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CLERK OF THE BOARD
OF COUNTY COMMISSIONERS
MIAMI-DADE COUNTY, FLORIDA

Memorandum

MIAMI-DADE COUNTY

Date: (Public Hearing 7-21-09)
June 2, 2009

Agenda Item No. 5(A)

Ordinance No. 09-63

To: Honorable Chairman Dennis C. Moss
and Members, Board of County Commissioners

From: George M. Burgess
County Manager

Subject: Hammock Lakes Security Guard
Special Taxing District

Recommendation

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

Scope

This proposed special taxing district is located within Commission District Seven (7) and will provide security guard services operating from a guardhouse.

Fiscal Impact/Funding Source

Creation of this District will result in no economic impact on the County's budget except the advancement of funds from various Departments for expenditures or labor and materials necessary to process the District. All District costs incurred will be reimbursed to each Department after the BCC adopts the District's preliminary assessment roll, ratification of BCC action by registered voters through mailed ballot, and the anticipated collection of assessments on the affected property owner's November 2009 annual tax bill.

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

At this time there will be no increase or decrease in County staffing due to this District. The private sector may increase its staffing levels to provide the service requirements created by this special taxing district.

Track Record/Monitoring

The Public Works Department's Special Taxing Districts Division will monitor compliance with the terms and conditions of a contract with a private security guard service provider.

Background

Boundaries:	On the North, SW 88th Street (N. Kendall Drive); On the East, Old Cutler Road; On the South, SW 92nd Street and theo. 94th Street; On the West, theo. SW 56th Avenue.
Number of Parcels:	69
Number of Resident Owners:	57
Number of Owners With Homestead Exemption Signing Petition:	44 or 77.2% of the resident property owners.
Preliminary Public Meeting:	April 29, 2009.
Type of Improvements:	The service will consist of a visible safety and sentinel security service using unarmed uniformed guards provided by a private security guard company continuously operating from a guardhouse located on SW 52nd Avenue (School House Road) south of SW 88th Street (N. Kendall Drive) and a road closure with emergency access gate on Hammock Lake Drive west of Old Cutler Road. Service will be provided 24 hours per day, 365 days per year.
Required Referendum:	Every qualified registered voter residing within the District limits will be afforded the opportunity to vote at an election conducted by mail, and estimated to be held in September 2009.
Preliminary Assessment Roll:	Submitted on the same agenda as a separate agenda item for consideration and adoption by the BCC and contingent upon BCC approval of this District's creation ordinance and subsequent ratifying referendum. The implementation of the assessment roll will be in accordance with the procedures defined in Chapter 18 of the Code.
Estimated Start of Service:	October 2011.

Estimated Initial Billing:	November 2009. Assessment billed annually as an itemized portion of the annual tax bill.	
	First Year's Cost To Be Collected Over A Two Year Period	**Third and Succeeding Years**
Estimated Total District Cost:	$672,000	$257,000
Method of Apportionment:	Developed lot assessed as one unit. Underdeveloped/vacant lot assessed as ½ unit. Lot with one driveway external to the District assessed as ½ unit.	

Sample Assessments:	**First Year**	**Second Year**	**Third and Succeeding Years**
Cost Per Year For A Developed Lot Assessed As One Unit:	$5,169.00	$5,169.00	$3,954.00
Cost Per Year For A Underdeveloped/ Vacant Lot Assessed As ½ Unit:	$2,584.50	$2,584.50	$1,977.00
Cost Per Year For A Lot With One Driveway External To The District Assessed As ½ Unit:	$2,584.50	$2,584.50	$1,977.00

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

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

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

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

Assistant County Manager

MEMORANDUM
(Revised)

TO: Honorable Chairman Dennis C. Moss and Members, Board of County Commissioners

DATE: July 21, 2009

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

SUBJECT: Agenda Item No. 5(A)

Please note any items checked.

_____ **"4-Day Rule" ("3-Day Rule" for committees) applicable if raised**

_____ **6 weeks required between first reading and public hearing**

_____ **4 weeks notification to municipal officials required prior to public hearing**

_____ **Decreases revenues or increases expenditures without balancing budget**

_____ **Budget required**

_____ **Statement of fiscal impact required**

_____ **Bid waiver requiring County Mayor's written recommendation**

_____ **Ordinance creating a new board requires detailed County Manager's report for public hearing**

✓ **Housekeeping item (no policy decision required)**

✓ **No committee review**

Approved _____ Mayor
Veto _____
Override _____

Agenda Item No. 5(A)
7-21-09

ORDINANCE NO. **09-63**

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

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

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

WHEREAS, pursuant to such provisions of the Florida Constitution and the Home Rule Charter, the Board of County Commissioners duly enacted Chapter 18 of the Code of Miami-Dade County, Florida, providing for the creation and establishment of special taxing districts and prescribing the procedures therefor; and

WHEREAS, in accordance with the provisions of Chapter 18 of the Code of Miami-Dade County, Florida, a petition for the creation of a special taxing district to be known as the HAMMOCK LAKES SECURITY GUARD SPECIAL TAXING DISTRICT duly signed by more than 50% of the resident owners of property within the proposed district, was filed with the Clerk of the County Commission. Such petition prayed for the creation and establishment of a special taxing district for the purpose of providing security guard services to be financed solely by means of special assessments levied and collected within the area therein and hereinafter described; and

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

WHEREAS, the County Manager, after making appropriate investigations, surveys, plans and specifications, compiled and filed with the Board of County Commissioners his written report and recommendations setting forth the boundaries of the proposed special taxing district, the location, nature and character of the security guard services to be provided and maintained within the proposed district, his certification that the proposed district conform to the master plan of development for the County, and setting forth his recommendations concerning the need for and desirability of the requested services, the ability of the affected property to bear special assessments for financing the cost of providing such services, and an estimate of the amount to be assessed against each developed and/or vacant/underdeveloped benefited parcel of property within the proposed district, and expressing his opinion that the property to be specially assessed will be benefited in excess of the special assessments to be levied, and the County Manager attached to such report and recommendations a map or sketch showing the boundaries and

location of the proposed district. Such Report and Recommendations of the County Manager was filed with the Clerk and transmitted to the Chairperson; and

