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

Memorandum

MIAMI-DADE COUNTY

(Public Hearing 11-3-15)

Date: October 6, 2015

Agenda Item No. 5(C)

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

From: Carlos A. Gimenez
Mayor

Subject: Amendment to Ordinance No. 07-136 relating to the Coco Palm Estates Multipurpose Maintenance and Street Lighting Special Taxing District

Ordinance No. 15-122

Recommendation

In accordance with Article 1, Section 18-16 (i) of the Code of Miami-Dade County (Code), it is recommended that the Board of County Commissioners (Board) approve an amendment to expand the boundaries of the Coco Palm Estates Multipurpose Maintenance and Street Lighting Special Taxing District (District), created by Ordinance No. 07-136, to include contiguous property. Inclusion of the said property into the District will meet the subdivision lighting requirement pursuant to Chapter 28 of the Code. 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

The District lies within Commissioner Daniella Levine Cava's District 8. If approved at public hearing, street lighting services and other multipurpose maintenance services will be provided to the annexed area by the District.

Fiscal Impact/Funding Source

Annexing said property into the existing District will not result in an economic impact on the Miami-Dade County (County) budget. Annexing said property into the existing District will result in a significant gain of assessable footage and a slightly higher operation cost. However, a lower annual rate will result since the annual rate is directly proportional to the operation cost but inversely proportional to the assessable footage. The developer, pursuant to Section 18-2 of the Code, is required to fund all costs incidental to amend the District's boundaries including the costs to install, maintain, and operate the District's street lighting system for the first year of service. Maintenance services which cannot be equitably or conveniently provided by the property owners shall be provided by the District upon acceptance of the plat required improvements by the County and upon the failure of any association or CDD to provide the required maintenance services. District services will be funded by annual special assessments against the benefited properties. If this amendment is adopted, District operational costs will be collected in the District's annual rate and applied uniformly throughout the District's amended geographical boundaries for the second and succeeding years.

The economic impact on the expanded area's residents will be a perpetual annual special assessment for the cost of street lighting and maintenance services to all property owners within the District. The Florida Power and Light Company (FPL) is the owner of the street lighting system and, therefore, will derive revenues from it.

At this time, there will be no increase or decrease in County staffing due to this amendment. The private sector may increase its staffing levels to provide the services required by amending the District's boundaries.

Track Record/Monitoring
The County's Public Works and Waste Management Department (PWWM) is the managing entity overseeing this item and the person responsible is Michael R. Bauman, Chief of the Causeways and Special Taxing Districts Division (Division).

Background
The Division will monitor FPL's agreement, installation, and billing process, and will do so within the expanded boundaries if the District's ordinance is amended. In the event any association or CDD fails to provide maintenance services within the District, the Miami-Dade County Parks, Recreation and Open Spaces Department (PROS) and the Division will provide the District's required maintenance services and cause implementation of special assessments for the costs of such services against the benefitted properties.

Area to be Annexed:	On the North, SW 248 Street; On the East, theo. SW 116 Avenue; On the South, theo. SW 251 Lane; On the West, SW 117 Avenue.
District Boundaries as Amended:	On the North, SW 248 Street; On the East, theo. SW 114 Avenue; On the South, State Road #821 (Homestead Extension of Florida's Turnpike); On the West, theo. SW 118 Avenue.
Number of Parcels to be Added:	1 (the tentative plat proposes 181 single-family lots, 309 townhouses, and 253 townhouse villas for a District total of 743 units).
Number of Owners within Annexed Area:	1
Number of Owners With Homestead Exemption Signing Petition	None – The petition for the annexed area was submitted by Coco Palm 82, LLC., the sole property owner and developer.
Preliminary Public Meeting:	None necessary.
Required Referendum:	The amendment of the District's boundaries will be subject only to the Board's approval; no election will be necessary as 100 percent of the property owners signed the petition.
Preliminary Assessment Roll:	The street lighting assessment roll is submitted on the same agenda as a separate agenda item for consideration and adoption by the Board and contingent upon the Board's approval of this amending ordinance. In the event any association or CDD fails to provide the maintenance services below, a hearing to adopt

the multipurpose maintenance assessment roll will be conducted at that time. The implementation of the assessment rolls will be in accordance with the procedures defined in Chapter 18 of the Code.

