

# Memorandum



**Date:** (Public Hearing 11-7-17)  
October 3, 2017

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

**From:** Carlos A. Gimenez  
Mayor

A handwritten signature in black ink, appearing to read "Carlos A. Gimenez", written over the printed name of the Mayor.

Agenda Item No. 5(G)

**Subject:** Ordinance Amending the Chadustry Estates Multipurpose Maintenance and Street Lighting 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) to amend Ordinance No. 05-02 (Ordinance), which created the Chadustry Estates Multipurpose Maintenance and Street Lighting Special Taxing District (Special Taxing District).

## **Scope**

This Special Taxing District lies within District 9, which is represented by Commissioner Dennis C. Moss, and the multipurpose maintenance services will be dissolved at the earliest practicable time if this ordinance is approved by the Board.

## **Fiscal Impact/Funding Source**

The proposed ordinance amendment will result in no fiscal impact to Miami-Dade County (County). There will be no increase or decrease in County staffing due to the dissolution of the multipurpose maintenance services. If this ordinance amendment is approved, the Parks, Recreation and Open Spaces Department (PROS) will determine if the District has any excess funds that will not be needed for multipurpose maintenance services, which would then be refunded to the property owners. Property owners would continue to be assessed for street lighting services.

## **Social Equity Statement**

The proposed ordinance amends the 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 Special Taxing District will pay a reduced special assessment appropriately apportioned according to the special benefit they receive from the Special Taxing District's lighting services regardless of their demographics, and the total estimated amount of the special assessment to be levied would not be in excess of such special benefit. The dissolution of this Special Taxing District's multipurpose maintenance services, which was requested by 100 percent of the property owners, will cease at the earliest practicable time.

## **Track Record/Monitor**

The Special Taxing District is managed by PROS and overseen by the Chief of the Special Taxing Districts Division (Division), Michael R. Bauman.

**Background**

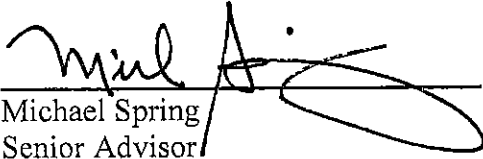
The Special Taxing District was created on January 20, 2005, by Ordinance No. 05-02 and provides multipurpose maintenance and street lighting services. Contingent upon Board approval of the amending ordinance, the Special Taxing District's multipurpose maintenance services will be dissolved. Services should be continued by the residents. The street lighting services will remain active. The facilities provided will remain the property of Florida Power and Light (FPL). FPL will continue to be responsible for the maintenance, repairs, upgrades, and replacement of the light fixtures, lamps, poles, and all connecting service lines. The Division will continue to administer FPL's agreement, installation, and billing process.

<b>Boundaries:</b>	On the North, SW 161 Street; On the East, SW 152 Avenue; On the South, SW 162 Street; On the West, theo. SW 153 Avenue.
<b>Number of Parcels:</b>	12
<b>Number of Resident Owners:</b>	3
<b>Number of Owners With Homestead Exemption Signing Petition:</b>	Signed by 3 or 100% of the resident property owners (See attached petition).
<b>Public Hearing Notification:</b>	As pursuant to Section 18-3(d), a public notice will be duly published in a newspaper of general circulation published in Miami-Dade County, Florida, and copies thereof will be mailed to all owners of taxable real property within the boundaries of the Special Taxing District as their names and addresses appear on the latest Miami-Dade County Real Property Tax Roll.
<b>Preliminary Public Meeting:</b>	None necessary
<b>Required Referendum:</b>	The amendment of the Special Taxing District will be subject only to the Board's approval; no election will be necessary as 100 percent of the property owners have signed the amending petition.
<b>Revised Assessment Roll:</b>	Submitted on the same agenda as a separate agenda item for consideration and adoption by the Board and contingent upon the approval of the Special Taxing District's amending ordinance. The implementation of the assessment roll will be in

Honorable Chairman Esteban L. Bovo, Jr.  
and Members, Board of County Commissioners  
Page No. 3

accordance with the procedures defined in Chapter  
18 of the Code.

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 amendment be adopted.