WHEREAS, it appearing to the Board of County Commissioners from such report of the County Manager and other investigations that the district petitioned for would be of special benefit to all property within the proposed boundaries and that the total amount of the special assessments to be levied would not be in excess of such special benefit; the Clerk of the Board certified the place, date and hour for a public hearing on the petition of the owner/developer/petitioner and the report and recommendations of the County Manager -- said hearing was held on Tuesday, **July 21, 2009** . Copies of the public notice were duly published in a newspaper of general circulation published in Miami-Dade County, Florida, and copies thereof were posted in not less than five (5) public places within the proposed district, and copies thereof were mailed to all owners of taxable real property within the boundaries of the proposed district as their names and addresses appear on the latest Miami-Dade County Real Property Tax Roll; and

WHEREAS, pursuant to said notice, the Board of County Commissioners on Tuesday, **July 21, 2009** , held a public hearing, at which all interested persons were afforded the opportunity to present their objections, if any, to the creation and establishment of the proposed special taxing district; and

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

WHEREAS, pursuant to the provisions of Chapter 18 of the Miami-Dade County Code, the governing body of the City of Coral Gables has agreed by Resolution No. R2008-54 (As

Amended) and Resolution No. 2009-36 to the creation and establishment of the special taxing district herein proposed encompassing property within its municipal limits,

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

Section 1. In accordance with the provisions of Chapter 18 of the Code of Miami-Dade County, Florida, a special taxing district located within the City of Coral Gables, Florida, known and designated as the HAMMOCK LAKES SECURITY GUARD SPECIAL TAXING DISTRICT is hereby created and established.

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

On the North, SW 88th Street (N. Kendall Drive);
On the East, Old Cutler Road;
On the South, SW 92nd Street and theo. 94th Street;
On the West, theo. SW 56th Avenue;

And are more fully described as follows:

A portion of Section 6, Township 55 south, Range 41 East, Miami-Dade County, Florida; being more particularly described as follows:

The north 180.00 feet of the west 270.00 feet of the NW ¼ of the SW ¼ of the NE ¼ of said Section 6;

And

Begin at the southwest corner of the NW ¼ of the NE ¼ of the NE ¼ of said Section 6; thence north along the east line of Lot 1, Block 3 of "Hammock Lake Park" according to the plat thereof, as recorded in Plat Book 44 at Page 87 for 250.00 feet; thence east for 136.00 feet; thence south for 125.00 feet; thence southeasterly along the westerly lot line of Tract B of "Coral Ridge Acre Estates" according to the plat thereof, as recorded in Plat Book 114 at Page 13 for 127.10 feet; thence west for 161.0 feet to the Point of Beginning;

And

The north 550.00 feet of Tract 1, less the west 300.00 feet thereof, of "Amended Plat of Journey's End" according to the plat thereof, as recorded in Plat Book 34 at Page 89, lying west of the west right-of-way line of "Relocation of Old Cutler Road" according to the plat thereof, as recorded in Plat Book 50 at Page 56;

And

The triangular area marked "Park"; Lot 1 less the north 144.00 feet thereof and Lot 2 of Block 1; and the south 250.00 feet of Lot 1, Lots 7 through 21, and Lot A of Block 3 of "Hammock Lake Park" according to the plat thereof, as recorded in Plat Book 44 at Page 87;

And

Lot 9 of "Hammock Lake No. 2" according to the plat thereof, as recorded in Plat Book 51 at Page 81, less Begin at the northwest corner of said Lot 9; thence southwesterly along the westerly lot line of said Lot 9 for 235.00 feet to the southwesterly corner of said lot 9; thence northeasterly for 72.56 feet; thence northerly for 179.92 feet to the Point of Beginning; and Lots 10 through 24 of said Plat Book 51 at Page 81;

And

Lots 26 through 30 of "First Addition to Hammock Lake No. 2" according to the plat thereof, as recorded in Plat Book 55 at Page 23;

And

The east 340.09 feet of the west 660.00 feet of the south 245.00 feet of Lot 3; and the east 647.20 feet of the N ½ of the Lot 5 of "The Avocado Land Co." according to the plat thereof, as recorded in Plat Book 2 at Page 44;

And

All of "French Estates" according to the plat thereof, as recorded in Plat Book 66 at Page 90;

And

All of "Hammock Park" according to the plat thereof, as recorded in Plat Book 71 at Page 43;

And

All of "First Addition to Hammock Park" according to the plat thereof, as recorded in Plat Book 75 at Page 8;

And

All of "Replat of a Portion of Block 2 Hammock Lake Park" according to the plat thereof, as recorded in Plat Book 79 at Page 27;

And

All of "Feinberg Acres" according to the plat thereof, as recorded in Plat Book 86 at Page 48;

And

Tract B of "Coral Ridge Acre Estates" according to the plat thereof, as recorded in Plat Book 114 at Page 13;

And

Lots 11 and 15, Block 1 of "Snapper Creek Oaks First Addition" according to the plat thereof, as recorded in Plat Book 128 at Page 61.

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

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

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

A visible safety and sentinel security service using unarmed uniformed guards provided by a private security guard company continuously operating from a guardhouse located on SW 52nd Avenue (School House Road) south of SW 88th Street (N. Kendall Drive) and a road closure with emergency access gate on Hammock Lake Drive west of Old Cutler Road. Service will be provided 24 hours per day, 365 days per year.

Section 4. The estimated cost to the property owners for the security guard services including engineering, administrative, billing, collecting and processing for the first year is $672,000, and $257,000 for each year thereafter. The County will advance funds for this program, which sum shall be reimbursed by special assessments. It is estimated that the cost per developed parcel of real property within the proposed district for the first and second years is $5,169.00 and $3,954.00 for the third and succeeding years. It is estimated that the cost per vacant/underdeveloped parcel of real property within the proposed district for the first and second years is $2,584.50 and $1,977.00 for the third and succeeding years. It is estimated that the cost per parcel of real property with one driveway external to the District within the proposed district for the first and second years is $2,584.50 and $1,977.00 for the third and succeeding years.

