

MEMORANDUM

Agenda Item No. 5(E)

TO: Honorable Chairman Jean Monestime
and Members, Board of County Commissioners

DATE: June 30, 2015

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

SUBJECT: Ordinance amending Ordinance
No. 04-84 relating to the
Colonnade Multipurpose Special
Taxing District in accordance
with the provisions of Chapter 18
of the Code to modify the
description of the park facilities
and services needed to maintain
same within the special taxing
district

The accompanying ordinance was prepared and placed on the agenda at the request of Prime Sponsor Commissioner Xavier L. Suarez.



R. A. Cuevas, Jr.
County Attorney

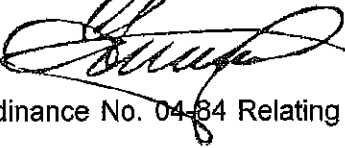
RAC/cp

Memorandum



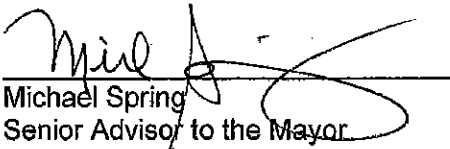
Date: June 30, 2015

To: Honorable Chairman Jean Monestime
and Members, Board of County Commissioners

From: Carlos A. Gimenez
Mayor 

Subject: Ordinance Amending Ordinance No. 04-84 Relating To The Colonnade Multipurpose
Special Taxing District

The proposed ordinance amends Section 3 and 6 of the 2004 Ordinance No. 4-84 relating to the Colonnade Multipurpose Special Taxing District in accordance with the provisions of Chapter 18 of the Code. The item modifies the description of the park facilities and services to include a tot lot and dog park. Implementation of this ordinance will not have a fiscal impact on the County.


Michael Spring
Senior Advisor to the Mayor

Fis07015



MEMORANDUM

(Revised)

TO: Honorable Chairman Jean Monestime
and Members, Board of County Commissioners

DATE: June 30, 2015

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

SUBJECT: Agenda Item No. 5(E)

Please note any items checked.

- "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
- Ordinance creating a new board requires detailed County Mayor's report for public hearing
- No committee review
- Applicable legislation requires more than a majority vote (i.e., 2/3's ____, 3/5's ____, unanimous ____) to approve
- Current information regarding funding source, index code and available balance, and available capacity (if debt is contemplated) required

Approved _____ Mayor
Veto _____
Override _____

Agenda Item No. 5(E)
6-30-15

ORDINANCE NO. _____

ORDINANCE AMENDING ORDINANCE NO. 04-84 RELATING TO THE COLONNADE MULTIPURPOSE SPECIAL TAXING DISTRICT IN ACCORDANCE WITH THE PROVISIONS OF CHAPTER 18 OF THE CODE OF MIAMI-DADE COUNTY, FLORIDA TO MODIFY THE DESCRIPTION OF THE PARK FACILITIES AND SERVICES NEEDED TO MAINTAIN SAME WITHIN THE SPECIAL TAXING DISTRICT; PROVIDING SEVERABILITY, INCLUSION IN THE CODE, AND 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 therefore; and

WHEREAS, in accordance with the provisions of Chapter 18 of the Code of Miami-Dade County, Florida, this Board established in 2004, pursuant to Ordinance No. 04-84 (“2004 Ordinance”) attached hereto as Exhibit “A”, the Colonnade Multipurpose Special Taxing District (the “Special Taxing District”); and

WHEREAS, the 2004 Ordinance provided that the “service to be provided within this proposed special taxing district will initially consist of . . . [m]aintenance of turf, trees, shrubs and irrigation of medians, swales, and the park, a fountain and painting and graffiti eradication for the exterior face of a wall;” and

WHEREAS, the 2004 Ordinance further specified that the amenities within the Special Taxing District were limited to lawn/grass, an irrigation system, trees/shrubs, a decorative wall, and a fountain; and

WHEREAS, the amenities to be maintained by the Special Taxing District were required to be constructed by Colonnade at Dadeland Owner, LLC (“Developer”), who was developing the surrounding residential apartment and condominium buildings; and

WHEREAS, based on community needs and the recommendations of the Parks, Recreation and Open Spaces Department (“Parks Department”), the Developer constructed a tot-lot and a dog park at the park and will instead install the fountain on another park to be built on a nearby parcel; and

