Memorandum

MIAMI-DADE COUNTY

(Public Hearing 6-21-16)

Date: May 17, 2016

Agenda Item No. 5(C)

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

From: Carlos A. Gimenez
Mayor

Subject: Ordinance Creating the Oakwood Grove Multipurpose Maintenance Special Taxing District

---

Recommendation

It is recommended that the Board of County Commissioners (Board) approve a petition submitted in accordance with Article 1, Chapter 18 of the Code of Miami-Dade County (Code) for creation of the Oakwood Grove Multipurpose Maintenance Special Taxing District.

Scope

This proposed Special Taxing District is located within District 9, represented by Commissioner Dennis C. Moss, and will provide multipurpose maintenance services.

Fiscal Impact/Funding Source

Creation of this district will result in no economic impact on the Miami-Dade County (County) budget. Maintenance services which cannot be equitably or conveniently provided by the property owners shall be provided by the district upon acceptance of the plat-required improvements by the County, and such services will be funded by special assessments against benefited properties.

The economic impact on the private sector will be a perpetual annual special assessment for the cost of maintenance services to all property owners within the district (see page 3 of this memo).

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.

Social Equity Statement

The proposed ordinance creates a special taxing district, pursuant to Article I, Section 1.01(A)(11) of the Miami-Dade County Home Rule Charter and Chapter 18 of the Code of Miami-Dade County.

If approved, property owners within the proposed district will pay special assessments appropriately apportioned according to the special benefit they receive from the district's services regardless of their demographics or income levels. The creation of this Special Taxing District, which was requested by 100 percent of the property owners, will provide for maintenance services.

Track Record/Monitoring
The County's Parks, Recreation, and Open Spaces Department (PROS) is the managing entity overseeing this item and the person responsible is Michael R. Bauman, Chief of the Causeways and Special Taxing Districts Division (Division).

Background
Contingent upon Board approval of this district's creating ordinance, PROS and the Division will provide the district's required maintenance services and cause implementation of special assessments for the costs of such services against the benefitted properties, as well as contract monitoring, compliance, and enforcements.

Boundaries:	On the North, SW 320 Street; On the East, SW 199 Court; On the South, SW 324 Street; On the West, theo. SW 199 Path.
Number of Parcels:	1 (Tentative plat proposes 19 residential lots).
Number of Owners:	1
Number of Owners With Homestead Exemption Signing Petition:	None – The petition was submitted by Oak-wood Group, LLC., the sole property owner and developer.
Preliminary Public Meeting:	None necessary.
Required Referendum:	The creation of the district will be subject only to Board approval; no election will be necessary as 100 percent of the property owners signed the petition.
Preliminary Assessment Roll:	Submitted on the same agenda as a separate agenda item for consideration and adoption by the Board and contingent upon the Board's approval of this district's creating ordinance. The implementation of the assessment roll will be in accordance with the procedures defined in Chapter 18 of the Code.

Proposed Service and Improvements
Multipurpose Maintenance Services: The creation of this district is requested to maintain landscaped swales and/or medians including turf, and any trees, shrubs, irrigation including utility payments, common areas, any

entrance features, and the exterior of any fencing or walls within the district's boundaries abutting public rights-of-way.

Estimated Initial Billing: Assessment billed annually as an itemized portion of the Real Property tax bill.

Initial Start of Service
October 1st following cessation of maintenance services by the developer.

Method of Apportionment:
Maintenance Services: Square Footage

	First Year	Second Year
Estimated Annual Total Cost:		
Maintenance Services:	$18,871.79	$13,066.89
Estimated Annual Rates:		
Maintenance Services:	$0.0600	$0.0415
Estimated Annual Assessment:		
For a Typical Interior Lot:	$1,099.20	$760.28
For a Typical Corner Lot:	$1,030.50	$712.76

The above annual costs and assessments are representative of costs for a typical residential lot within the 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. Creation of a new Special Taxing District to provide these services is the best and most cost-effective method to achieve this benefit.

In compliance with the provisions of Section 18-3 (c) of the Code, I have reviewed the facts submitted by PROS and concur with their recommendation that this district be created pursuant to Section 18-22.1 of the Code.