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

Section 6. The County Manager is hereby authorized and directed to take all necessary steps to solicit and receive competitive bids in accordance with established County procedures, and/or, in his discretion, enter into an interlocal agreement to provide for the construction of the guardhouse, road closure and associated improvements. Capital improvements will be furnished and installed by the City of Coral Gables through an interlocal agreement to be executed for that purpose.

Section 7. The County Manager is directed to cause to be prepared and filed with the Clerk of the County Commission a Preliminary Assessment Roll in accordance with the provisions of Section 18-14 of the Code of Miami-Dade County, Florida. As authorized by Section 197.363, Florida Statutes, all special assessments levied and imposed under the provisions of this Ordinance shall be collected, subject to the provisions of Chapter 197, Florida Statutes, in the same manner and at the same time as ad valorem taxes. In accordance with

utilization of the ad valorem tax collection method, if such special assessments are unpaid, when due, the potential for loss of title to the property exists.

Section 8. A duly certified copy of this Ordinance shall be filed in the Office of the Clerk of the Circuit Court of Miami-Dade County, Florida, and recorded in the appropriate book of records.

Section 9. The provisions of this Ordinance shall take effect when approved at an election to be formally called by this Board and noticed and conducted as this Board shall determine by Resolution, unless vetoed by the Mayor, and if vetoed, shall become effective only upon an override by this Board and an approval by a majority of those voting at the election referred to herein.

PASSED AND ADOPTED: **July 21, 2009**

Approved by County Attorney as
to form and legal sufficiency:

Prepared by:

James K. Kracht

REPORT AND RECOMMENDATIONS
ON THE CREATION OF HAMMOCK LAKES
SECURITY GUARD SPECIAL TAXING DISTRICT
MIAMI-DADE COUNTY, FLORIDA

Pursuant to Chapter 18 of the Code, and as a result of a detailed investigation of a duly petitioned for special taxing district, the following facts are submitted by the Public Works Director concerning the creation of Hammock Lakes Security Guard Special Taxing District.

1. BOUNDARIES OF THIS DISTRICT

The proposed District is located entirely within the City of Coral Gables. Pursuant to Chapter 18 of the Code, Miami-Dade County has received approval from the City of Coral Gables to create this special taxing district per Resolution No. R-2008-54 (As Amended) and Resolution No. 2009-36, copies of which are attached. The District's original petition boundaries were expanded by the Public Works Department upon review of the executed petition documents to include two properties located at 9250 and 9300 Old Cutler Road respectively because these properties will receive benefit from the planned security guard service. Therefore, the general boundaries of the Hammock Lakes Security Guard Special Taxing District are now:

On the North, SW 88th Street
(N. Kendall Drive);
On the East, Old Cutler Road;
On the South, SW 92nd Street and
theo. 94th Street;
On the West, theo. SW 56th Avenue;

and are more fully described as follows:

A portion of Section 6, Township 55 South, Range 41 East, Miami-Dade County, Florida; being more particularly described as follows:

The north 180.00 feet of the west 270.00 feet of the NW ¼ of the SW ¼ of the NE ¼ of said Section 6;

And

Begin at the southwest corner of the NW ¼ of the NE ¼ of the NE ¼ of said Section 6; thence north along the east line of Lot 1, Block 3 of "Hammock Lake Park" according to the plat thereof, as recorded in Plat Book 44 at Page 87 for 250.00 feet; thence east for 136.00 feet; thence south for 125.00 feet; thence southeasterly along the westerly lot line of Tract B of "Coral Ridge Acre Estates" according to the plat thereof, as recorded in Plat Book 114 at Page 13 for 127.10 feet; thence west for 161.00 feet to the Point of Beginning;

And

The north 550.00 feet of Tract 1, less the west 300.00 feet thereof, of "Amended Plat of Journey's End" according to the plat thereof, as recorded in Plat Book 34 at Page 89, lying west of the west right-of-way line of "Relocation of Old Cutler Road" according to the plat thereof, as recorded in Plat Book 50 at Page 56;

And

The triangular area marked "Park"; Lot 1 less the north 144.00 feet thereof and Lot 2 of Block 1; and the south 250.00 feet of Lot 1, Lots 7 through 21, and Lot A of Block 3 of "Hammock Lake Park" according to the plat thereof, as recorded in Plat Book 44 at Page 87;

And

Lot 9 of "Hammock Lake No. 2" according to the plat thereof, as recorded in Plat Book 51 at Page 81, less Begin at the northwest corner of said Lot 9; thence southwesterly along the westerly lot line of said Lot 9 for 235.00 feet to the southwesterly corner of said lot 9; thence northeasterly for 72.56 feet; thence northerly for 179.92 feet to the Point of Beginning; and Lots 10 through 24 of said Plat Book 51 at Page 81;

And

Lots 26 through 30 of "First Addition to Hammock Lake No. 2" according to the plat thereof, as recorded in Plat Book 55 at Page 23;

And

The east 340.09 feet of the west 660.00 feet of the south 245.00 feet of Lot 3; and the east 647.20 feet of the N ½ of Lot 5 of "The Avocado Land Co." according to the plat thereof, as recorded in Plat Book 2 at Page 44;

And

All of "French Estates" according to the plat thereof, as recorded in Plat Book 66 at Page 90;

And

All of "Hammock Park" according to the plat thereof, as recorded in Plat Book 71 at Page 43;

And

All of "First Addition to Hammock Park" according to the plat thereof, as recorded in Plat Book 75 at Page 8;

And

All of "Replat of a Portion of Block 2 Hammock Lake Park" according to the plat thereof, as recorded in Plat Book 79 at Page 27;

And

All of "Feinberg Acres" according to the plat thereof, as recorded in Plat Book 86 at Page 48;

And

Tract B of "Coral Ridge Acre Estates" according to the plat thereof, as recorded in Plat Book 114 at Page 13;

And

Lots 11 and 15, Block 1 of "Snapper Creek Oaks First Addition" according to the plat thereof, as recorded in Plat Book 128 at Page 61.