WHEREAS, as such, this Board desires to amend the 2004 Ordinance in order to provide that the tot-lot and dog park that were constructed on the park within the geographic boundaries of the Special Taxing District may be maintained by the Special Taxing District; and

WHEREAS, it is hereby declared that the tot-lot and dog park that were constructed on the park within the boundaries of the Special Taxing District will be a special benefit to all property within the Special Taxing District and the total amount of special assessments to be levied, as set forth in Exhibit "A", will not be in excess of the special benefits provided by the tot-lot, dog park and the other improvements and facilities set forth in the 2004 Ordinance; and

WHEREAS, the Special Taxing District will be activated for the new fiscal year commencing on October 1, 2015; and

WHEREAS, this Board acknowledges that the Developer has agreed, pursuant to the Maintenance and Access Easement approved by this Board pursuant to Resolution No. R-434 - 15, to maintain and fund all costs of maintenance of the park within the Special Taxing District until November 1, 2015,

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

Section 1. In accordance with Chapter 18 of the Code of Miami-Dade County, Florida, this Board hereby amends Sections 3 and 6 of the 2004 Ordinance to read as follows:

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

Maintenance of turf, trees, shrubs and irrigation of medians, swales, and the park, a ~~[[fountain]]~~ >>tot-lot, a dog park<< and painting and graffiti eradication for the exterior face of a wall.

* * *

Section 6. Miami-Dade County, as administrator of this district's maintenance program, is directed to provide service by the most effective and efficient means available on a yearly basis, as detailed in the County Manager's report which is made a part hereof by reference >>, except that all references to "a fountain" in such report are instead to be replaced with "tot-lot and dog park" <<.

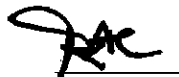
Section 2. A duly certified copy of this Ordinance shall be filed in the Office of the Clerk of the Circuit Court of Miami-Dade County, Florida, and recorded in the appropriate book of records.

Section 3. It is the intention of the Board of County Commissioners, and it is hereby ordained, that the provisions of this ordinance shall be excluded from the Code of Miami-Dade County, Florida.

Section 4. This ordinance shall become effective ten (10) days after the date of enactment unless vetoed by the Mayor, and if vetoed, shall become effective only upon an override by this Board.

PASSED AND ADOPTED:

Approved by County Attorney as
to form and legal sufficiency:



Prepared by:



Monica Rizo
Jorge Martinez-Esteve

Prime Sponsor: Commissioner Xavier L. Suarez



MEMORANDUM

**OFFICIAL FILE COPY
CLERK OF THE BOARD
OF COUNTY COMMISSIONERS
DUVAL COUNTY, FLORIDA**

Agenda Item No. 4(E)

(Public Hearing 5-11-04)

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

DATE: April 13, 2004

FROM: George W. Burgen
County Manager

SUBJECT: Colonnade
Multipurpose Special
Taxing District

04-84

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 Colonnade Multipurpose Special Taxing District.

BACKGROUND

Commission District:

Seven

Boundaries:

On the North, S.W. 82nd Street;
On the East, S.W. 72nd Avenue;
On the South, Snapper Creek Canal;
On the West, S.W. 73rd Avenue.

Number of Parcels:

2 (Tentative plat proposes 555 condominium units).

Number of Owners:

1

**Number of Owners With Homestead
Exemption Signing Petition:**

None - The petition was submitted by Garco Investment Inc., the sole property owner and developer.

Preliminary Public Meeting:

None necessary.

Type of Service:

The creation of this district is requested to maintain landscaped medians, swales, a wall and a park with a fountain. The service to be provided initially consists of the maintenance of turf, trees, shrubs, irrigation, a fountain, and painting and graffiti eradication for the exterior face of a wall.

Required Referendum:

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

x

Preliminary Assessment Roll:

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

Estimated Completion:

October 2006.

ECONOMIC/FISCAL/HOUSING COSTS IMPACT ANALYSIS

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

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

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

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

	<u>First Year</u>	<u>Second Year</u>
Estimated Total District Cost:	\$50,100	\$41,100
Method Of Apportionment:	Square Footage	
Estimated Annual Assessments:		
Cost Per Square Foot:	\$0.1591	\$0.1305
For A Typical Condominium Unit	\$90.37	\$74.12

The annual assessment shown above is representative of the cost for a typical condominium unit within this district.