Michael Spring, Senior Advisor

REPORT AND RECOMMENDATIONS ON THE CREATION OF OAKWOOD GROVE MULTIPURPOSE MAINTENANCE SPECIAL TAXING DISTRICT MIAMI-DADE COUNTY, FLORIDA

Pursuant to Chapter 18 of the Code of Miami-Dade County (Code), and as a result of a detailed investigation of a duly petitioned for Special Taxing District, the following facts are submitted by the Miami-Dade County Parks, Recreation, and Open Spaces Department (PROS) Director concerning the creation of Oakwood Grove Multipurpose Maintenance 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 15, Township 57 South, Range 38 East, Miami-Dade County, Florida; being more particularly described as follows:
>
> The W ½ of the E ½ of the NW ¼ of the SE ¼ of said Section 15 (a.k.a. Oakwood Grove, Tentative Plat # T-23382).

The district's boundaries and geographical location are shown on the attached sketch entitled Oakwood Grove Multipurpose Maintenance Special Taxing District and hereinafter referred to as Exhibit A.

2. **LOCATION AND DESCRIPTION OF DISTRICT**

Maintenance of landscaped swales and/or medians including turf, and any trees, shrubs, and irrigation including utility payments, common areas, entrance features, and the exterior of any fencing or walls within the district's boundaries abutting public rights-of-way. Services will commence upon acceptance of the plat-required improvements by Miami-Dade County (County). Maintenance of any natural preservation area, archeological site, and mitigation area within the district's boundaries will commence upon notice from the Department of Regulatory and Economic Resources (RER) that the developer has complied with any and all maintenance requirements imposed by RER. Other maintenance services may be provided in the future as specified in the district's ordinance and amendments thereto. The areas to be maintained are shown on the attached exhibit A.

3. **ESTIMATED COSTS AND ANNUAL EXPENSE FOR MAINTENANCE, REPAIR AND OPERATION OF THIS DISTRICT**

The proposed district is to be created to provide maintenance as described in Item 2 above. A cost estimate developed by PROS, based on previous estimates for similar maintenance special taxing districts, indicates the combined annual costs for the district's multipurpose maintenance services for the initial maintenance program to be $18,871.79 for the first year, and $13,066.89 for the second year. The costs of the multipurpose maintenance program and administrative expenses as shown below are to be paid for by special assessments levied against all benefited properties. The expense of the multipurpose maintenance program will be continuous and service costs are to be apportioned to individual properties within the district on the basis of lot or parcel square footage. 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 PROS as administrator of the district.

Estimated Annual Costs	**First Year**	**Second Year**
Initial Annual Maintenance	$9,774.16	$9,774.16
Engineering and Administrative Costs	$4,554.83	$1,954.83
Billing, Collecting and Processing Costs	$1,397.50	$150.00
Contingencies	$3,145.30	$1,187.90
Total Annual Maintenance Services Costs	$18,871.79	$13,066.89

Estimated Annual Assessments	**First Year**	**Second Year**
Per Assessable Square Foot:	$0.0600	$0.0415
For a Typical Interior Lot:	$1,099.20	$760.28
For a Typical Corner Lot:	$1,030.50	$712.76

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

The proposed district conforms to and in no way conflicts with the master plan of development for the County (see attached memorandum from the Department of Regulatory and Economic Resources, a successor to the Department of Planning and Zoning).

5. RECOMMENDATION CONCERNING THE DESIRABILITY OF THIS DISTRICT

The need for multipurpose maintenance programs is apparent. Residents and property owners of the County continue to demonstrate their desire for the services which will be provided by this district through petitions and personal requests. The ability of the affected properties to pay special assessments is evident since the costs of this district's services, including any bonds then outstanding, do not exceed twenty-five percent (25%) of the assessed valuation of all properties within the district's boundaries (including homesteads) as shown by the last preceding assessment roll of the County. In my opinion, the proposed multipurpose maintenance program will provide special benefits to properties within the district exceeding the amount of special assessments to be levied.

6. PROCEDURE

Any increase in future maintenance functions may be recommended by a majority of the property owners for consideration by the County as administrator. 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 the County, as administrator, to secure input from affected community representatives, association and property owners to improve delivery of services or lower costs of the services provided within the scope of the district's authorized functions as specified above, and to determine the following:

1. Level of service;

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

The deletion of services is subject to maintaining a minimum level of service as determined by PROS (property owners may not delete maintenance services altogether unless this district is abolished).