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

The boundaries are shown on the attached plan entitled Hammock Lakes Security Guard Special Taxing District and hereinafter referred to as Exhibit A.

2. DESCRIPTION AND LOCATION OF THE SERVICE TO BE PROVIDED

The service as specified by the petition will be a visible safety and sentinel security service using unarmed uniformed guards provided by a private security guard company continuously operating from a guardhouse located on SW 52nd Avenue (School House Road) just south of SW 88th Street (N. Kendall Drive) and a road closure with emergency access gate on Hammock Lake Drive just west of Old Cutler Road. Service will be provided 24 hours per day, 365 days per year.

The service level will be reviewed with the District's homeowners' association board prior to renewal or reletting of a service contract as it is an integral part of this District's budget process. In the absence of a bona fide homeowners or civic association representing the entire District, notification will be sent to all District property owners informing them of the selection by Miami-Dade County of a service provider.

Service will be provided by a duly licensed and bonded State of Florida approved security service company. The service, as administered by the Miami-Dade County Public Works Department, will commence at the earliest practicable time, following the creation and establishment of the District by the Miami-Dade County Board of County Commissioners and once said creation is ratified by the electorate at the required subsequent referendum. The cost for capital improvements, creation and processing costs will be equalized over a two year period and collected in the District's first two years of assessments. The cost for security

service, utilities, maintenance, insurance, and County administration will be collected the third and succeeding years and therefore no District security services will commence prior to the third year's assessment.

3. ESTIMATED COST FOR THIS SERVICE

The request made by the petitioners is for security services and capital improvements as indicated in Section 2 of this report.

The cost estimates for security guard services are based upon current and projected rates from security service companies providing service to existing security guard special taxing districts. For this report, an estimated hourly rate of $21.00 was used for stationary guards multiplied by the annual number of hours of guard service for an estimated total of $184,000 and will be collected beginning with the third year's assessments. The costs to provide utilities and maintenance for the guardhouse and road closure plus insurance is estimated to be $27,000 annually and will also be collected beginning with the third year's assessments.

A capital outlay estimated to be $548,000 is required for the construction of the guardhouse, road closure, and associated improvements. This cost will be equalized over a two year period and collected in the District's first two year's assessments.

It will be necessary for the County to recover the engineering and contract administrative costs incurred to establish and maintain the District as provided by Chapter 18 of the Code. These costs are estimated to be $30,000 and will be equalized and collected in $15,000 installments over the first two year's assessments; and $21,000 annually thereafter collected beginning with the third year's assessment. Also, it will be necessary for the County to charge the District a fee for handling the billing, advertising, election costs, and collecting the assessments. These costs are estimated to be $6,000 and will be equalized and collected in $3,000 installments over the first two year's assessments; and $1,500 annually thereafter collected beginning with the third year's assessments. Additionally, contingency funds in the amount of $88,000 are to be equalized and collected in $44,000 installments over the first two year's assessments; and $23,500 annually thereafter collected beginning with the third year's assessments.

Therefore, the total costs for capital improvements, creation and contingencies are estimated to be $672,000 and are to be equalized and collected over the District's first two year's assessments. The total costs for security service, utilities, maintenance, insurance, administration, and contingencies are estimated to be $257,000 annually thereafter and will be collected beginning with the third year's assessments.

ESTIMATED ANNUAL COSTS

	Creation and Construction Costs To Be Collected Over A Two year Period	Third and Succeeding Years
Annual Cost of Security Guard Service	-0-	$184,000
Capital Improvements	$548,000	-0-
Utilities, Maintenance Expenses and Insurance	-0-	27,000
Engineering & Contract Administrative Cost	30,000	21,000
Advertising, Printing, Mailing, Election and Collection Cost	6,000	1,500
Contingency Cost and Discount	88,000	23,500
Estimated Total District Cost	$672,000	$257,000

4. PROCEDURE

The County will enter into an interlocal agreement with the City of Coral Gables, whereby the City will construct all the District capital improvements and the City will be reimbursed by the County in accordance with procedures established in an interlocal agreement.

Prior to commencement of service, the Mayor or the Mayor's designee on behalf of Miami-Dade County will enter into a contractual agreement with the security service company, wherein it is agreed that Miami-Dade County will pay to the security service company, in monthly payments, approximately one twelfth of the annual service costs now estimated to be $184,000 or approximately $15,333 per month.

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

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

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

6. RECOMMENDATION CONCERNING THE DESIRABILITY OF THIS DISTRICT

The proposed security program is desirable as evidenced by the property owners' petition. At the time of the District's petition validation in 2007, the net property valuation within the District as taken from the 2006 Miami-Dade County Real Estate Property Cards was $105,899,742, which is a good indication that the affected property is able to pay such assessments as may be required. In my opinion, the proposed improvement will provide special benefits to properties within the District equal to or exceeding the amount of special assessments to be levied.

7. ESTIMATE OF ASSESSMENT AGAINST BENEFITED PROPERTY

As was determined in Item 3 above, each owner of property will pay the County, through a special assessment, a proportionate share of the total assessable cost. This cost will be shown as an itemized portion of the annual ad valorem tax bill. The annual assessments shown below are representative costs for properties within this District.

ESTIMATED ANNUAL ASSESSMENT

	First Year	Second Year	Third and Succeeding Years
Cost Per Year For A Developed Lot Assessed As One Unit:	$5,169.00	$5,169.00	$3,954.00*
Cost Per Year For A Underdeveloped/ Vacant Lot Assessed As ½ Unit:	$2,584.50	$2,584.50	$1,977.00*
Cost Per Year For A Lot With One Driveway External To The District Assessed As ½ Unit:	$2,584.50	$2,584.50	$1,977.00*

These costs are based on a preliminary estimate of 65 units and will be adjusted from actual experience. *The third and succeeding years costs shown above are 3.5% higher than estimated in the petition due to increases in security guard costs.