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

2

9

Honorable Chairperson Barbara Carey-Shuler, Ed.D.
and Members, Board of County Commissioners
Page 3

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

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



Assistant County Manager

3
10



MEMORANDUM

(Revised)

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

DATE: May 11, 2004

FROM: Robert A. Ginsburg
County Attorney

SUBJECT: Agenda Item No. 4(E)

Please note any items checked.

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

4

11

Approved _____ Mayor

Agenda Item No. 4(E)
5-11-04

Veto _____

Override _____

ORDINANCE NO. 04.84

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

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

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

WHEREAS, pursuant to such provisions of the Florida Constitution and the Home Rule Charter, the Board of County Commissioners duly enacted Chapter 18 of the Code of Miami-

5
12

04-84

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 COLONNADE MULTIPURPOSE SPECIAL TAXING DISTRICT duly signed by 100% of the owners (developer/petitioner) of property within the proposed district, was filed with the Clerk of the County Commission. Such petition prayed for the creation and establishment of a special taxing district for the purpose of providing maintenance of the exterior face of a decorative masonry wall, a park with a fountain, swales and medians including turf, trees and shrubs located within the public domain to be financed solely by means of special assessments levied and collected within the area therein and hereinafter described; and

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

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

[Handwritten mark]

04.84

assessed will be benefited in excess of the special assessments to be levied, and the County Manager attached to such report and recommendations a map or sketch showing the boundaries and location of the proposed district. Such "Report and Recommendations" of the County Manager was filed with the Clerk and transmitted to the Chairperson; and

WHEREAS, it appearing to the Board of County Commissioners from such report of the County Manager and other investigations that the district petitioned for would be of special benefit to all property within the proposed boundaries and that the total amount of the special assessments to be levied would not be in excess of such special benefit; the Clerk of the Board certified the place, date and hour for a public hearing on the petition of the owner/developer/petitioner and the report and recommendations of the County Manager -- said hearing was held on Tuesday, _____ . Copies of the public notice were duly published in a newspaper of general circulation published in Miami-Dade County, Florida, and copies thereof were posted in not less than five (5) public places within the proposed district, and copies thereof were mailed to all owners of taxable real property within the boundaries of the proposed district as their names and addresses appear on the latest Miami-Dade County Real Property Tax Roll; and

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

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

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

7

14

04.84

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

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

A portion of Section 35, Township 54 South, Range 40 East, Miami-Dade County, Florida; being more particularly described as follows:

The East 710.37 feet of Tract A of "Palmetto-Kendal Heights" recorded in Plat Book 70 at Page 47, Miami-Dade County (a.k.a. The Colonnade, Tentative Plat # T-21652).

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

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

Maintenance of turf, trees, shrubs and irrigation of medians, swales, and the park, a fountain and painting and graffiti eradication for the exterior face of a wall.

Section 4. The estimated cost to the property owners for the maintenance and operation of the district's improvements and/or services including engineering, administration, billing, collecting and processing for the first year is \$50,100, and \$41,100 for the second year. It is estimated that the cost per assessable square foot of real property within the proposed district is \$0.1591 for the first year, and \$0.1305 for the second year. The succeeding years' assessments will be adjusted from actual experience.

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

8
15

04-84

Section 6. Miami-Dade County, as administrator of this district's maintenance program, is directed to provide service by the most effective and efficient means available on a yearly basis, as detailed in the County Manager's report which is made a part hereof by reference. The Park and Recreation Department is also directed to conduct one meeting annually in the community, inviting all affected district property owners for the purpose of reviewing the district's budget and level of services provided.

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

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

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

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

9
16

04-84

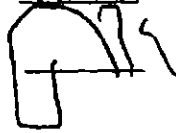
Section 11. This Ordinance does not contain a sunset provision.

