

Memorandum



Date: (Public Hearing 3-7-17)
December 6, 2016

To: Honorable Chairman Esteban L. Bovo, Jr.
and Members, Board of County Commissioners

Agenda Item No. 5(G)

From: Carlos A. Gimenez
Mayor

Subject: Ordinance Creating the Dunnwoody Lake 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 Dunnwoody Lake Multipurpose Maintenance Special Taxing District (Special Taxing District). The multipurpose maintenance program will remain dormant until such time as any association or community development district (CDD) fails to provide the required maintenance services.

Scope

This proposed Special Taxing District lies within District 13, represented by Commissioner Esteban Bovo, Jr., and will provide multipurpose maintenance services, if and when necessary.

Fiscal Impact/Funding Source

Creation of this Special Taxing 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 owner(s) and/or developer(s) shall be provided by the Special Taxing District upon acceptance of the plat's required services by the County and upon the failure of any association or CDD to provide the required maintenance services 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 Special Taxing District, if and when necessary (see page 3 of this memo).

At this time, there will be no increase or decrease in County staffing due to this Special Taxing 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.

If approved, property owners within the proposed Special Taxing District will pay special assessments appropriately apportioned according to the special benefit they receive from the Special Taxing District's services regardless of their demographics. The creation of this Special

Taxing District, which was requested by 100 percent of the property owner(s), will provide for maintenance in the event that a community development district (CDD) or association fails to provide the required services.

Track Record/Monitoring

The Special Taxing District will be managed by the County's Parks, Recreation and Open Spaces Department (PROS) and overseen by the Chief of the Special Taxing Districts Division (Division), Michael R. Bauman.

Background

Contingent upon Board approval of this Special Taxing District's creating ordinance, and in the event any association or CDD fails to provide maintenance services, PROS and the Division will provide the Special Taxing 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, if and when necessary. It is in the best interest of the County to waive Resolution No. R-130-06 and proceed in this manner in order to expedite the project and allow the developer to remain on schedule.

Boundaries:	On the North, theo. NW 162 Street; On the East, NW 87 Avenue; On the South, NW 154 Street; On the West, I-75 Extension.
Number of Parcels:	1 (Tentative plat proposes 226 townhouse units and 256 single-family homes).
Number of Owners:	1
Number of Owners With Homestead Exemption Signing Petition:	None – The petition was submitted by Lennar Homes, LLC., the sole property owner and developer.
Preliminary Public Meeting:	None necessary.
Required Referendum:	The creation of the Special Taxing District will be subject only to Board approval; no election will be necessary as 100 percent of the property owner(s) signed the petition.
Preliminary Assessment Roll:	In the event any association or CDD fails to provide the maintenance services below, and contingent upon Board approval of this Special Taxing District's creating ordinance, a hearing to adopt the multipurpose maintenance preliminary assessment roll

will be conducted. The implementation of the assessment roll will be in accordance with the procedures defined in Chapter 18 of the Code.

Proposed Services and Programs
Multipurpose Maintenance Services:

The creation of this Special Taxing District is requested to maintain landscaped swales, medians, common areas, any entrance features, wetlands, lakes, and the exterior of any fencing or walls within the Special Taxing District's boundaries abutting public rights-of-way, including maintenance of turf, trees, shrubs, irrigation, and utility payments, should any association or CDD fail to provide these services. The Special Taxing District will also maintain the private road area if there is a failure to provide maintenance within the private road area as defined in a non-exclusive easement granted to the County and recorded in the Public Records.

Estimated Initial Billing:

Assessment billed annually as an itemized portion of the Real Property tax bill. Collection to commence in November following adoption of this Special Taxing District's assessment roll.

Initial Start of Service

October 1 following cessation of maintenance services by the developer(s) and failure of any association or CDD to provide services.

Method of Apportionment:

Maintenance Services: Square Footage

Estimated Annual Total Cost:

Maintenance Services:	<u>First Year</u>	<u>Second Year</u>
	\$437,121.07	\$396,511.57

Estimated Annual Rates:

Maintenance Services:	<u>First Year</u>	<u>Second Year</u>
	\$0.0846	\$0.0767

Estimated Annual Assessment:

For a Typical Single-family Lot:	<u>First Year</u>	<u>Second Year</u>
For a Typical Townhouse Unit:	\$1,268.41	\$1,149.96
	\$993.46	\$900.69

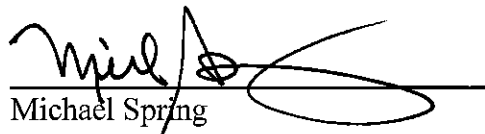
Honorable Chairman Esteban L. Bovo, Jr.
and Members, Board of County Commissioners
Page No. 4

The above annual costs and assessment information for multipurpose maintenance services are for informational purposes only and were calculated based on current costs assuming that maintenance services were to commence this year. Actual costs for multipurpose maintenance services will be determined at the time of the assessment roll hearing.

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 Special Taxing District be created pursuant to Section 18-22.1 of the Code.