8. RECOMMENDATION

It is my recommendation that the creation, financing, construction and implementation of the District be authorized by an ordinance to be adopted by the BCC, subject to ratification by the District's electorate at a special referendum to be called by the BCC. It is also recommended that upon adoption of the ordinance creating this special taxing district, the BCC adopt, as the next agenda item, a resolution calling for a special election as required by Chapter 18 of the Code. Said election will be conducted by the Miami-Dade County Elections Department using a mailed ballot along with a project report summary provided to each District registered voter. It is further recommended that the BCC adopt the District's preliminary assessment roll resolution. Adoption of this resolution will enable the Miami-Dade County Tax Collector to bill the affected property owners, collection of which will provide the funds necessary to reimburse affected County Agencies involved in the creation and establishment of the District, as well as provide funding for the improvements provided by the District. The implementation of the assessment roll will follow the procedures defined in Chapter 18 of the Code and be subject to ratification by the qualified electorate of the District's creation by the BCC. If approved, it is anticipated that the assessments will appear on the November 2009, and subsequent year's tax bills. In the event actual costs are lower than the estimated costs in the ordinance, the Director of the Public Works Department or her designee may adjust and decrease the unit rate of assessment necessary to provide adequate revenue to cover District expenses. In the event actual costs are higher than the costs estimated in the ordinance, the County Manager shall cause to be prepared a revised preliminary assessment roll and file the same with the Clerk of the Board for a scheduled public hearing to adopt the revised assessment roll. The ordinance shall take effect when ratified at an election to be formally called, noticed and conducted as the BCC shall determine by resolution unless vetoed by the Mayor. If vetoed, it shall become effective only upon an override by the BCC and District approval at the subsequent election.

My office also be available to answer any questions from the public or your office with regards to the financial and/or engineering facts of this District. We further recommend that the County Manager forward the attached report to the BCC after he has reviewed it and concurred with our findings.

Enclosures:
(1) Copy of Petition Validation Memo and Petition Sample
(2) Copies of Resolutions from the City of Coral Gables
(3) Copy of Memo from Department of Planning and Zoning
(4) Copy of Summary of Report
(5) District Boundary Map (Exhibit A)

Memorandum

MIAMI-DADE COUNTY

Date: November 13, 2007

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

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

Subject: Hammock Lakes Security Guard Special Taxing District

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

1.	Total number of parcels of land within district boundaries	69
2.	Total number of resident owners of property within district boundaries	57
3.	Total number of resident owners signing the attached petition	44
4.	Percentage of resident owners signing the attached petition	77.2%
5.	Net Property Valuation	$105,899,742

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

Attachment

/

HAMMOCK LAKES SECURITY GUARD SPECIAL TAXING DISTRICT
MIAMI-DADE COUNTY PUBLIC WORKS DEPARTMENT SPECIAL TAXING DISTRICT DIVISION

Petition Issue Date 08 / 01 / 07 Petition Received Date 10 / 31 / 07

To the Petitioner: You are required to circulate this petition among all resident property owners within the district boundaries listed below. All resident property owners signing must indicate on the petition their position either FOR or AGAINST the improvement. In order for to 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 resident property owners, do hereby indicate our preference, FOR or AGAINST, the proposed improvement identified in this petition. Those indicating a preference FOR the proposed public improvement are petitioning Miami-Dade County, Florida for the creation and establishment of a security guard special taxing district. If approved by the Board, a subsequent Special Election will be held for all registered voters residing in the district to ratify the Board's decision.

PROPOSED PUBLIC IMPROVEMENT: Pursuant to Miami-Dade County's acceptance of a City of Coral Gables ordinance/ resolution approving the creation of a special taxing district, authorizing the operation of gates in the municipality's right-of-way, and agreeing to provide the capital improvements for this district (to be reimbursed by the special taxing district), the following proposed improvement will be provided: a safety and sentinel security service using unarmed uniformed guards provided by a private security guard company continuously operating from a guardhouse located on Hammock Lake Drive (SW 52nd Ave.) south of SW 88th Street (Kendall Dr). An entrance to the community will be closed at Hammock Lake Drive and Old Cutler Road. Service will be provided 24 hours per day, 365 days a year. It is understood and agreed that the final district boundaries will be determined by the Miami-Dade County Public Works Department.

The cost for capital improvements, creation/ processing and contingencies will be equalized and collected over a two year period. The cost for service, maintenance and administration will be collected the third and succeeding years and therefore no security service will commence pursuant to this district prior to the collection of the third year's assessment.

Proposed Boundaries: North, SW 88th Street; East, Old Cutler Road; South, theo. SW 94th Street; West, theo. SW 56th Avenue. (See attached boundaries sketch Exhibit A)

ESTIMATED INDIVIDUAL PROPERTY TAX BILL INCREASE FOR THE GUARD SERVICE IMPROVEMENT WILL RANGE FROM $5,095 TO $5,600 THE FIRST AND SECOND YEAR, AND $3,470 TO $3,820 THE THIRD AND SUCCEEDING YEARS.

OWNER'S NAME	PROPERTY ADDRESS	FOR	AGAINST	DATE SIGNED
Print: DONALD CARLIN	4940 HAMMOCK LAKE DR	X		
Sign: [signature]	Folio: 03-5106-005-0070			
Print:				
Sign:	Folio:			
Print:				
Sign:	Folio:			
Print:				
Sign:	Folio:			
Print:				
Sign:	Folio:			
Print:				
Sign:	Folio:			

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CITY OF CORAL GABLES, FLORIDA

RESOLUTION NO. 2008-54 (As Amended)

A RESOLUTION APPROVING CREATION OF A SPECIAL TAXING DISTRICT BY MIAMI-DADE COUNTY FOR HAMMOCK LAKES, CORAL GABLES, FLORIDA, FOR PURPOSE OF PROVIDING FOR TWENTY-FOUR HOUR STATIONARY SECURITY GUARD SERVICE, SUBJECT TO COMPLIANCE WITH APPLICABLE MIAMI-DADE COUNTY REQUIREMENTS, APPROVING CONSTRUCTION OF A GUARD HOUSE FACILITY, A ROAD CLOSURE WITH AN EMERGENCY ACCESS GATE, OPERATION OF TRAFFIC CONTROL DEVICES AND REQUIRING EXECUTION OF INTERLOCAL AGREEMENT BETWEEN CITY AND MIAMI-DADE COUNTY; FURTHER INCLUDING THE FOLLOWING CONDITIONS THAT A ROVING GUARD PROGRAM BE CONTINUED AS PART OF THE CITY'S CONCURRENCE WITH SAID SPECIAL TAXING DISTRICT; THAT THERE BE ALLOWED SPECIFIC PROVISIONS FOR UNABATED ACCESS TO PEDESTRIANS AND BIKE TRAFFIC, THAT AN ELECTRONICALLY CONTROLLED GATE TO BE LOCATED ON OLD CUTLER ROAD BE PERMITTED FOR UNEXPECTED AND EMERGENCY OCCURRENCES.