  
Michael Spring  
Senior Advisor

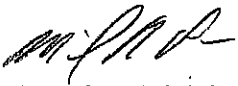
Attachments

# Memorandum



Date: June 9, 2017

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

From: Michael R. Bauman   
Chief, Special Taxing Districts Division  
PROS Department

Subject: Chadustry Estates Multipurpose Maintenance and  
Street Lighting Special Taxing District

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

1. Total number of parcels of land within district boundaries	<u>12</u>
2. Total number of resident owners of property within district boundaries	<u>3</u>
3. Total number of resident owners signing the attached petition	<u>3</u>
4. Percentage of resident owners signing the attached petition	<u>100</u>
5. Net Property Valuation	<u>\$3,778,021.00</u>

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

Attachment

PETITION TO DISSOLVE THE MULTIPURPOSE MAINTENANCE SERVICES OF THE  
**CHADUSTRY ESTATES**  
SPECIAL TAXING DISTRICT  
MIAMI-DADE COUNTY PARKS, RECREATION AND OPEN SPACES DEPARTMENT  
SPECIAL TAXING DISTRICTS DIVISION

Petition Issue Date 02/07/2017

Petition Receive Date 02/20/2017

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

**To the Board of County Commissioners of Miami-Dade County, Florida:** We, the undersigned property owners, do hereby petition Miami-Dade County, Florida, to dissolve the multipurpose maintenance services of the Chadustry Estates Multipurpose Maintenance and Street Lighting Special Taxing District, created by the Board pursuant to Ordinance No. 05-02. We understand that the signatures of at least 50% of the resident property owners with homestead exemption within the District's boundaries signing the petition will validate the petition. If signed by 100% of the resident property owners with homestead exemption and approved by the Board at a public hearing, the Board's decision will be final. If signed by less than 100% of the resident property owners with homestead exemption and approved by the Board at a public hearing, a subsequent special election will be held for all qualified registered voters residing in the District to ratify the Board's decision.

**District Boundaries:** On the North, SW 161<sup>st</sup> Street; On the East, SW 152<sup>nd</sup> Avenue;  
On the South, SW 162<sup>nd</sup> Street; On the West, Theo. SW 153<sup>rd</sup> Avenue.  
(See district boundaries and geographical location sketch, Exhibit A, on reverse side)

IF THE MULTIPURPOSE MAINTENANCE SERVICES ARE DISSOLVED, A REIMBURSEMENT WOULD OCCUR TO EACH PROPERTY OWNER FOR UNEXPENDED SPECIAL ASSESSMENTS LESS COSTS OF DISSOLVING THE MAINTENANCE SERVICES. SPECIAL ASSESSMENTS MAY BE COLLECTED ON THE 2017-2018 COMBINED REAL PROPERTY TAX BILL TO COVER DISTRICT EXPENSES IN THE EVENT DISTRICT DISSOLUTION COSTS EXCEED DISTRICT FUNDS HELD IN ACCOUNT OR THE MAINTENANCE SERVICES REMAIN IN OPERATION. WE UNDERSTAND THAT SHOULD THE MULTIPURPOSE MAINTENANCE SERVICES BE DISSOLVED, THE STREET LIGHTING SERVICES WILL REMAIN IN OPERATION.

OWNER'S NAME	TAX FOLIO AND PROPERTY ADDRESS	DATE SIGNED
Print: <u>JERMAINE STEWART</u> Sign:	Address: <u>15241 SW 161 TERR.</u> <u>MIAMI FL 33187</u> Folio: <u>30-5928-025-0030</u>	<u>2/11/17</u>
Print: <u>Fernando Fernandez</u> Sign:	Address: <u>15283 SW 162ND ST</u> <u>MIAMI FL 33187</u> Folio: <u>30-5928-025-0070</u>	<u>2/11/17</u>
Print: <u>Cecilio Moreno</u> Sign:	Address: <u>15282 SW 161 ST</u> <u>MIAMI FL 33187</u> Folio: <u>30-5928-025-0060</u>	<u>2/12/17</u>
Print: <u>Coastal Homebuilders</u> <u>At Chadustry</u> Sign:	Address: <u>15221 SW 161 Terr</u> <u>MIAMI FL 33187</u> Folio: <u>30-5928-025-0020</u>	<u>2/22/17</u>
Print: <u>COASTAL HOMEBUILDERS</u> <u>AT CHADUSTRY</u> Sign:	Address: <u>15201 SW 161 TERR</u> <u>MIAMI FL 33187</u> Folio: <u>30-5928-025-0010</u>	<u>2/22/17</u>