Proposed Service and Improvements

Multipurpose Maintenance Services: The amendment of this District is requested to maintain the landscaped areas and swales within the amended District's boundaries and common areas (Tracts B through F; H through M1; and O1 through L2 along with ingress/egress Tract A) within the private road area should any association or CDD fail to provide these services. Failure to provide maintenance within the private road area is defined in a non-exclusive easement granted to the County and recorded in the Public Records.

Street Lighting Improvements: If this ordinance is amended, the District will install, operate, and maintain a total of eight (8) 16,000 lumen sodium vapor bracket-arm streetlights mounted on concrete poles.

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

Initial Start of Service

Multipurpose Maintenance Services: October 1 following cessation of maintenance services by the developer and failure of any association or CDD to provide services.

Street Lighting Services: November 2017, following the provision of street lighting services by the developer for the first year.

Method of Apportionment:

Maintenance Services:	Square Footage
Street Lighting Service:	Front Footage

Estimated Annual Total Cost:	**First Year**	**Second Year**
Maintenance Services:	$0	$207,735.72
Street Lighting Service:	$19,334.97	$3,071.11

Estimated Annual Rates:	**First Year**	**Second Year**
Maintenance Services:	Provided by	$0.0599
Street Lighting Service:	Petitioner	$1.6029

Estimated Annual Assessments:		
Maintenance Services:	**First Year**	**Second Year**
For A Typical Single-family Interior Lot:	Provided by	$420.56
For A Typical Single-family Corner Lot:	Petitioner	$442.48
For A Typical Townhouse Lot:		$234.75

Street Lighting Services:	**First Year**	**Second Year**
For A Typical Single-family Interior Lot:	Provided by	$80.15
For A Typical Single-family Corner Lot:	Petitioner	$139.45
For A Typical Townhouse Lot:		$35.26

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 multipurpose maintenance assessment roll hearing.

State or Federal grants are not applicable to this Special Taxing District.

In accordance with the requirements of Section 18-2 of the Code, to provide street lighting in new subdivisions through the creation of Street Lighting Special Taxing Districts, and in compliance with the provisions of Sections 18-3 (c) and 18-16 (i) of the Code, I have reviewed the facts submitted by PWWM and concur with their recommendation that the boundaries of the District be amended to include contiguous property in order to provide multipurpose maintenance and public street lighting services.

Alina T. Hudak
Deputy Mayor

MEMORANDUM

(Revised)

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

DATE: November 3, 2015

FROM: Abigail Price-Williams
County Attorney

SUBJECT: Agenda Item No. 5(C)

Please note any items checked.

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

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

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

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

_____ **Budget required**

_____ **Statement of fiscal impact required**

✓ **Statement of social equity required**

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

✓ **No committee review**

_____ **Applicable legislation requires more than a majority vote (i.e., 2/3's ____, 3/5's ____, unanimous _____) to approve**

_____ **Current information regarding funding source, index code and available balance, and available capacity (if debt is contemplated) required**

5

Approved _____ Mayor

Veto _____

Override _____

Agenda Item No. 5(C)
11-3-15

ORDINANCE NO. 15-122

ORDINANCE AMENDING ORDINANCE NO. 07-136 RELATING TO COCO PALM ESTATES MULTIPURPOSE MAINTENANCE AND STREET LIGHTING SPECIAL TAXING DISTRICT EXPANDING THE DISTRICT'S BOUNDARIES TO INCLUDE CONTIGUOUS PROPERTY, IN ACCORDANCE WITH CHAPTER 18 OF THE CODE OF MIAMI-DADE COUNTY, FLORIDA, AND PROVIDING AN EFFECTIVE DATE

WHEREAS, the Home Rule Charter adopted by the electors of Miami-Dade County on May 21, 1957, provides that the Board of County Commissioners, as the legislative and governing body of Miami-Dade County, shall have the power to establish and govern special taxing districts within Miami-Dade County, Florida; and

WHEREAS, this Board adopted Ordinance No. 07-136 on October 2, 2007, establishing the Coco Palm Estates Multipurpose Maintenance And Street Lighting Special Taxing District; and

WHEREAS, in accordance with the provisions of Chapter 18 of the Code of Miami-Dade County, Florida, a petition requesting the boundaries expansion of the already established Special Taxing District, duly signed by 100% of the owners of property within the area to be included in the existing District's boundaries as amended, was filed with the Clerk of the County Commission; and