7. RECOMMENDATION

I recommend that Oakwood Grove Multipurpose Maintenance Special Taxing District be created pursuant to Section 18-22.1 of the Code. The creation of this district will be subject to Board approval only; no election will be necessary as 100 percent of the property owners signed the petition. I also recommend that the County Attorney cause to be prepared an ordinance authorizing the creation of the Oakwood Grove Multipurpose Maintenance Special Taxing District. Pursuant to Chapter 18 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 creating ordinance, the Board may adopt the district's Preliminary Assessment Roll resolution to fund district services. Adoption of this resolution will enable the Miami-Dade County Tax Collector to collect the funds necessary to administer the district, reimburse affected County Departments involved in the creation and establishment of this district, as well as operate and maintain the district. 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 Mayor or County Mayor's designee forward the attached report to the Board after review and concurrence with our findings.

Attachments: (1) Copy of Petition and Attachments
(2) Copy of Memo from Department of Regulatory and Economic Resources
(3) District Boundaries and Geographical Location Sketch (Exhibit A)

MIAMI-DADE COUNTY ATTORNEY'S OFFICE
MEMORANDUM

TO: Mike Bauman
Chief, Special Taxing Districts

FROM: Jorge Martinez-Esteve
Assistant County Attorney

DATE: December 10, 2015

SUBJECT: Oakwood Grove Multipurpose Maintenance
Special Taxing District

Please be advised that I have reviewed the above referenced petition and find it to be legally sufficient for the purposes stated within the Petition, provided that:

1. the wall and entrance features to be maintained are adjacent to or accessible from the public right of way; and,
2. the land included in Exhibit A of the Petition is accessible to or usable by the public.

Memorandum

Date: December 8, 2015

To: Christopher Agrippa, Division Chief
Office of the Clerk of the Board
Attn: Daysha McBride

From: Michael R. Bauman, Chief
Causeways and Special Taxing Districts Division
Public Works and Waste Management Department

Subject: Oakwood Grove Multipurpose Maintenance
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 Office of the Property Appraiser, and has concluded that said petition relates to real property in a new subdivision and the signator is owner and/or individual signing in their official capacity as representative of the owner of the property in question. We are therefore submitting the following information:

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

Pursuant to Section 18-22.1 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

c: Jorge Martinez-Esteve

MIAMI-DADE COUNTY PUBLIC WORKS PAGE 01 OF 1

AND WASTE MANAGEMENT DEPARTMENT

Aug 24th 2015 SPECIAL TAXING DISTRICTS DIVISION

Document Preparation Date

Departmental Acceptance Date (Government Use Only)

PETITION FOR MULTIPURPOSE SPECIAL TAXING DISTRICT

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

We, the undersigned property owner(s), 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: landscape, lake, entrance features and wall maintenance services (requested 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) **OAKWOOD GROVE (No. 23382)**

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 improvements to be provided shall be in accordance with minimum standards and requirements set forth by the Miami-Dade County Public Works and Waste Management Department.

OWNER'S NAME	OWNER'S ADDRESS	LEGAL DESCRIPTION OF PROPERTY	TAX FOLIO NUMBER
Oakwood Group LLC, a Florida limited liability company	1255 Algardi Avenue Coral Gables, FL 33146	The West ½ of the East ½ of the Northwest ¼ of the Southeast ¼ of Section 15, Township 57 South, Range 38 East, Miami-Dade County, Florida	30-7815-000-0400

OAKWOOD GROUP LLC, a Florida limited liability company

By: _____
Maria E. Abascal, Manager

PLACE NOTARY STATEMENT AND STAMP HERE:

SWORN TO AND SUBSCRIBED before me by appeared Maria E. Abascal as Manager of OAKWOOD GROUP LLC, a Florida limited liability company, on behalf of the company. She is [ ] personally known to me or [ ] produced _____ as identification, this 24th day of August, 2015.

My Commission Expires:

_____
Notary Public, State of Florida

AIXA L. PEREZ
Notary Public - State of Florida
My Comm. Expires Aug 10, 2016
Commission # FF 149217
Bonded Through National Notary Assn.