PASSED AND ADOPTED:

Approved by County Attorney as
to form and legal sufficiency:

Prepared by: MAY 11 2004

James K. Kracht

RMS


10
17

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

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

1. BOUNDARIES OF THIS DISTRICT

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

A portion of Section 35, Township 54 South, Range 40 East, Miami-Dade County, Florida; being more particularly described as follows:

The East 710.37 feet of Tract A of "Palmetto-Kendal Heights" recorded in Plat Book 70 at Page 47, Miami-Dade County (a.k.a. The Colonnade, Tentative Plat #T-21652).

The above described plat being recorded in the Public Records of Miami-Dade County.

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

2. LOCATION AND DESCRIPTION OF THIS DISTRICT

The creation of this district is requested to provide the services specified below regarding maintenance of swale, walls and a park with fountain. The service to be provided under the district will consist initially of a maintenance program to maintain turf, trees and shrubs, the exterior face of a 70 foot long wall located at S.W. 73rd Avenue and S.W. 84th Street, a one acre park with fountain, and an irrigation system.

Service will commence at the earliest practicable time following the creation and establishment of the district and will be provided initially by the Miami-Dade County Park and Recreation Department using the most effective and efficient means available.

1
H
18

3 **ESTIMATED COST FOR THIS DISTRICT**

The proposed district is to be created initially to provide maintenance as described in Item 2 above. An increase in future landscape and wall maintenance functions may be recommended by a majority of the property owners for consideration by Miami-Dade County as administrator. The deletion of services is subject to maintaining a minimum level of services as determined by the Miami-Dade County Public Works Department. The expense of the landscape and wall maintenance program will be continuous. However, because cost and/or level of maintenance may increase, the estimated annual expense, as indicated herein, can only be based on the initial maintenance program. The cost of the maintenance program will therefore require adjustment annually through the budget process performed by the Park and Recreation Department or the Public Works Department as administrator of the district.

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

A cost estimate developed by the Public Works Department, based on estimates previously provided by the Park and Recreation Department for similar maintenance taxing districts, indicates the annual cost for the initial maintenance program to be \$31,000 for the first and second years. In addition to that cost, it will be necessary for the County to recover the administrative, processing, billing, and advertising costs incurred in establishing and maintaining the district as provided by Chapter 18 of the Code, as well as provide for contingency and discount costs. This cost is estimated to be \$19,100 the first year and \$10,100 the second year. An annual meeting will be conducted with the owners of real property within the district as an integral part of the annual budget process. This will enable Miami-Dade County, as administrator, to secure suggestions from affected community representatives or associations to improve delivery and lower costs of

²
~~12~~
19

the services provided within the scope of the district's authorized functions as specified in Item 2 above, and to determine the following:

1. Level of service;
2. Areas to be maintained;
3. Approximate effect on cost and rate of assessment for any changes.

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

ESTIMATED ANNUAL COSTS

	<u>First Year</u>	<u>Second Year</u>
Initial Annual Maintenance	\$31,000	\$31,000
Administrative, Processing, Billing and Advertising Costs	12,550	8,125
Contingency/Discount	<u>6,550</u>	<u>1,975</u>
Total Estimated Cost to District	\$50,100	\$41,100

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

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

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

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

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

3
13
20

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

The combined cost of the initial maintenance program, processing and administrative expenses as shown in Item 3 above is to be paid for by special assessments levied against all benefited properties and is to be apportioned to individual properties within the district on the basis of lot or parcel square footage. The cost per assessable square foot to be assessed for this service is estimated as follows:

	<u>First Year</u>	<u>Second Year</u>
Estimated Total District Cost	\$50,100	\$41,100
Estimated Total Assessable Property Square Footage	314,900	314,900
Estimated Cost Per Square Foot of Property	\$0.1591	\$0.1305

SAMPLE ASSESSMENTS

Per Year For A Typical Condominium Unit	\$90.37	\$74.12
---	---------	---------

The annual assessment shown above is representative of the cost for a typical condominium unit within this district. These costs are based on the above estimated total assessable property square footage and will be adjusted from actual experience.

7. **RECOMMENDATION**

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

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

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

5
15

22

MEMORANDUM

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

DATE: September 25, 2003

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

SUBJECT: Colonnade Multipurpose
Special Taxing District

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

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

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

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

Attachment

cc: James Kracht

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

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

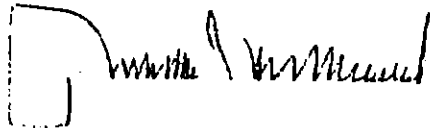
FROM: James K. Kracht
Assistant County Attorney

DATE: September 29, 2003

SUBJECT: Colonade Multipurpose
Special Taxing District

Please be advised that I have reviewed the above referenced petition and find it to be legally sufficient, provided that the wall to be maintained is adjacent to or accessible from the public right of way.