WHEREAS, such petition prayed for the provision of multipurpose maintenance and street lighting services within the existing special taxing district boundaries as amended to be

financed solely by means of special assessments levied and collected within the area therein and hereinafter described,

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

Section 1. Sections 2, 3 and 4 of Ordinance No. 07-136 are hereby amended to read as follows:[1]

> Section 2. The area or boundaries of this [[~~proposed~~]] special taxing district >>as amended<< are as follows:
> Portions of Section 25, Township 56 South, Range 39 East, and Section 30, Township 56 South, Range 40 East, all in Miami-Dade County, Florida (a.k.a. Coco Palm Estates, Tentative Plat #T-22608); being more particularly described as:
>
> That portion of the E 1/4 of the NE 1/4 of said Section 25 lying north of the Homestead Extension of Florida's Turnpike right-of-way;
>
> And
>
> That portion of the W 1/2 of the NW 1/4 of said Section 30 lying north of the Homestead Extension of Florida's Turnpike right-of-way;
>
> ~~[[Less]]~~
>
> ~~[[The W 1/4 of the NW 1/4 of the NW 1/4 of said Section 30~~]].

The area and location of this amended special taxing district are shown on the Exhibit map or sketch, [[~~which is~~]] >>and<< made a part [[~~hereof~~]] >>herein<< by reference.

[1] Words stricken through and/or [[double bracketed]] shall be deleted. Words underscored and/or >>double arrowed<< constitute the amendment proposed. The remaining provisions are now in effect and remain unchanged.

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

a) Maintenance of landscaped areas, swales, the exterior of any fencing or walls within the District's boundaries, and common areas [[~~Tracts B through Q, S and T~~]] >>Tracts B through F; H through M1; and O1 through L2<< along with ingress/egress Tract A should any [[~~Homeowners Association~~]] >>association<< or CDD fail to provide these services. Failure to provide maintenance within the private road area is defined in a non-exclusive easement granted to Miami-Dade County and recorded in the Public Records.

b) Installation, operation, and maintenance of [[~~nine~~]] [[~~(9)~~]] >>eight<< >>(8)<< 16,000 lumen sodium vapor [[~~traditional post top~~]] >>bracket-arm<< streetlights mounted on [[~~fiber glass poles~~]] >>concrete poles<<.

Section 4. A) Multipurpose Maintenance - The combined costs of the multipurpose maintenance project and operation of the district's improvements including services, engineering, administration, billing, collecting and processing for the first year is provided by petitioner, and [[~~$166,270.00~~]] >>$207,735.72<< for the second year. It is estimated that the cost per assessable square foot of real property within the [[~~proposed~~]] District for the initial multipurpose maintenance program shall be provided by petitioner(s) for the first year, and [[~~$0.0492~~]] >>$0.0599<< for the

second year. The second and succeeding years' assessments will be adjusted from actual experience.

B) Street Lighting Services -- The installation of such street lighting project will be accomplished pursuant to an agreement between Miami-Dade County and the Florida Power & Light Company. The combined costs of the street lighting project and operation of the District's improvements including service, maintenance, electricity, engineering, administration, billing, collection and processing for the first year are provided by petitioner(s) and estimated to be [[~~$15,800.00~~]] >>$19,334.97<<. The combined costs of street lighting project and operation of the District's improvements including service, maintenance, electricity, engineering, administration, billing, collection and processing for the second year are estimated to be [[~~$2,390.00~~]] >>$3,071.11<<. The estimated cost per assessable front foot of real property within the [[~~proposed~~]] District for the second year is [[~~$3.684~~]] >>$1.6029<<. The succeeding years' assessments will be adjusted from actual experience.

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

Section 3. The provisions of this Ordinance shall take effect, unless vetoed by the Mayor, and if vetoed, shall become effective only upon an override by this Board.

PASSED AND ADOPTED: November 3, 2015

Approved by County Attorney as
to form and legal sufficiency:

Prepared by:

Jorge Martinez-Esteve

Memorandum

MIAMI-DADE COUNTY

Date: July 22, 2015

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

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

Subject: Amendment to Ordinance No. 07-136 Expanding the Boundaries of the Coco Palm Estates Multipurpose Maintenance and Street Lighting Special Taxing District

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In reference to the subject petition, we hereby certify that, in compliance with Sections 18-2 and 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 his official capacity as representative of the owner of the property in question. We are therefore submitting the following information:

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

Pursuant to Sections 18-2 and 18-22.1 of the Code, this is a valid petition.