Michael Spring
Senior Advisor

**REPORT AND RECOMMENDATIONS ON THE
CREATION OF DUNNWOODY LAKE
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 Dunnwoody Lake Multipurpose Maintenance Special Taxing (Special Taxing District).

1. BOUNDARIES OF THIS DISTRICT

The proposed Special Taxing District is located entirely within a portion of the municipal limits of the Town of Miami Lakes, Florida. Pursuant to Chapter 18 of the Code, Miami-Dade County has received approval from the Town of Miami Lakes to create this Special Taxing District per Resolution No. 16-1370, a copy of which is attached, and the boundaries, as set forth in the petition, are as follows:

A portion of Section 16, Township 52 South, Range 40 East, Miami-Dade County, Florida; being more particularly described as follows:

Begin at the northwest corner of the SE ¼ of said Section 16; thence N 89° 31' 58" E for 2,600.60 feet; thence S 02° 36' 00" E for 1,673.84 feet; thence S 87° 24' 00" W for 200.00 feet; thence S 02° 36' 00" E for 20.00 feet; thence S 87° 24' 00" W for 87.27 feet; thence S 29° 56' 58" W for 375.94 feet; thence S 00° 25' 11" W for 564.21 feet; thence S 89° 34' 49" W for 888.59 feet; thence N 00° 25' 11" E for 90.00 feet; thence S 89° 34' 49" W for 1,203.07 feet; thence N 02° 37' 29" W for 2,501.81 feet to the Point-of-Beginning (a.k.a. Dunnwoody Lake, Tentative Plat # T-23786).

The Special Taxing District's boundaries and geographical location are shown on the attached map or sketch entitled Dunnwoody Lake Multipurpose Maintenance Special Taxing District and hereinafter referred to as "Exhibit A".

2. LOCATION AND DESCRIPTION OF DISTRICT

Maintenance of landscaped swales, medians, common areas, wetlands, lakes, entrance features, and the exterior of any fencing or walls within the Special Taxing District's boundaries abutting public rights-of-way, including maintenance of turf, trees, shrubs, irrigation, and utility payments, should any association or community development district (CDD) fail to provide these services. The Special Taxing District will also maintain the private road area if there is a failure to provide maintenance within the private road area as defined in a non-exclusive easement granted to Miami-Dade County (County) and recorded in the Public Records. Services will commence following failure of any association or CDD to provide these services, and upon adoption of the Special Taxing District's multipurpose maintenance preliminary assessment roll. Other maintenance services may be provided in the future as specified in the Special Taxing District's ordinance and amendments thereto.

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

The proposed Special Taxing District is to be created to provide maintenance only in the event that any association or CDD fails to provide the services as described in Item 2 above and will be dormant until such

time as stated above.

This initial cost estimate has been developed by PROS based on previous estimates for similar maintenance special taxing districts and will provide multipurpose maintenance services as specified above if services were to commence in 2016. The combined annual costs of the Special Taxing District's multipurpose maintenance services for the initial maintenance program are estimated for report purposes to be \$437,121.07 for the first year, and \$396,511.57 for the second year. The expense of the multipurpose maintenance program will be continuous and service costs following the Special Taxing District's implementation are to be apportioned to individual properties within the Special Taxing District on the basis of lot or parcel square footage. 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. Actual multipurpose maintenance costs will be determined and presented to the Board of County Commissioners (Board) at the time of the multipurpose maintenance assessment roll public hearing and will then be adjusted annually thereafter based on actual expenses.

<u>Estimated Annual Costs</u>	<u>First Year</u>	<u>Second Year</u>
Initial Annual Maintenance	\$300,262.55	\$300,262.55
Engineering and Administrative Costs	\$62,652.51	\$6,0052.51
Billing, Collecting and Processing Costs	\$1,352.50	\$150.00
Contingencies	<u>\$72,853.51</u>	<u>\$36,046.51</u>
Total Annual Maintenance Services Costs	\$437,121.07	\$396,511.57
<u>Estimated Annual Assessments</u>	<u>First Year</u>	<u>Second Year</u>
Per Assessable Square Foot:	\$0.0846	\$0.0767
For a Typical Single-family Lot:	\$1,268.41	\$1,149.96
For a Typical Townhouse Unit:	\$993.46	\$900.69

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

The proposed Special Taxing 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 Special Taxing District through petitions and personal requests. The ability of the affected properties to pay special assessments is evident since the costs of this Special Taxing District's services, including any bonds then outstanding, do not exceed twenty-five percent (25%) of the assessed valuation of all properties within the Special Taxing 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 Special Taxing District exceeding the amount of special assessments to be levied.

6. PROCEDURE

Following commencement of services by the Special Taxing District, any increase in future maintenance services 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 Special Taxing 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 Special Taxing 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 Special Taxing District is abolished).