WHEREAS, some of the citizens of Coral Gables residing in Hammock Lakes have petitioned Miami-Dade County under Chapter XVIII of the Miami-Dade County Code to create a Special Taxing District to provide Stationary Security Guard Service for Hammock Lakes; and

WHEREAS, the Hammock Lakes I & II Homeowners Association has requested the approval of the Coral Gables City Commission for Miami-Dade County to hold a referendum vote of the residents of Hammock Lakes, at no expense to the City of Coral Gables, to determine whether a Special Taxing District should be created in Hammock Lakes;

NOW, THEREFORE, BE IT RESOLVED BY THE COMMISSION OF THE CITY OF CORAL GABLES:

SECTION 1. The foregoing "Whereas" clauses are hereby ratified and confirmed as being true and correct and hereby made a specific part of this Resolution upon adoption hereof.

SECTION 2. That the creation of a Special Taxing District by Miami-Dade County for Hammock Lakes, Coral Gables, Florida, in accordance with Chapter XVIII of the Miami-Dade Charter and Sections 18-2 and 18-3 of the Miami-Dade County Code, for the purpose of providing twenty-four hour stationary security guard service, is hereby approved, subject to the requirements
set forth herein.

SECTION 3. That the formal creation of a Special Taxing District and the levying of annual assessments to support this service and the construction and maintenance of the improvements shall require the execution of an inter-local agreement between the City of Coral Gables, the (City) and Miami-Dade County, the (County), wherein the City will furnish and install for the subject district all capital improvements necessary to complete the construction of a guard house, traffic control devices (gates) and road closure with emergency access gate system, including the necessary road improvements, water, sewer, electrical and telephone connections, concrete pads, sidewalk, curbing and required drainage improvements, lighting, landscaping, signage and striping as required by the Director of the Miami-Dade County Public Works Department to ensure the safe operation of said facilities in the public right-of-way.

SECTION 4. That the inter-local agreement will provide that the County shall reimburse the City for all of the City's costs of labor, materials, and supplies necessary to provide the capital improvements described herein.

SECTION 5. That title to the guard house and emergency access gate facilities shall remain with the City or its assignee and said facilities shall be leased in perpetuity to Miami-Dade County for $10.00 per annum until such time as the district is legally abolished.

SECTION 6. That the guard house on School House Road south of N. Kendall Drive and the road closure with emergency access gate on Hammock Lakes Drive west of Old Cutler Road herein approved to be constructed shall be located within the public right-of-way.

SECTION 7. That the County shall be responsible for operating traffic control devices to enable guards to record the date and time of entry, vehicle make, model, color and license tag number, it being understood and agreed that no visitor to the District will be denied access or entry to the District under any condition.

SECTION 8. That the County shall be responsible for contracting for a uniformed commercial security guard service, duly licensed and bonded and State of Florida approved, for the purpose of providing service at the approximate location specified herein, twenty-four (24) hours a day, seven (7) days a week, three hundred sixty-five (365) days a year; or in the alternative the same services may be provided using uniformed off-duty police officers.

SECTION 9. That the approval for the creation of said taxing district be conditioned upon the following:

(1) the roving guard program be continued.
(2) there be allowed unabated access to pedestrian and bike traffic and
(3) that an electronic gate be installed on old Cutler Road to address any unexpected and emergency occurrences.

SECTION 10. That the approvals herein granted shall be further conditioned upon the affirmative vote of the residents of Hammock Lakes in an election to be conducted according to the Miami-Dade County Code and further subject to the approval of the Miami-Dade County Commission.

SECTION 11. That this resolution shall become effective upon the date of its passage and adoption herein.

PASSED AND ADOPTED THIS TWENTY-NINTH DAY OF APRIL, A.D., 2008.
(Moved: Cabrera / Seconded: Kerdyk)
(Yeas: Cabrera, Kerdyk, Slesnick)
(Nays: Anderson, Withers)
(Majority: (3-2) Vote)
(Agenda Item: H-1)

APPROVED:

DONALD D. SLESNICK II
MAYOR

ATTEST

WALTER J. FOEMAN
CITY CLERK

APPROVED AS TO FORM
AN LEGAL SUFFICIENCY:

ELIZABETH M. HERNANDEZ
CITY ATTORNEY

CITY OF CORAL GABLES, FLORIDA

RESOLUTION NO. 2009-36

A RESOLUTION RESCINDING IN PART, AND DELETING THAT PORTION OF RESOLUTION NO. 2008-54, AS AMENDED, MORE PARTICULARLY, SECTION 9(1) THAT READS AS FOLLOWS: FURTHER INCLUDING THE FOLLOWING CONDITIONS THAT "A ROVING GUARD PROGRAM BE CONTINUED AS PART OF THE CITY'S CONCURRENCE WITH SAID SPECIAL TAXING DISTRICT."

BE IT RESOLVED BY THE COMMISSION OF THE CITY OF CORAL GABLES:

SECTION 1. That the City Commission does hereby rescind and delete that portion of Resolution No. 2008-54 (As Amended) and more particularly referenced above.

SECTION 2. That this resolution shall become effective immediately upon the date of its passage and adoption herein.