JKK/cg



RECEIVED
PUBLIC WORKS DEPT
2003 OCT -2 AM 10: 17
SPECIAL TAXING
DISTRICTS DIVISION

17
24

AUG 18, 2003
 Document Preparation
 Date

Department Acceptance Date
 (Government Use Only)

PETITION FOR MULTIPURPOSE SPECIAL TAXING DISTRICT

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

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

Tentative Plat(s) Name(s) COLONNADE

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

OWNER'S NAME	OWNER'S ADDRESS	LEGAL DESCRIPTION OF PROPERTY	TAX FOLIO NUMBE
Garco Investments, Inc	12448 SW 127 th Avenue Miami, FL 33186		30-4035-021-0011
<i>[Signature]</i>			30-4035-021-0012
Carlos Garcia, President			
		MORE FULLY	
		DESCRIBED ON	
		THE ATTACHED	
		"EXHIBIT A"	
Mortgagee Jose VAZQUEZ Colonial Bank SENIOR VICE PRESIDENT	1200 BOWEN, 10 th FLA. MIAMI, FL 33151 300 SE Second Street FL Lauderdale, FL 33301		

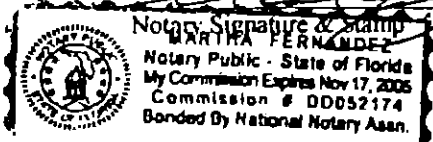
PLEASE NOTARY STATEMENT AND STAMP HERE:

Garco Investments, Inc
 The foregoing instrument was acknowledged before me
 This 18 day of August, 2003, by Carlos Garcia,
 President of Garco Investments, Inc. on behalf of the
 Company. He is personally known to me.

My Commission Expires 11/17/05

Colonial Bank
 The foregoing instrument was acknowledged before
 me this 18 day of August, 2003 by José
Vazquez of Colonial Bank on behalf of
 the Bank. He/She is personally known to me.

My Commission Expires _____



[Signature]
 Notary Signature & Stamp

EXHIBIT A

COLONNADE

Legal Descriptions:

PARCEL I

Begin at the Northeast corner of Tract "A" of PALMETTO-KENDAL HEIGHTS, as recorded in Plat Book 70, at Page 47 of the Public Records of Miami-Dade County, Florida; thence run South 85°04'24" West along the North line of said Tract "A" for a distance of 710.37 feet to a point; thence run South 04°05'53" East for a distance of 562.68 feet more or less to a point on the Northerly Right-of-Way line of Canal C-2; thence run South 86°03'14"E along the Northerly Right-of-Way line of Canal C-2 for a distance of 717.36 feet more or less to the Southeast corner of said Tract "A"; thence North 04°05'53" West along the East line of said Tract "A" for a distance of 673.33 feet more or less to the Point of Beginning, EXCEPTION therefrom the East 5.0 feet dedicated for road purposes, AND ALSO LESS the North 210.66 feet thereof.

PARCEL II

Begin at the Northeast corner of Tract "A" of PALMETTO-KENDAL HEIGHTS, as recorded in Plat Book 70, at Page 47 of the Public Records of Miami-Dade County, Florida; thence run South 85°04'24" West along the North line of said Tract "A" for a distance of 710.37 feet to a point; thence run South 04°05'53" East for a distance of 210.68 feet more or less, to a point on a line 210.66 feet Southerly of and parallel with the North line of said Tract "A"; thence run North 85°04'24" East along said line for a distance of 710.37 feet more or less to the East line of said Tract "A"; thence North 04°04'53" West along the East line of said Tract "A" for a distance of 210.68 feet more or less to the Point of Beginning, EXCEPTION therefrom the North 25.00 feet; AND the East 5.0 feet, AND ALSO the area external to a circular curve concave to the Southwest, having a radius of 25.00 feet and being tangent to the South line of the North 25.00 feet of said Tract "A" and the West line of the East 5.00 feet of said Tract "A", said lands dedicated for road purposes.