7. RECOMMENDATION

I recommend that Dunnwoody Lake Multipurpose Maintenance Special Taxing District be created pursuant to Section 18-22.1 of the Code. The creation of this Special Taxing District will be subject to Board approval only; no election will be necessary as 100 percent of the property owner(s) signed the petition. I also recommend that the County Attorney cause to be prepared an ordinance authorizing the creation of the Dunnwoody Lake 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 Special Taxing District, and thereafter may adopt such ordinance. Following failure of any association or CDD to provide these services, the Board may adopt the Special Taxing District's Preliminary Assessment Roll resolution to fund the Special Taxing District's services. Adoption of this resolution will enable the Miami-Dade County Tax Collector to collect the funds necessary to administer the Special Taxing District, reimburse affected County Departments involved in the creation and establishment of this Special Taxing District, as well as operate and maintain the Special Taxing District. The ordinance creating the Special Taxing 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 Special Taxing District. 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 Resolution from the Town of Miami Lakes
(3) Copy of Memo from Department of Regulatory and Economic Resources
(4) District Boundaries and Geographical Location Sketch (Exhibit A)

MIAMI-DADE COUNTY ATTORNEY'S OFFICE
MEMORANDUM

TO: Mike Bauman
Chief, Special Taxing Districts

FROM: Daija Page Lifshitz 
Assistant County Attorney

DATE: August 18, 2016

SUBJECT: Dunnwoody Lake Multipurpose Maintenance
Special Taxing District

Please be advised that I have reviewed the above referenced petition (with the updated documentation reflecting that Carlos Gonzalez was given authority by US Homes Corporation, as managing member of Lennar Homes, to sign the filed petition) and find it to be legally sufficient for the purposes stated within the Petition, provided that:


1. the areas 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: August 17, 2016

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

From: 
Michael R. Bauman, Chief
Special Taxing Districts Division
Parks, Recreation, and Open Spaces Department

Subject: Dunnwoody Lake 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 | <u>1</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

c: Daija Page Lifshitz

MIAMI-DADE COUNTY DEPARTMENT OF
PARKS, RECREATION AND OPEN SPACES
SPECIAL TAXING DISTRICTS DIVISION

PAGE 1 OF 5

March 23, 2016
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 incorporated area of the Town of Miami Lakes more fully described on the attached Exhibit A.

Tentative Plat(s) Name(s) Dunnwoody Lake (T-23786)

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.

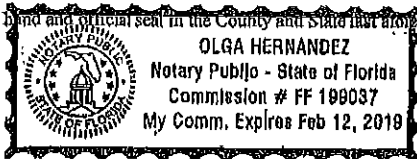
OWNER'S NAME	OWNER'S ADDRESS	LEGAL DESCRIPTION OF PROPERTY	TAX FOLIO NUMBER
Lennar Homes, LLC A Florida Limited Liability Company	730 NW 107 th Avenue, 3 rd Floor Miami, FL 33172	MORE FULLY DESCRIBED ON THE ATTACHED "EXHIBIT A"	32-2016-000-0020
By: Carlos Gonzalez, V.P.			
US Homes Corporation, A Delaware Corporation As Managing Member of Lennar Homes, LLC A Florida Limited Liability Company			

STATE OF Florida
COUNTY OF Miami-Dade

I HEREBY CERTIFY that on this day, before me, an officer duly authorized to take acknowledgements appeared Carlos Gonzalez, Vice President, US Homes Corporation, A Delaware Corporation, as MANAGING MEMBER of Lennar Homes, LLC, a Florida limited liability company. He is personally known to me or has produced identification in the form of _____ and who executed the foregoing Petition for Special Taxing District voluntarily and acknowledged before me that he executed the same for the purposes herein expressed.

WITNESS my hand and official seal in the County and State first aforesaid, this 23rd day of March, 2016.

[SEAL]



Notary Public Signature: Olga Hernandez

State of: Florida

My Commission expires: February 12, 2019

DEPARTMENTAL ACCEPTANCE DATE
(GOVERNMENT USE ONLY)

EXHIBIT "A"

EXHIBIT "A" TO THE PETITION FOR THE PLAT KNOWN AS DUNNWOODY LAKE DATED March 23, 2016 FOR THE CREATION OF MULTIPURPOSE SPECIAL TAXING DISTRICT.

Legal Description:

The Southeast 1/4 of Section 16, Township 52 South, Range 40 East, lying and being in Miami-Dade County, Florida, LESS AND EXCEPT that portion thereof lying within the lands designated as part of Parcel No. 102 and conveyed to the State of Florida Department of Transportation, pursuant to that Deed recorded in Official Records Book 9942, Page 1740, of the Public Records of Miami-Dade County, Florida.

FURTHER LESS AND EXCEPT that portion thereof acquired by Miami-Dade County, Florida pursuant to that Final Judgment recorded in Official Records Book 27731, Page 2513, of the Public Records of Miami-Dade County, Florida, as to the following described lands:

Parcel No. 1: The East 40.00 feet of the South 1275.00 feet of the Southeast 1/4 of Section 16, Township 52 South, Range 40 East, Miami-Dade County, Florida;

and,

Parcel No. 1A; The East 40 feet of the Southeast 1/4 of Section 16, Township 52 South, Range 40 East, Miami-Dade County, Florida, LESS the South 1275.00 feet thereof.