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

**PETITION TO DISSOLVE THE MULTIPURPOSE MAINTENANCE SERVICES OF THE  
CHADUSTRY ESTATES  
SPECIAL TAXING DISTRICT  
MIAMI-DADE COUNTY PARKS, RECREATION AND OPEN SPACES DEPARTMENT  
SPECIAL TAXING DISTRICTS DIVISION**

Petition Issue Date 02/07/2017

Petition Receive Date 02/28/2017

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

**To the Board of County Commissioners of Miami-Dade County, Florida:** We, the undersigned property owners, do hereby petition Miami-Dade County, Florida, to dissolve the multipurpose maintenance services of the Chadustry Estates Multipurpose Maintenance and Street Lighting Special Taxing District, created by the Board pursuant to Ordinance No. 05-02. We understand that the signatures of at least 50% of the resident property owners with homestead exemption within the District's boundaries signing the petition will validate the petition. If signed by 100% of the resident property owners with homestead exemption and approved by the Board at a public hearing, the Board's decision will be final. If signed by less than 100% of the resident property owners with homestead exemption and approved by the Board at a public hearing, a subsequent special election will be held for all qualified registered voters residing in the District to ratify the Board's decision.

**District Boundaries:** On the North, SW 161<sup>st</sup> Street; On the East, SW 152<sup>nd</sup> Avenue;  
On the South, SW 162<sup>nd</sup> Street; On the West, Theo. SW 153<sup>rd</sup> Avenue.  
(See district boundaries and geographical location sketch, Exhibit A, on reverse side)

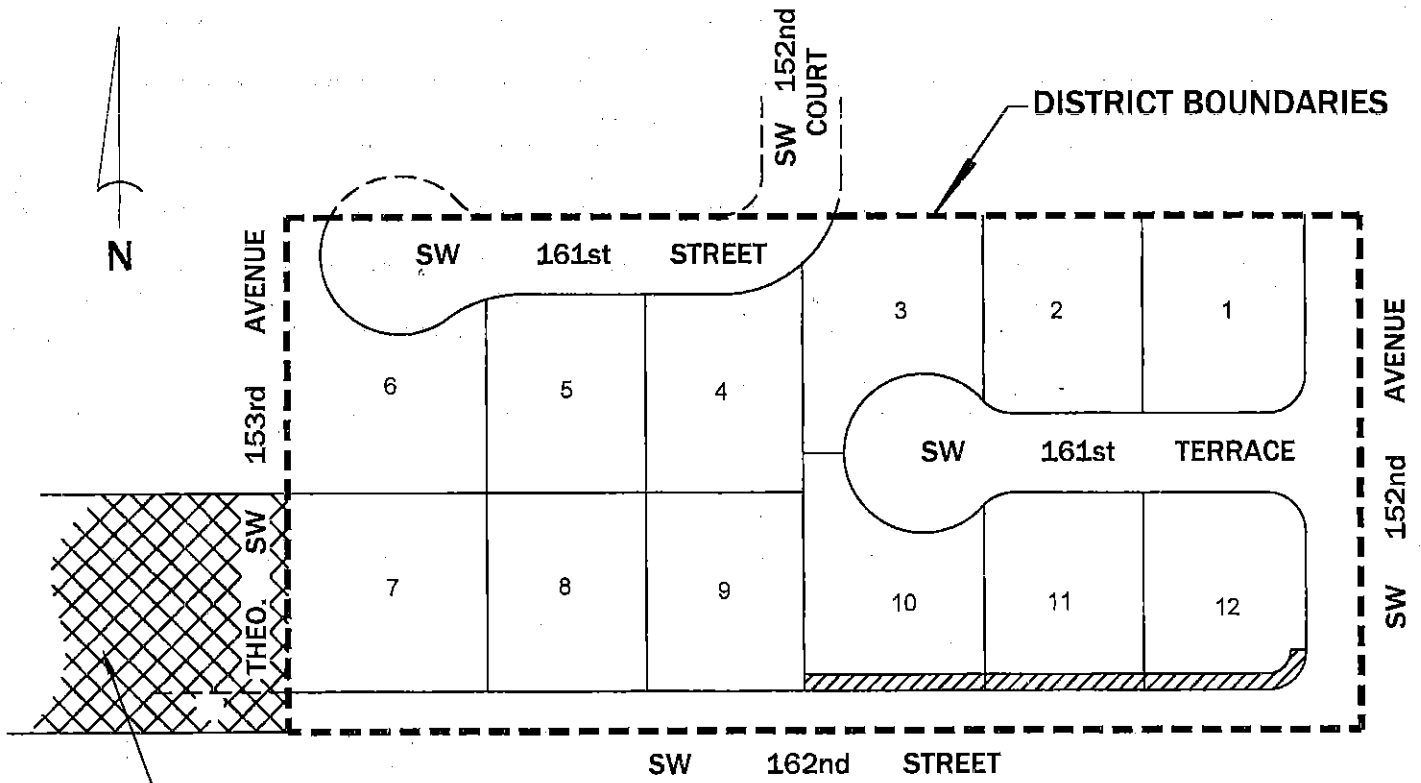
**IF THE MULTIPURPOSE MAINTENANCE SERVICES ARE DISSOLVED, A REIMBURSEMENT WOULD OCCUR TO EACH PROPERTY OWNER FOR UNEXPENDED SPECIAL ASSESSMENTS LESS COSTS OF DISSOLVING THE MAINTENANCE SERVICES. SPECIAL ASSESSMENTS MAY BE COLLECTED ON THE 2017-2018 COMBINED REAL PROPERTY TAX BILL TO COVER DISTRICT EXPENSES IN THE EVENT DISTRICT DISSOLUTION COSTS EXCEED DISTRICT FUNDS HELD IN ACCOUNT OR THE MAINTENANCE SERVICES REMAIN IN OPERATION. WE UNDERSTAND THAT SHOULD THE MULTIPURPOSE MAINTENANCE SERVICES BE DISSOLVED, THE STREET LIGHTING SERVICES WILL REMAIN IN OPERATION.**