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

Attachment

c: Jorge Martinez-Esteve

MIAMI-DADE COUNTY
PUBLIC WORKS DEPARTMENT
SPECIAL TAXING DISTRICTS DIVISION

6/9/2015
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 owners, do hereby petition Miami-Dade County, Florida, to amend Ordinance No. 07-136 pursuant to Chapter 18 of the Code of Miami-Dade County, Florida, expanding the boundaries of the "Coco Palm Estates Multipurpose Maintenance and Street Lighting Special Taxing District," to include and provide special taxing district services to those properties lying generally between SW 248th Street and theoretical SW 251st Lane and SW 117th Avenue and theoretical SW 116th Avenue for any and all of the following: installation, operation, and maintenance of sodium vapor street lights of an intensity of 16,000 up to 50,000 lumens, mounted on concrete, fiber glass or existing poles; landscape, lake, entrance features and wall maintenance services (requested landscape, lake, entrance features and wall maintenance services shall be more fully described on the attached Exhibit B). The petitioned for district lies within that portion of the unincorporated area of Miami-Dade County more fully described on the attached Exhibit A.

Tentative Plat(s) Name(s) COCO PALM ESTATES (T-22608)

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

OWNER'S NAME	OWNER'S ADDRESS	LEGAL DESCRIPTION OF PROPERTY	TAX FOLIO NUMBER
Coco Palm 82, LLC A Florida Limited Liability Company	730 NW 107th Avenue, 3rd Floor Miami, FL 33172		30-6030-000-0060
By: _____ Authorized Signature Greg McPherson, Vice President Print name and title Lennar Homes, LLC A Florida Limited Liability Company, As Managing Member		MORE FULLY DESCRIBED ON THE ATTACHED "EXHIBIT A"	

STATE OF FLORIDA
COUNTY OF MIAMI DADE

I HEREBY CERTIFY that on this day, before me, an officer duly authorized to take acknowledgements appeared Greg McPherson, the Vice President of Lennar Homes LLC, the managing member of Coco Palms 82, 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 last aforesaid, this 19 day of June, 2015.

[SEAL] LUIS JAVIER DOMINGUEZ
MY COMMISSION # FF010051
EXPIRES: July 31, 2017

Notary Public Signature: _____
State of: Florida
My Commission expires: July 31, 2017

DEPARTMENTAL ACCEPTANCE DATE
(GOVERNMENT USE ONLY)

EXHIBIT "A"

EXHIBIT A TO THE PETITION DATED 19, June 2015, TO AMEND AND TO EXPAND THE BOUNDARIES OF THE COCO PALMS ESTATES MULTIPURPOSE MAINTENANCE AND STREET LIGHTING SPECIAL TAXING DISTRICT, CREATED PURSUANT TO ORDINANCE No. 07-136, FOR THE PLAT KNOWN AS **COCO PALM ESTATES (T-22608)**

Legal Description :

PARCEL 23:

THE WEST ONE-HALF OF THE WEST ONE-HALF OF THE NORTHWEST QUARTER OF THE NORTHWEST QUARTER (W 1/2 OF THE W 1/2 OF THE N.W. 1/4 OF THE N.W. 1/4), OF SECTION THIRTY (30), TOWNSHIP FIFTY-SIX (56), SOUTH, RANGE (40) EAST, LYING AND BEING IN MIAMI-DADE COUNTY, FLORIDA, LESS NORTH 65 FEET FOR RIGHT-OF-WAY, AS PER O.R.B. 20480, PAGE 434.

Folio No.: 30-6930-000-0060

EXHIBIT "B"

EXHIBIT "B" TO THE PETITION DATED 19, June 2015, TO AMEND AND TO EXPAND THE BOUNDARIES OF THE COCO PALMS ESTATES MULTIPURPOSE MAINTENANCE AND STREET LIGHTING SPECIAL TAXING DISTRICT, CREATED PURSUANT TO ORDINANCE No. 07-136, FOR LANDSCAPE, COMMON AREAS, INGRESS/EGRESS, ENTRANCE FEATURES FOR THE PLAT KNOWN AS **COCO PALM ESTATES (T-22608)**

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.