FURTHER LESS AND EXCEPT that portion thereof conveyed to the Town of Miami Lakes pursuant to that Right-of-Way Deed recorded in Official Records Book 28429, Page 801, of the Public Records of Miami-Dade County, Florida, as to the following described lands:

Parcel II: The South 50 feet of the Southeast 1/4 of Section 16, Township 52 South, Range 40 East, lying East of Interstate 75 (State Road Number 93) Ramp Limited Access Right-of-Way line as shown on Florida Department of Transportation Right-of-Way Map for Section 87075-2401, Miami-Dade County, Florida.

DEPARTMENTAL ACCEPTANCE DATE
(GOVERNMENT USE ONLY)

FURTHER LESS AND EXCEPT that portion thereof conveyed to Miami-Dade County, Florida pursuant to that Quit-Claim Deed recorded in Official Records Book 28634, Page 307, of the Public Records of Miami-Dade County, Florida, as to the following described lands:

The external area formed by a 25-foot radius arc concave to the Northwest and tangent to the West line of the East 40 feet of said Section 16 and tangent to the North line of the South 50 feet of said Section 16, Miami-Dade County, Florida.

FURTHER LESS AND EXCEPT that portion thereof described as follows:

A portion of land lying and being in the Southeast 1/4 of Section 16, Township 52 South, Range 40 East, in Miami-Dade County, Florida; being more particularly described as follows:

Commencing at the Southeast corner of said Section 16; thence S89°34'49"W along the South line of the Southeast 1/4 of said Section 16, for a distance of 67.90 feet to a point; thence N00°25'11"E for 50.00 feet to the POINT OF BEGINNING; thence S89°34'49"W along a line 50 feet North of and parallel with the South line of the Southeast 1/4 of said Section 16 a distance of 485.40 feet to a point; thence N00°25'11"W for 564.21 feet to a point; thence N 29° 56' 58" E for 375.94 feet to a point; thence N87°24'00"E for 87.27 feet to a point; thence N02°36'00"W for 20.00 feet to a point; thence N87°24'00"E for 200.00 feet; thence S02°36'00"E along a line 40 feet West of and parallel with the East line of the Southeast 1/4 of Section 16 a distance of 894.18 feet to a point of curvature of a circular curve concave to the Northwest and having for its elements a central angle of 92°10'49", a radius of 25.00 feet, an arc distance of 40.22 feet and a chord distance of 36.02 feet to the POINT OF BEGINNING.

ALL OF SAID LANDS SITUATE, LYING AND BEING IN MIAMI-DADE COUNTY, FLORIDA.

Folio No.: 32-2016-000-0020

Departmental Acceptance Date
(Government Use Only)

EXHIBIT "B"

EXHIBIT "B" TO THE PETITION FOR THE SUBDIVISION KNOWN AS DUNNWOODY LAKE, DATED MARCH 23rd, 2016, FOR THE CREATION OF A MULTIPURPOSE SPECIAL TAXING DISTRICT FOR DUNNWOODY LAKE.

AREAS TO BE MAINTAINED:

ALL LANDSCAPE TRACTS, GRASS MEDIANS, BERMS, FENCES AND ENTRANCE FEATURES IN THE COMMON AREAS ADJACENT TO AND/OR ACCESSIBLE FROM PUBLIC RIGHT-OF-WAYS LOCATED WITHIN THE BOUNDARIES OF THE SUBJECT PROPERTY. AREAS LOCATED WITHIN PRIVATE PROPERTY OR NOT ACCESSIBLE FROM PUBLIC RIGHT-OF-WAYS ARE SPECIFICALLY EXCLUDED FROM THIS SCHEDULE.

MAINTENANCE SCHEDULE:

1. TREES: ALL TREES ARE TO BE MAINTAINED AT A CLEAR TRUNK HEIGHT OF EIGHT (8) FEET. IN ADDITION, TREES ARE TO BE PRUNED AT LEAST ONCE ANNUALLY.
2. SHRUBS: ALL SHRUBS ARE TO BE TRIMMED ON AN AS-NEEDED BASIS.
3. GRASS:
 - A. CUTTING SCHEDULE: DURING OCTOBER THROUGH APRIL, GRASS AREAS SHOULD BE CUT EVERY OTHER WEEK (TWICE PER MONTH). DURING THE MONTHS OF MAY THROUGH SEPTEMBER, IT SHOULD BE CUT EVERY WEEK (FOUR TIMES PER MONTH). THE FREQUENCY OF MOWING SHALL BE MODIFIED AS NECESSARY.
 - B. DISEASE AND INSECT CONTROL: DISEASE AND INSECT CONTROL SHALL BE PERFORMED ON AN AS-NEEDED BASIS.
 - C. FERTILIZATION: FERTILIZATION AND TURF, TREES, SHRUBS, AND PALMS SHALL BE PERFORMED THREE (3) TIMES A YEAR DURING THE FOLLOWING MONTHS: FEBRUARY, JUNE, AND OCTOBER. IF ANY TREE, SHRUB, TURF, OR PALM IS BADLY DAMAGED OR KILLED BY EXCESSIVE FERTILIZER, IT SHALL BE REPLACED BY THE COMPANY PROVIDING THE SERVICE.
 - D. IRRIGATION: SPRINKLER HEADS SHALL BE MAINTAINED ON A MONTHLY BASIS. ALL HEADS AND PIPING DAMAGED BY A SERVICER'S MACHINERY IS TO BE REPLACED BY THE SERVICER. PUMP(S) FOR THE IRRIGATION SYSTEM SHALL BE PROVIDED AS MAY BE REQUIRED AND MAINTENANCE OF SAID PUMPS SHALL BE AS RECOMMENDED BY THE MANUFACTURER. PUMP STATIONS AND VALVES SHALL BE CHECKED MONTHLY BY AN INDEPENDENT CONTRACTOR TO ASSURE AUTOMATIC OPERATION.

Departmental Acceptance Date
(Government Use Only)

- E. WEEDING: ALL BEDS ARE TO BE WEEDED UPON EVERY CUT. WEEDS GROWING IN JOINTS IN CURBS, ROADS, AND EXPANSION JOINTS SHALL BE REMOVED AS NEEDED. CHEMICAL TREATMENT IS PERMITTED.
- F. TRASH REMOVAL: DIRT, TRASH, CUTTINGS, AND DEBRIS RESULTING FROM ALL OPERATIONS SHALL BE REMOVED AND ALL AREAS LEFT IN CLEAN CONDITION BEFORE THE END OF THE WORKING DAY.

Note: THIS SPECIAL TAXING DISTRICT ENCOMPASES A PRIVATE DRIVE COMMUNITY AND THE MULTIPURPOSE MAINTENANCE COMPONENT OF THE DISTRICT SHALL BE DORMANT. SERVICE WILL ONLY COMMENCE FOLLOWING FAILURE (AS DEFINED IN A "GRANT OF PERPETUAL NON-EXCLUSIVE EASEMENT" SUBMITTED AT THE "SAME TIME" AS THIS PETITION) OF ANY HOME-OWNER'S ASSOCIATION AND/OR COMMUNITY DEVELOPMENT DISTRICT TO PROVIDE THE REQUIRED SERVICES. ASSUMPTION OF MAINTENANCE SERVICES SHALL COMMENCE FOLLOWING ADOPTION OF THIS DISTRICT'S MULTIPURPOSE MAINTENANCE ASSESSMENT ROLL BY THE BOARD OF COUNTY COMMISSIONERS AT A PUBLIC HEARING. OTHER MAINTENANCE SERVICES MAY BE PROVIDED IN THE FUTURE AS SPECIFIED IN THE DISTRICT'S ORDINANCE AND AMENDMENTS THERETO. IN THE EVENT THIS DISTRICT IS ACTIVATED, THE FOLLOWING AREAS MAY BE MAINTAINED:

LANDSCAPE, COMMON AREAS, INGRESS/EGRESS AND ENTRANCE FEATURES

RESOLUTION NO. 16-1370

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF MIAMI LAKES, FLORIDA, SUPPORTING THE ESTABLISHMENT OF THE (DORMANT) CENTRE LAKE MULTIPURPOSE MAINTENANCE SPECIAL TAXING DISTRICT FOR THE PROPERTY GENERALLY LOCATED AT THE NORTHWEST CORNER OF NW 87 AVENUE AND NORTHWEST 154 STREET AND IDENTIFIED BY MIAMI DADE COUNTY TAX FOLIO NO. 32-2016-000-0020 ("DUNNWOODY LAKE"); AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, Lennar Homes, LLC (the "Owner") owns that certain parcel of land generally located at the northwest corner of Northwest 87 Avenue and Northwest 154 Street within the boundaries of the Town of Miami Lakes (the "Town"), which is included in Miami-Dade Tax Folio No. 32-2016-000-0020 ("Dunnwoody Lake" or "Property"), the legal description of which is attached hereto as Exhibit A;

WHEREAS, the Town found on November 3, 2015, that it was in the best interests of the Town and its residents to support the establishment of the Centre Lake Community Development District for the Property (the "CDD") as a reasonable alternative to the financing, construction, delivery and long-term operation and management of basic infrastructure servicing the proposed development on the Property pursuant to the County Code and Chapter 190, Florida Statutes.

WHEREAS, in order to obtain approval from the Miami-Dade County Board of County Commissioners for the creation and establishment of the CDD, a resolution supporting the establishment by Miami-Dade County Board of County Commissioners of the Centre Lake Multipurpose Maintenance Special Taxing District for the Property must accompany the CDD documentation;

WHEREAS, Town finds that it is in the best interests of the Town and its residents to support the establishment of the Centre Lake Multipurpose Maintenance Special Taxing District as a backup mechanism in the event the CDD is dissolved or becomes defunct and fails to provide maintenance services within the public rights-of-way as specified in the CDD petition and in such event, the required dormant Centre Lake Multipurpose Maintenance Special Taxing District shall be activated to provide such maintenance.