9
19
26

EXHIBIT B

Exhibit B to the Petition for Special Taxing District for the Subdivision known as COLONNADE dated AUG. 18, 2003 for the creation of a Special Taxing District for Street Lighting, Landscape Maintenance, Wall Maintenance and Fountain Maintenance.

Area to be Maintained

- Public Plaza with Fountain bounded by SW 82nd Street on North, SW 72nd Avenue on the East, and SW 72nd Court on the West.
- Median on SW 72nd Avenue from SW 82nd Street on the North to SW 84th Street on the South.
- SW 72nd Court from SW 82nd Street on the North to SW 84th Street on the South.
- SW 73rd Avenue from SW 82nd Street on the North to SW 84th Street on the South.
- SW 82nd Street from SW 72nd Avenue on the East to SW 73rd Avenue on the West.
- SW 84th Street from SW 72nd Avenue on the East to SW 73rd Avenue on the West.
- The 70 foot Wall on SW 84th Street along the canal at the South end of SW 72nd Court.

Maintenance Schedule

A.) Lawn/Grass

- 1.) Cut bi-monthly as required.
- 2.) Fertilize and weed control as needed.
- 3.) Treat for Pest/Diseases as needed.

B.) Tress/Shrubs

- 1.) Trim, fertilize and treat for pests as needed.
- 2.) Replace as required.

C.) Wall Maintenance

- 1.) Maintenance and repair of Decorative Wall and removal of graffiti as required.

D.) Fountain Maintenance

- 1.) Maintenance and repair of Fountain and removal of graffiti as required.



MEMORANDUM

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

Date: January 15, 2002

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

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

Section: As Required
District: As Required
Council: As Required

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

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

DO'QW: GA: TBS

TM

11
11 *28*
28

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

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

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

On the North, S.W. 82nd Street;
On the East, S.W. 72nd Avenue;
On the South, Snapper Creek Canal;
On the West, S.W. 73rd Avenue.

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

The service to be provided under the district will initially consist of a maintenance program for landscaped median and swales including turf, trees, shrubs, and the exterior face of a wall, a park with fountain, and an irrigation system.

The maintenance will be provided by the most effective and efficient means available, on a yearly basis, as administered by the Miami-Dade County Park and Recreation Department.

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

	<u>First Year</u>	<u>Second Year</u>
Total Initial Estimated Cost to District	\$50,100	\$41,100
Total Estimated Assessable Property Square Footage	314,900	314,900
Estimated Cost Per Square Foot of Property	\$0.1591	\$0.1305