OWNER'S NAME	TAX FOLIO AND PROPERTY ADDRESS	DATE SIGNED
Print: COASTAL HOMEBUILDERS AT CHADUSTRY // Sign:	Address: 15202 SW 161 TER MIAMI, FL 33187 Folio: 30-5928-025-0120	2/22/17
Print: SAMUEL PAPU // Sign:	Address: 15222 SW 161 TER MIAMI FL 33187 Folio: 30-5928-025-0110	2/22/17
Print: COASTAL HOMEBUILDERS AT CHADUSTRY Sign:	Address: 15243 SW 162 ST MIAMI FL 33187 Folio: 30-5928-025-0090	2/22/17
Print: COASTAL HOMEBUILDERS AT CHADUSTRY // Sign:	Address: 15263 SW 162 ST MIAMI FL 33187 Folio: 30-5928-025-0080	2/22/17
Print: SAMUEL PAPU // Sign:	Address: 15242 161 TER MIAMI FL 33187 Folio: 30-5928-025-0100	2/22/17

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

6





EXIST. ANACO ESTATES  
FIRST ADDITION S.T.D.

# CHADUSTRY ESTATES

MULTIPURPOSE MAINTENANCE AND  
STREET LIGHTING SPECIAL TAXING DISTRICT

 SHADING DENOTES LANDSCAPED MAINTENANCE SERVICES TO BE DISSOLVED.

L-1027 / M - 442 (COMM.0009)  
SECTION: 28- 55- 39

(REVISED)  
EXHIBIT "A"







# MEMORANDUM

(Revised)

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

**DATE:** November 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)  
11-7-17

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

ORDINANCE AMENDING ORDINANCE NO. 05-2 RELATING TO THE CHADUSTRY ESTATES MULTIPURPOSE MAINTENANCE AND STREET LIGHTING SPECIAL TAXING DISTRICT IN MIAMI-DADE COUNTY, FLORIDA, GENERALLY BOUNDED ON THE NORTH BY SW 161 STREET, ON THE EAST BY SW 152 AVENUE, ON THE SOUTH BY SW 162 STREET, AND ON THE WEST BY THEORETICAL SW 153 AVENUE; RENAMING THE SPECIAL TAXING DISTRICT; DISCONTINUING THE MULTIPURPOSE MAINTENANCE SERVICES; DIRECTING THE MAYOR OR DESIGNEE TO PREPARE A REVISED PRELIMINARY ASSESSMENT ROLL; PROVIDING FOR EXCLUSION FROM THE CODE AND AN EFFECTIVE DATE