NOW, THEREFORE, BE IT RESOLVED BY THE TOWN COUNCIL OF THE TOWN OF MIAMI LAKES THAT:

Section 1. The foregoing recitals are true and correct and are incorporated herein by reference.

Section 2. The Town Council of the Town of Miami Lakes hereby supports the creation of the Centre Lake Multipurpose Maintenance Special Taxing District.

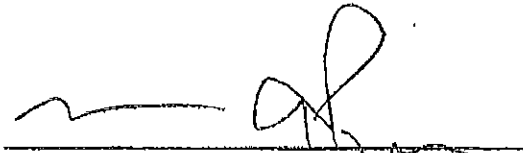
Section 3. This Resolution shall be effective immediately upon adoption.

THIS SPACE INTENTIONALLY LEFT BLANK

Passed and adopted this 5th day of April, 2016.

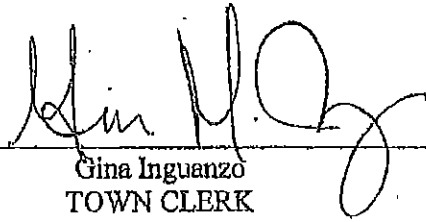
The foregoing resolution was moved by COUNCILMAN LAMA the motion was seconded by COUNCILMAN MESTRE and upon being put to a vote, the vote was as follows:

Mayor Michael A. Pizzi, Jr.	<u>Y</u>
Vice Mayor Tim Daubert	<u>Y</u>
Councilmember Manny Cid	<u>N</u>
Councilmember Tony Lama	<u>Y</u>
Councilmember Ceasar Mestre	<u>Y</u>
Councilmember Frank Mingo	<u>Y</u>
Councilmember Nelson Rodriguez	<u>Y</u>



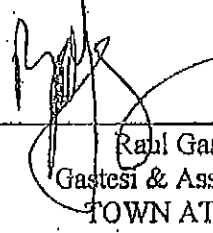
Michael A. Pizzi, Jr.
MAYOR

Attest:



Gina Inguanzo
TOWN CLERK

Approved as to form and legal sufficiency:



Raul Gastesi, Jr.
Gastesi & Associates, P.A.
TOWN ATTORNEY



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

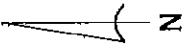
Subject: Street Lighting, Maintenance of
Landscape, Walls Adjacent to
Double-Frontage Lots and Lakes
Special Taxing Districts

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.