SAMPLE ASSESSMENT

First Year

Second Year

Per Year For A Typical Condominium Unit

\$90.37

\$74.12

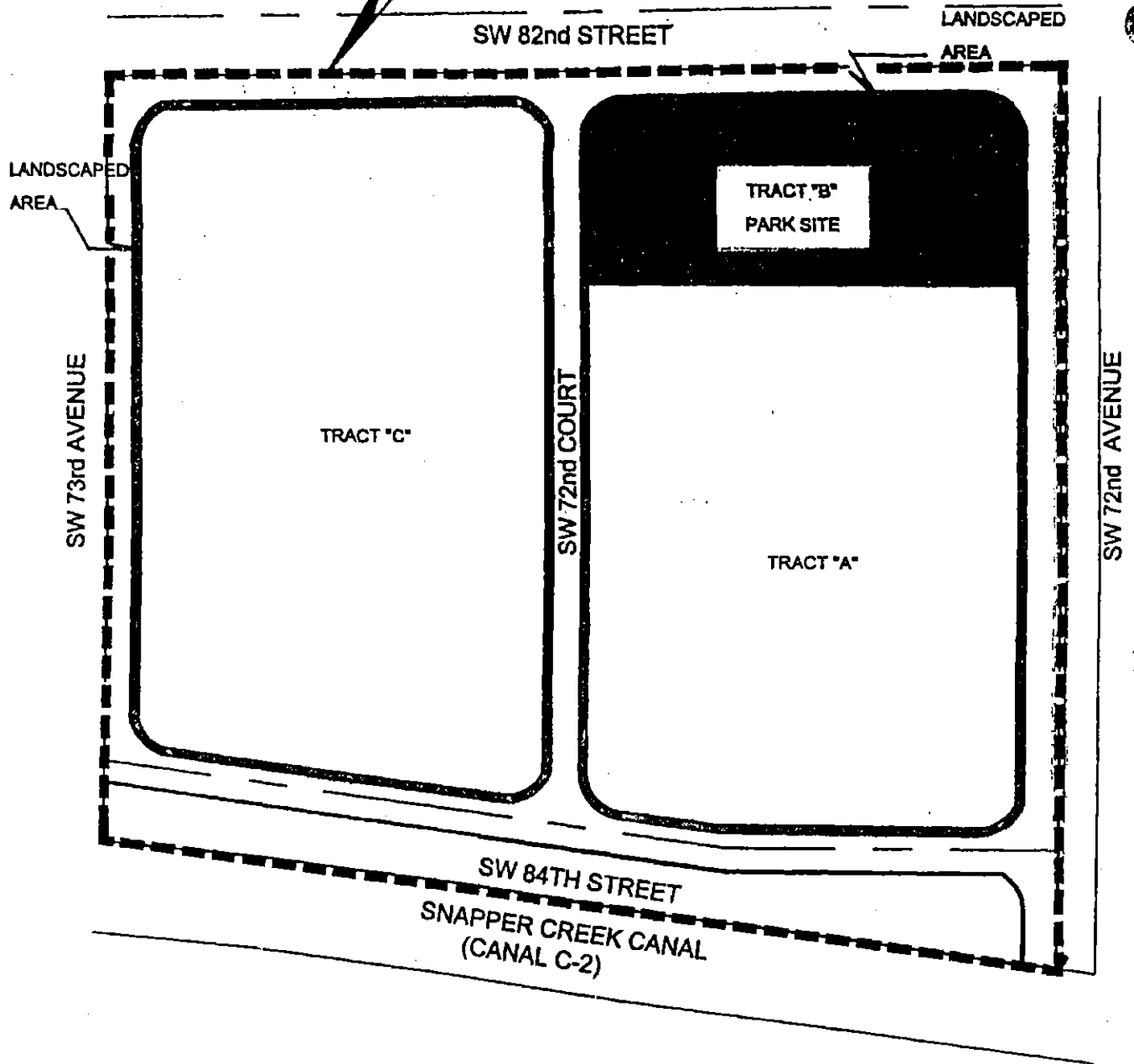
The annual assessment shown above is representative of the cost for a typical condominium unit within this district. These costs are based on a preliminary estimate of 314,900 total square feet and will be adjusted from actual experience.

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

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

Enclosure: Exhibit A

DISTRICT BOUNDARIES



**COLONNADE
MULTIPURPOSE SPECIAL TAXING DISTRICT**



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

M-411 (COMM. 0007)
SECTION: 35-54-40

14
24 EXHIBIT "A"

EXHIBIT B

Exhibit B to the Petition for Special Taxing District for the Subdivision known as COLONNADE

Area to be Maintained

- Public Plaza with Fountain bounded by SW 82nd Street on North, SW 72nd Avenue on the East, and SW 72nd Court on the West.
- Median on SW 72nd Avenue from SW 82nd Street on the North to SW 84th Street on the South.
- SW 72nd Court from SW 82nd Street on the North to SW 84th Street on the South.
- SW 73rd Avenue from SW 82nd Street on the North to SW 84th Street on the South.
- SW 82nd Street from SW 72nd Avenue on the East to SW 73rd Avenue on the West.
- SW 84th Street from SW 72nd Avenue on the East to SW 73rd Avenue on the West.
- The 70 foot Wall on SW 84th Street along the canal at the South end of SW 72nd Court.

Maintenance Schedule

A.) Lawn/Grass

- 1.) Cut bi-monthly as required.
- 2.) Fertilize and weed control as needed.
- 3.) Treat for Pest/Diseases as needed.

B.) Tress/Shrubs

- 1.) Trim, fertilize and treat for pests as needed.
- 2.) Replace as required.

C.) Wall Maintenance

- 1.) Maintenance and repair of Decorative Wall and removal of graffiti as required.

D.) Fountain Maintenance

- 1.) Maintenance and repair of Fountain and removal of graffiti as required.