**WHEREAS**, on January 20, 2005, this Board passed Ordinance No. 05-2, creating the Chadustry Estates Multipurpose Maintenance and Street Lighting Special Taxing District (“Special Taxing District”); and

**WHEREAS**, on January 20, 2005, the Board adopted the Special Taxing District’s Preliminary Assessment Rolls per Resolution No. R-6-05; and

**WHEREAS**, pursuant to Section 1.01(A)(11) of the Miami-Dade County Charter; the Board has the authority to abolish and discontinue services within special taxing districts established pursuant to Chapter 18 of the Code of Miami-Dade County, Florida (“Code”); and

**WHEREAS**, a petition to amend Ordinance No. 05-2 to discontinue the multipurpose maintenance services of the Special Taxing District, duly signed by 100 percent of the resident owners of property within the Special Taxing District, was submitted to the Parks, Recreation and Open Spaces Department (“PROS”), which reviewed and checked the petition against the Property Appraiser’s records; and

**WHEREAS**, upon confirmation of the resident-owner requirement, PROS transmitted a copy of the petition to the Clerk, and the Clerk transmitted a copy thereof to the County Mayor or County Mayor's designee who examined it and filed with the Clerk a memorandum, a copy of which is incorporated in this Ordinance by reference, setting forth the background of the Special Taxing District and recommending that the Special Taxing District be amended; and

**WHEREAS**, the memorandum of the County Mayor or County Mayor's designee recommends amending the services provided to the Special Taxing District to discontinue multipurpose maintenance services to all properties within the Special Taxing District; and

**WHEREAS**, the Clerk will certify the place, date, and hour for a public hearing on the petition of the property owners and the memorandum at which all interested persons will be afforded the opportunity to present for this Board's consideration their objections, if any, to the amendment of the improvement(s) and/or services to be provided to the Special Taxing District; and

**WHEREAS**, the public hearing was held during the meeting of this Board on Tuesday, \_\_\_\_\_, beginning at 9:30 a.m. in the Commission Chambers, Stephen P. Clark Center, 111 NW 1st Street, Miami, Florida,

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

**Section 1.** This Board adopts and incorporates the matters set forth in the foregoing recitals as part of this Ordinance.

**Section 2.** The Chadustry Estates Multipurpose Maintenance and Street Lighting Special Taxing District shall be renamed the Chadustry Estates Street Lighting Special Taxing District.

**Section 3.** Ordinance No. 05-2 is hereby amended to discontinue the multipurpose maintenance services.

**Section 4.** The County Mayor or County Mayor's designee is directed to cause to be prepared and filed with the Clerk a revised Preliminary Assessment Roll for the street lighting improvements and/or services, in accordance with the provisions of sections 18-14 and 18-22.1 of the Code. 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. Unless paid when due, such assessments shall be deemed delinquent and payment thereof may be enforced by means of the procedures provided by the provisions of Chapter 197, Florida Statutes, and/or section 18-14(8) of the Code, including possible loss of title.

**Section 5.** Except to discontinue the multipurpose maintenance services in the Special Taxing District as provided herein, this Ordinance does not affect, amend or modify Ordinance No. 05-2.

**Section 6** A duly certified copy of this Ordinance shall be filed in the Office of the Clerk of the Circuit of Miami-Dade County, Florida, and recorded in the appropriate book of records.

**Section 7.** It is the intention of the Board, and it is hereby ordained that the provisions of this Ordinance be excluded from the Code.

**Section 8.** The provisions of this Ordinance shall become effective ten 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:

Handwritten signature of APW, consisting of the letters 'APW' in a cursive style, underlined.

Prepared by:

Handwritten signature of DPL, consisting of the letters 'DPL' in a cursive style, enclosed in a circle.

Daija Page Lifshitz