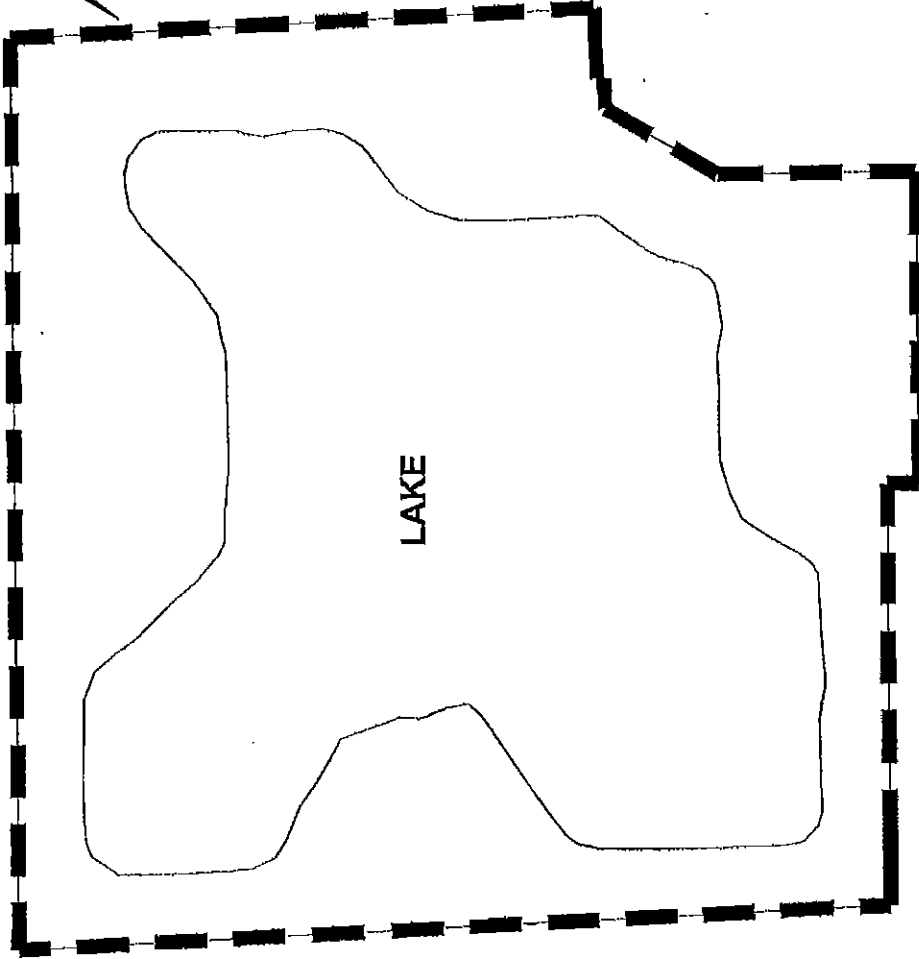
DO'QW: GA: TBS



THEO. NW 162 STREET

DISTRICT BOUNDARIES

NW 87 AVENUE



L-76 EXTENSION

NW 154 STREET

**DUNNWOODY LAKE
MULTIPURPOSE MAINTENANCE
SPECIAL TAXING DISTRICT**

NOTE: SEE ATTACHED SHEET FOR SERVICE DESCRIPTIONS AND LOCATIONS.

M-777 (COMM. 0013)
SECTION: 16 - 52 - 40

EXHIBIT "A"
Boundaries and Geographical Location Sketch

ATTACHMENT TO EXHIBIT "A"

DUNNWOODY LAKE
MULTIPURPOSE MAINTENANCE SPECIAL TAXING DISTRICT

AREAS TO BE MAINTAINED:

ALL LANDSCAPED TRACTS, GRASS MEDIANS, BERMS, FENCES, WALLS, AND ENTRANCE FEATURES ADJACENT TO AND/OR ACCESSIBLE FROM PUBLIC RIGHTS-OF-WAY WITHIN THE BOUNDARIES OF THE SPECIAL TAXING DISTRICT.

MAINTENANCE SCHEDULE:

- A) LAWN/GRASS
 - 1) CUT BIMONTHLY 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/FENCE MAINTENANCE
 - 1) MAINTENANCE AND REPAIR OF THE EXTERIOR OF DECORATIVE MASONRY WALLS AND THE REMOVAL OF GRAFFITI AS NEEDED.
- D) LAKE MAINTENANCE
 - 1) TO INCLUDE, BUT NOT LIMITED TO, REMOVAL OF DEBRIS, AQUATIC WEED, PLANTS AND ALGAE BY CHEMICAL AND/OR MECHANICAL MEANS AS NEEDED.

IMPROVEMENTS BY DEVELOPER FOR EACH LAKE:

- A) A 2-SPACE PARKING AREA ADJACENT TO THE RIGHT-OF-WAY.
- B) A 12-FOOT WIDE IMPROVED BOAT RAMP TO EXTEND INTO THE WATER SUFFICIENT TO ALLOW A 3-FOOT LAUNCHING DEPTH AT MEDIAN LAKE WATER LEVEL.
- C) A LOCKING SWINGING GATE, 12 FT. WIDE WITH REMOVAL GUARDRAIL.

NOTE: THE SPECIAL TAXING DISTRICT ENCOMPASSES A PRIVATE DRIVE COMMUNITY, IT SHALL BE DORMANT; AND SERVICE WILL ONLY COMMENCE FOLLOWING FAILURE (AS DEFINED IN A "GRANT OF PERPETUAL NON-EXCLUSIVE EASEMENT" SUBMITTED AT THE SAME TIME AS THIS PETITION) OF ANY HOMEOWNERS ASSOCIATION AND/OR COMMUNITY DEVELOPMENT DISTRICT TO PROVIDE THE REQUIRED SERVICES. ASSUMPTION OF MAINTENANCE SERVICES SHALL COMMENCE FOLLOWING ADOPTION OF THIS DISTRICT'S MULTIPURPOSE MAINTENANCE ASSESSMENT ROLL BY THE BOARD OF COUNTY COMMISSIONERS AT A PUBLIC HEARING. OTHER MAINTENANCE SERVICES MAY BE PROVIDED IN THE FUTURE AS SPECIFIED IN THE DISTRICT'S ORDINANCE AND AMENDMENTS THERETO. IN THE EVENT THIS DISTRICT IS ACTIVATED, THE FOLLOWING AREAS MAY BE MAINTAINED:

LAKES, INGRESS/EGRESS AND COMMON AREAS.