DEPARTMENTAL ACCEPTANCE DATE
(GOVERNMENT USE ONLY)

EXHIBIT "A"

EXHIBIT A TO THE PETITION FOR THE PLAT(S)

KNOWN AS **OAKWOOD GROVE.**

DATED May 21, 2015 FOR THE CREATION OF

SPECIAL TAXING DISTRICT(S).

The West ½ of the East ½ of the Northwest ¼ of the Southeast ¼ of Section 15, Township 57 South, Range 38 East, Miami-Dade County, Florida

EXHIBIT B

EXHIBIT B TO THE PETITION FOR THE SUBDIVISION KNOWN AS **OAKWOOD GROVE.**

DATED **August 24, 2015**, FOR THE CREATION OF A MULTIPURPOSE MAINTENANCE AND STREET LIGHTING SPECIAL TAXING DISTRICT FOR LANDSCAPE, INGRESS/EGRESS, COMMON AREAS AND WALL MAINTENANCE SERVICES.

AREAS TO BE MAINTAINED:

All Common areas (green areas in the public right of way) within the tract in addition to all landscaping located along the East side of SW 199th Place between SW 320 Street and SW 324 Street.

MAINTENANCE SCHEDULE:

A) Lawn/Grass:
   a. Cut bimonthly as required
   b. Fertilize and weed control as needed
   c. Treat for pests/diseases as needed
   d. Irrigate with an automatic system and electrical service for the same

B) Tress/Shrubs
   a. Trim, fertilize and treat for pests as needed
   b. Replace as required

Note: IN THE EVENT THIS DISTRICT IS ACTIVATED, THE FOLLOWING AREAS MAY BE MAINTAINED:

LANDSCAPE, INGRESS/EGRESS, COMMON AREAS AND WALL MAINTENANCE SERVICES within the tract in addition to all landscaping located along the East side of SW 199th Place between SW 320 Street and SW 324 Street.

MEMORANDUM

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

Date: January 15, 2002

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

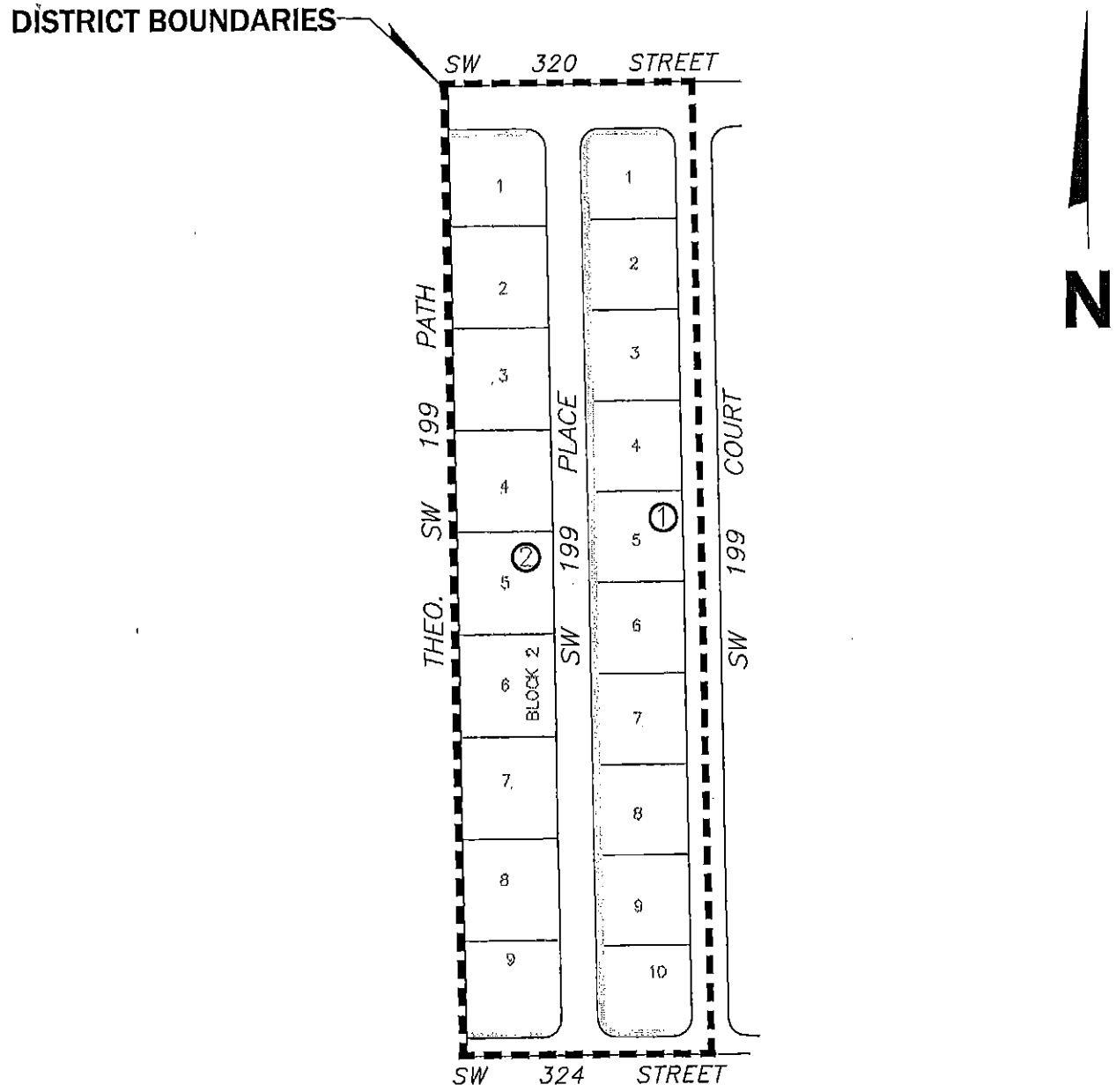
Subject: Street Lighting, Maintenance of Landscape, Walls Adjacent to Double-Frontage Lots and Lakes Special Taxing Districts