PASSED AND ADOPTED THIS TENTH DAY OF FEBRUARY, A.D., 2009.
(Moved: Cabrera / Seconded: Kerdyk)
(Yeas: Cabrera, Kerdyk, Withers, Slesnick)
(Nays: Anderson,)
(Majority: (4-1) Vote)
(Non-Agenda Item: H-2.1)

APPROVED:

DONALD D. SLESNICK II
MAYOR

ATTEST:

WALTER J. FOEMAN
CITY CLERK

APPROVED AS TO FORM
AN LEGAL SUFFICIENCY:

ELIZABETH M. HERNANDEZ
CITY ATTORNEY

Memorandum

MIAMI-DADE COUNTY
DIRECTOR'S OFFICE PUBLIC WORKS DEPT.
RECEIVED
JUL 24 2007

July 11, 2007

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

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

Subject: Hammock Lakes Security Guard Special Taxing District

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This is in response to your memorandum dated March 14, 2007, requesting this Department's determination that the proposed Hammock Lakes Security Guard Special Taxing District conforms or conflicts with the Miami-Dade County Comprehensive Development Master Plan (CDMP).

According to the information provided, the Hammock Lakes I & II Homeowners Association (Association) is requesting the creation of a security guard special taxing district for an area within the existing Hammocks Lakes Banyan Drive Roving Patrol Special Taxing District. The proposed district, is bounded on the north by SW 88 Street/Kendall Drive, on the east by Old Cutler Road, on the south by theoretical SW 94 Street, and on the west by theoretical SW 56 Avenue, and if approved, would separate the subject area from the existing roving patrol district that lies within the City of Coral Gables. In addition, the applicant is requesting approval for the reduction of the number of public ingress/egress points to the proposed district to a single ingress/egress point on Hammock Lake Drive at SW 88 Street, where a guardhouse would be located.

The Association's request includes the barricading of the existing Hammock Lake Drive access point at Old Cutler Road with an emergency access gate, and the reconfiguration of the SW 52 Avenue/Hammock Lake Drive access point at SW 88 Street as depicted in the attached proposed Hammock Gate Lakes (A-1) master site plan. The proposed reconfiguration includes:

- Barricading the ingress/egress point from SW 52 Avenue to SW 88 Street through the construction of a stone wall along SW 88 Street; and,
- Construction of a guardhouse with designated owner and guest ingress lanes, and an egress lane on Hammock Lake Drive at SW 88 Street.

This request amends the Association's December 2001 proposal for the creation of a special taxing sub-district within the Hammocks Lakes Banyan Drive Roving Patrol Special Taxing District, which sought the construction of an emergency access gate across Hammock Lake Drive at Old Cutler Road. The December 2001 request was not brought before the Board of County Commissioners for action.

Department staff has reviewed the subject special taxing district request and offers the following comments:

1 The CDMP Traffic Circulation Subelement Policy TC-2D states, in part, "The section line, half-section line, and quarter-section line road system should form a continuous network within developed areas, interrupted only when it would destroy the integrity of a neighborhood or development." SW 52 Avenue is a half-section line roadway, however, this

roadway terminates at Matheson Hammock Park and as such is not an interconnected link in the network. The proposed barricading of SW 52 Avenue would not significantly restrict access due to the maintenance of public access to the area through the proposed guardhouse on the adjoining Hammock Lake Drive.

2. The CDMP Recreation and Open Space Element Policies ROS-3A and ROS-3B (page VI-7) provide that the County shall improve motorized and non-motorized access to park and recreation open spaces. These improvements are to be achieved through joint efforts of the PARD with other County agencies, and through implementing the North and South Miami-Dade Greenway and Blueway Network, as well as improved sidewalks and trails to improve connectivity between parks and residences, schools, activity centers, and transportation nodes.

   The segment of SW 52 Avenue located within the proposed special taxing district, provides access to a portion of the Matheson Hammock Park located west of Old Cutler Road and owned by the County. The western portion of the park abuts the southern boundary of the proposed district. The Miami-Dade County Parks and Recreation Department (PARD) staff has indicated that the Matheson Hammock General Plan Update, approved on May 22, 2000, called for the entrance to the park from SW 52 Avenue to be closed to vehicular traffic with public access to this site from Old Cutler Road. Therefore, the PARD has indicated they have no objection to the proposed special taxing district.

3. It should be stressed that if the procedures involved with the operation of the emergency access gate at Old Cutler Road and the guardhouse at SW 88 Street create an impediment to emergency vehicles seeking access to the district, response time to citizens requiring aid may be increased. Then, it would be essential that 1) Procedures to mitigate delays be implemented upon recommendation by fire, police, and other emergency agencies; and 2) Residents of the district be made aware of potential delays in response times, if any, when considering the advantages and disadvantages of the proposed district with guardhouse and emergency access gate. Provisions should also be made to facilitate movement of non-emergency service vehicles (e.g. school buses, solid waste collection trucks, utilities service vehicles) if the creation of the proposed guardhouse and emergency access gate would in any way impede such services.

Based upon CDMP goals, objectives and policies, the information provided in the special taxing district request, and subject to comment 3 above, the Department of Planning and Zoning finds the subject Hammock Lakes Security Guard Special Taxing District generally consistent with the CDMP, and therefore has no objections to the special taxing district.

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

SB:MRW:PHC:gr

SUMMARY OF THE REPORT
ON THE CREATION OF HAMMOCK LAKES
SECURITY GUARD SPECIAL TAXING DISTRICT
MIAMI-DADE COUNTY, FLORIDA

A petition submitted to Miami-Dade County for the creation of a special taxing district to be known as the Hammock Lakes Security Guard Special Taxing District was presented in accordance with the requirements of Article 1, Chapter 18 of the Code of Miami-Dade County.

The proposed district is located entirely within the City of Coral Gables, and its boundaries are set forth as follows:

On the North, SW 88th Street (N. Kendall Dr.);
On the East, Old Cutler Road;
On the South, SW 92nd Street and theo. SW 94th Street;
On the West, theo. SW 56th Avenue.

The boundaries are shown on the attached plan entitled Hammock Lakes Security Guard Special Taxing District and hereinafter referred to as Exhibit A.