MEMORANDUM

(Revised)

TO: Honorable Chairman Esteban L. Bovo, Jr.
and Members, Board of County Commissioners

DATE: March 7, 2017

FROM: Abigail Price-Williams
County Attorney

SUBJECT: Agenda Item No. 5(G)

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(G)
3-7-17

ORDINANCE NO. _____

ORDINANCE CREATING AND ESTABLISHING A SPECIAL TAXING DISTRICT IN MIAMI-DADE COUNTY, FLORIDA, GENERALLY BOUNDED BY NW 162 STREET ON THE NORTH, NW 87 AVENUE ON THE EAST, NW 154 STREET ON THE SOUTH AND I-75 EXTENSION ON THE WEST, KNOWN AND DESCRIBED AS DUNNWOODY LAKE MULTIPURPOSE MAINTENANCE SPECIAL TAXING DISTRICT; IDENTIFYING SERVICES TO BE PROVIDED; AND PROVIDING FOR EXCLUSION FROM 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 (the "Board"), 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 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 Board 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 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 DUNNWOODY LAKE MULTIPURPOSE MAINTENANCE SPECIAL TAXING DISTRICT (“Special Taxing District”) duly signed by 100 percent of the owners (developer/petitioner) of property within the proposed Special Taxing District, was filed with the Clerk of the Board. 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 Board 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 a written report and recommendations (“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 Special Taxing District, an estimate of the cost of maintaining and operating such programs and/or services, certification that the proposed Special Taxing District’s 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 Special Taxing District, the ability of the affected properties to bear special assessments to fund the cost of maintaining and operating such programs and/or services, and an estimate of the amount to be assessed against each square foot of the benefited properties within the proposed Special Taxing 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 Special Taxing 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 from such Report and Recommendations of the County Mayor or County Mayor's designee and other investigations that the Special Taxing 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 public places within the proposed Special Taxing District, and copies thereof will be mailed to all owners of taxable real property within the boundaries of the proposed Special Taxing 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 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, 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 Dunnwoody Lake Multipurpose Maintenance Special Taxing District is hereby created and established in the Town of Miami Lakes, Florida.

Section 2. The area or boundaries of this Special Taxing District are generally bounded by NW 162 Street on the north, NW 87 Avenue on the east, NW 154 Street on the south and the I-75 Extension on the west as follows:

A portion of Section 16, Township 52 South, Range 40 East, Miami-Dade County, Florida; being more particularly described as follows:

Begin at the northwest corner of the SE ¼ of said Section 16; thence N 89° 31' 58" E for 2,600.60 feet; thence S 02° 36' 00" E for 1,673.84 feet; thence S 87° 24' 00" W for 200.00 feet; thence S 02° 36' 00" E for 20.00 feet; thence S 87° 24' 00" W for 87.27 feet; thence S 29° 56' 58" W for 375.94 feet; thence S 00° 25' 11" W for 564.21 feet; thence S 89° 34' 49" W for

888.59 feet; thence N 00° 25' 11" E for 90.00 feet; thence S 89° 34' 49" W for 1,203.07 feet; thence N 02° 37' 29" W for 2,501.81 feet to the Point-of-Beginning (a.k.a. Dunnwoody Lake, Tentative Plat # T-23786).

The areas and geographical locations of this Special Taxing District are shown on the map or sketch attached to the Report and Recommendations of the County's Mayor or County Mayor's designee, labeled "Exhibit A" and made a part herein by reference.

Section 3. The services to be provided within this Special Taxing District will initially consist of the following:

Maintenance of landscaped swales, medians, common areas, wetlands, lakes, any entrance features, and the exterior of any fencing or walls within the Special Taxing District's boundaries abutting public rights-of-way, including maintenance of turf, trees, shrubs, irrigation, and utility payments, should any association or community development district (CDD) fail to provide these services. The Special Taxing District will also maintain the private road area if there is a failure to provide maintenance within the private road area as defined in a non-exclusive easement granted to Miami-Dade County and recorded in the Public Records. Service will commence following failure of any association or CDD to provide these services, and upon adoption of the Special Taxing District's multipurpose maintenance assessment roll. Other maintenance services may be provided in the future as specified in the Special Taxing District's ordinance and amendments thereto.

Section 4. The estimated cost to the property owners for the multipurpose maintenance services and operation of the Special Taxing District's programs and/or services including engineering, administration, billing, collecting and processing, for the first year is \$437,121.07, and \$396,511.57 for the second year. It is estimated that the cost per assessable square foot of real property within the Special Taxing District is \$0.0846 for the first year, and \$0.0767 for the second year. The second and succeeding years' assessments will be adjusted from actual experience.

Section 5. It is hereby declared that said programs and/or services will be a special benefit to all properties within the 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 Special Taxing 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 and Recommendations 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 Special Taxing District property owners for the purpose of reviewing the Special Taxing District's budget and level of service.

Section 7. The County Mayor or County Mayor's designee is authorized and directed to cause the installation, maintenance, and operation of various public improvements within the Special Taxing District in accordance with the provisions of this Ordinance. However, multipurpose maintenance services will be provided by the Special Taxing District in accordance with the provisions of this ordinance only if an association and, if applicable, a community development district, have failed to provide these maintenance services and the County has adopted this Special Taxing District's multipurpose maintenance assessment roll.

Section 8. In the event that the Special Taxing District is activated, the County Mayor or County Mayor's designee is further directed to cause to be prepared and filed with the Clerk of the Board 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. It is the intention of the Board and it is hereby ordained that the provisions of this ordinance shall be excluded from the Code of Miami-Dade County.

Section 11. 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:

Daija Page Lifshitz

APW
one for