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

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

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

DO'QW: GA: TBS



OAKWOOD GROVE

MULTIPURPOSE MAINTENANCE SPECIAL TAXING DISTRICT

SHADING DENOTES AREAS TO BE MAINTAINED. SEE ATTACHED SHEET FOR SERVICE DESCRIPTIONS AND LOCATIONS

M-772 (COMM. 0009)
SECTION: 15 - 57 - 38

EXHIBIT "A"
(Boundaries and Geographical Location Sketch)

ATTACHMENT TO EXHIBIT "A"
OAKWOOD GROVE MULTIPURPOSE MAINTENANCE
SPECIAL TAXING DISTRICT

AREAS TO BE MAINTAINED:

Decorative wall and all commons areas (green areas in the public rights-of-way) within the district in addition to all landscaping located along the East side of SW 199 Place between SW 320 Street and SW 324 Street.

MAINTENANCE SCHEDULE:

A) Lawn/Grass
   1) Cut bi-monthly as required
   2) Fertilize and weed control as needed
   3) Treat for pests/diseases as needed
   4) Irrigate with automatic system and electrical service for same

B) Trees/Shrubs
   1) Trim, fertilize and treat for pests as needed
   2) Replace as required

C) Wall Maintenance
   1) Maintenance and repair of the exterior of a decorative wall and the removal of graffiti as needed

MEMORANDUM

(Revised)

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

DATE: June 21, 2016

FROM: Abigail Price-Williams County Attorney

SUBJECT: Agenda Item No. 5(C)

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**

_____ **Statement of social equity 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(C)
6-21-16

ORDINANCE NO. _____

ORDINANCE CREATING AND ESTABLISHING A SPECIAL TAXING DISTRICT IN MIAMI-DADE COUNTY, FLORIDA, KNOWN AND DESCRIBED AS OAKWOOD GROVE MULTIPURPOSE MAINTENANCE 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 landscape improvement and other maintenance programs, and that all funds for such districts shall be provided by service charges, special assessments, or general tax levies within such districts only, and that the County Commission shall be the governing body of all such districts; and