The service as specified by the petition will consist of a visible safety and sentinel security service using unarmed uniformed guards provided by a private security guard company continuously operating from a guardhouse located on SW 52nd Avenue (School House Road) south of SW 88th Street (N. Kendall Drive) and a road closure with emergency access gate on Hammock Lake Drive west of Old Cutler Road. Service will be provided 24 hours per day, 365 days a year.

The cost for capital improvements (guardhouse, gates, road improvements, utilities, road closure, etc.), processing and creation of the District, and contingencies will be equalized and collected over a two year period. The cost for security service, maintenance, and administration will be collected the third and succeeding years and therefore no security service will commence pursuant to this District prior to the collection of the third year's assessment.

ESTIMATED ANNUAL COSTS

	Capital Improvements And Processing Costs To Be Collected Over A Two year Period	Third And Succeeding Years
Annual Cost of Security Guard Service	$ -0-	$184,000
Capital Improvements	548,000	-0-
Utilities, Maintenance Expenses and Insurance	-0-	27,000
Engineering & Contract Administrative Costs	30,000	21,000
Advertising, Billing, Collecting, Processing and Election Costs	6,000	1,500
Contingency Cost and Discount	88,000	23,500
Estimated Total District Cost	$672,000	$257,000

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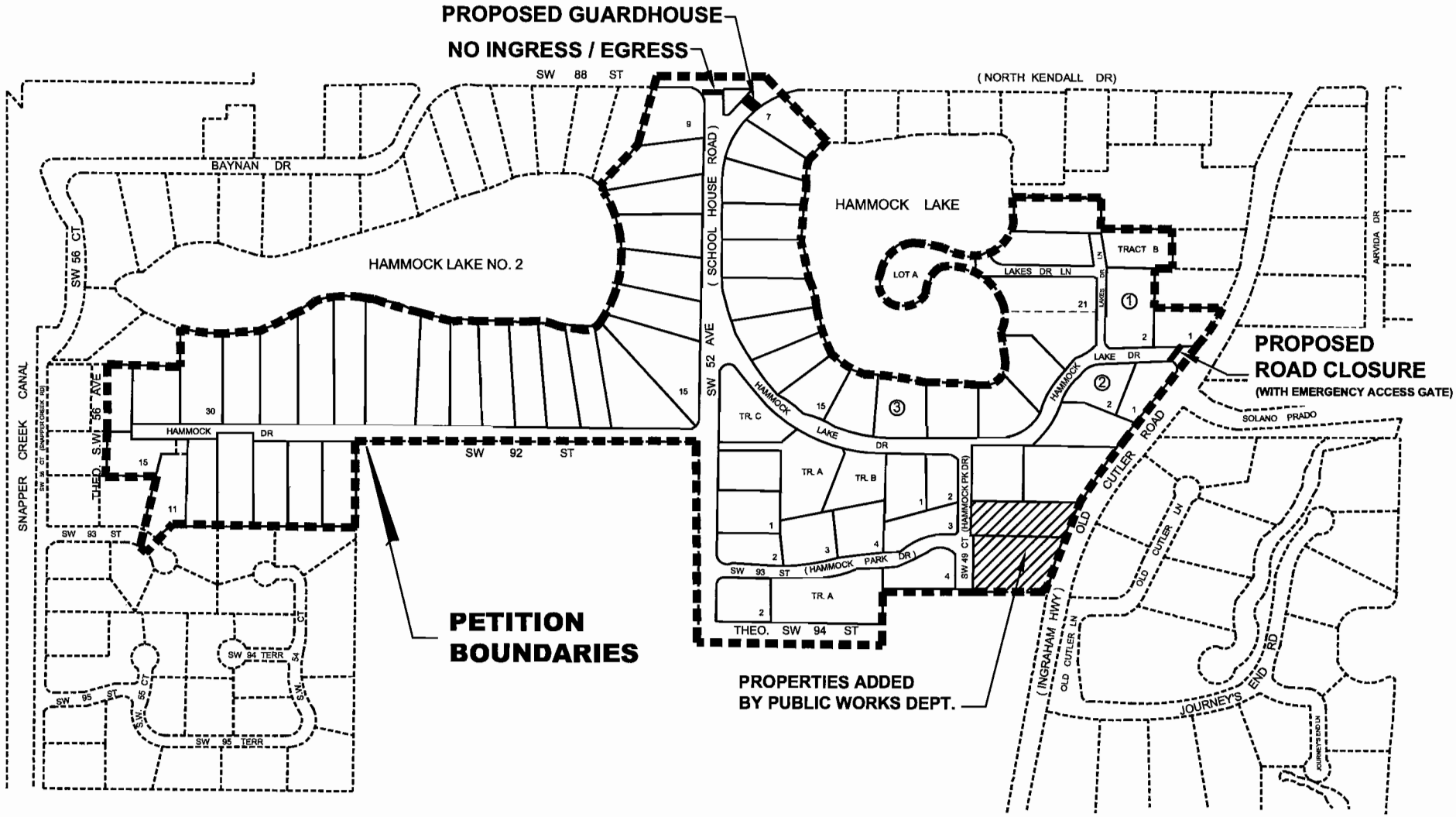
SAMPLE ASSESSMENTS

	First year	Second year	Third And Succeeding Years
Cost Per Year For A Developed Lot Assessed As One Unit:	$5,169.00	$5,169.00	$3,954.00
Cost Per Year For Underdeveloped/Vacant Lot Assessed As ½ Unit:	$2,584.50	$2,584.50	$1,977.00
Cost Per Year For Lot With One Driveway External To The District Assessed As ½ Unit:	$2,584.50	$2,584.50	$1,977.00

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

The creation of the District will be subject to the results of an election which will be conducted by the Miami-Dade County Elections Department, in which a mailed ballot will be sent to each qualified registered elector living within the proposed boundaries. The elector will, at that time, have the opportunity to vote for or against the improvement. The results of this election will determine whether or not the District is ratified and implemented.

Attachment: Exhibit A



HAMMOCK LAKES

SECURITY GUARD SPECIAL TAXING DISTRICT

G-253 (COMM. 0007)
SECTION: 06-55-41

EXHIBIT "A"

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