 improvement. The results of this election will determine whether or not the District is ratified and implemented.

Attachment: Exhibit A



G-260 (COMM.0004)
SECTION: 04 - 52 - 42

EXHIBIT "A"
(CORRECTED)

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B. Carlton/ S. Ferrer