WHEREAS, pursuant to such provisions of the Florida Constitution and the Home Rule Charter, the Board of County Commissioners duly enacted Chapter 18 of the Code of Miami-Dade County, Florida, providing for the creation and establishment of special taxing districts and prescribing the procedures 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 OAKWOOD GROVE MULTIPURPOSE MAINTENANCE 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 landscaped swales and/or medians, and the exterior faces of any fencing or walls adjacent to public rights-of-way located within the public domain, and any common or landscaped areas 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 Mayor or County Mayor's designee 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 Mayor or County Mayor's designee, after making appropriate investigations, surveys, plans and specifications, compiled and filed with the Board of County Commissioners a written report and recommendations, included herein by reference, setting forth the boundaries of the proposed special taxing district, the location, nature and character of the multipurpose maintenance programs to be provided within the proposed district, an estimate of the cost of maintaining and operating such improvements and/or services, certification that the proposed district's improvements and multipurpose maintenance programs and/or services conform to the master plan of development for the County, and setting forth recommendations

concerning the need for and desirability of the requested district, the ability of the affected properties to bear special assessments to fund the cost of maintaining and operating such improvements and multipurpose maintenance programs and/or services, and an estimate of the amount to be assessed against each square foot of the benefited properties within the proposed district, and expressing an opinion that the properties to be specially assessed will be benefited in excess of the special assessments to be levied, and the County Mayor or County Mayor's designee attached to such report and recommendations a map or sketch showing the boundaries and geographical location of the proposed district. Such "Report and Recommendations" of the County Mayor or County Mayor's designee was filed with the Clerk and transmitted to the Chairperson; and

WHEREAS, it appears to the Board of County Commissioners from such report of the County Mayor or County Mayor's designee and other investigations that the district petitioned for would be of special benefit to all properties 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 will certify the place, date and hour for a public hearing on the petition of the property owners (developer/petitioner) and the report and recommendations of the County Mayor or County Mayor's designee -- said hearing was held on Tuesday,

Copies of the public notice will be duly published in a newspaper of general circulation published in Miami-Dade County, Florida, and copies thereof will be posted in not less than five (5) public places within the proposed district, and copies thereof will be 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 will be afforded the opportunity to present their objections, if any, to the creation and establishment of the proposed special taxing district; and

WHEREAS, the Board of County Commissioners, upon review and consideration of the report and recommendations of the County Mayor or County Mayor's designee 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 Mayor or County Mayor's designee, and the provisions of Chapter 18 of the Code of Miami-Dade County, Florida,

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 OAKWOOD GROVE MULTIPURPOSE MAINTENANCE 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 15, Township 57 South, Range 38 East, Miami-Dade County, Florida; being more particularly described as follows:
>
> The W ½ of the E ½ of the NW ¼ of the SE ¼ of said Section 15 (a.k.a. Oakwood Grove, Tentative Plat # T-23382).

The area and geographical location of this proposed special taxing district are shown on the exhibit map or sketch, and made a part herein by reference.

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

> Maintenance of landscaped swales and/or medians including turf, and any trees, shrubs, and irrigation including utility payments, common areas, any entrance features, and the exterior of any fencing or walls within the district's boundaries abutting public rights-of-way. Other maintenance services may be provided in the future as specified in the district's ordinance and amendments thereto.

Section 4. The estimated cost to the property owners for the multipurpose maintenance project and operation of the proposed district's improvements and/or services including engineering, administration, billing, collecting and processing for the first year is $18,871.79, and $13,066.89 for the second year. It is estimated that the cost per assessable square foot of real property within the proposed district is $0.0600 for the first year, and $0.0415 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 properties within the proposed special taxing district and the total amount of special assessments to be levied as aforesaid will not be in excess of such special benefit.

Section 6. Miami-Dade County, as administrator of this district's maintenance program, is directed to provide service by the most effective and efficient means available on a yearly basis, as detailed in the County Mayor or County Mayor's designee's report which is made a part herein by reference. If there is a proposed significant change to the level of service to be provided, the Parks, Recreation and Open Spaces Department shall conduct a meeting in the community, inviting all affected district property owners for the purpose of reviewing the district's budget and level of service.

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

Section 8. The County Mayor or County Mayor's designee 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 197.3632, Florida Statutes, all special assessments levied and imposed under the provisions of this Ordinance shall be collected, subject to the provisions of Chapter 197, Florida Statutes, in the same manner and at the same time as ad valorem taxes. In accordance with utilization of the ad valorem tax collection method, if such special assessments are not paid, when due, the potential for loss of title to the property exists.

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

Section 10. The provisions of this Ordinance shall become effective ten (10) days after the date of its 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:

Jorge Martinez-Esteve