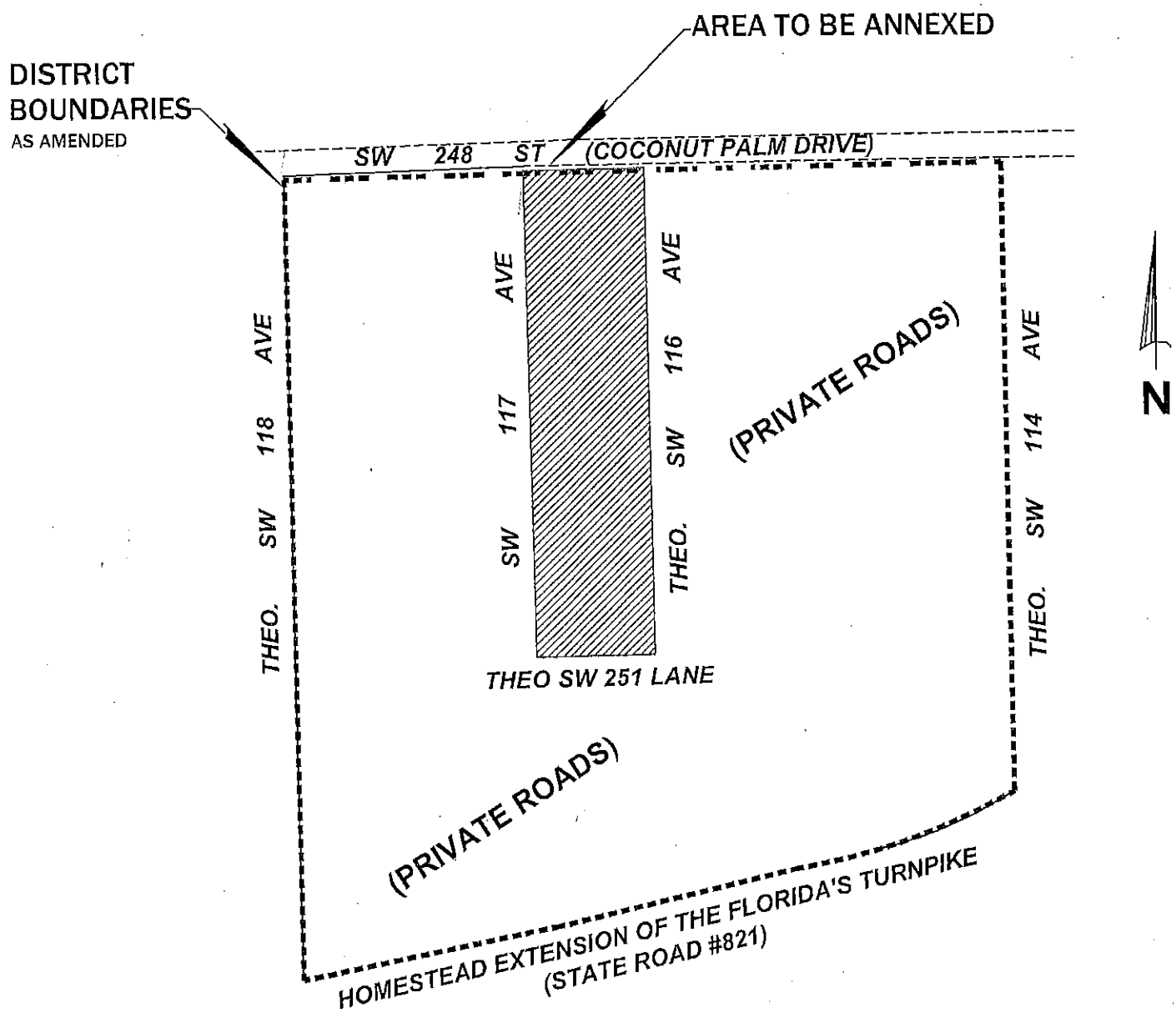
   B. DISEASE AND INSECT CONTROL: DISEASE AND INSECT CONTROL SHALL BE PERFORMED ON AN AS-NEEDED BASIS.

   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.

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



COCO PALM ESTATES

MULTIPURPOSE MAINTENANCE AND STREET LIGHTING
SPECIAL TAXING DISTRICT

AREA TO BE ANNEXED.

(Revised 08/11/15)

L-1204 / M-614 (COMM. 0008)
SECTIONS: 25-56-39 & 30-56-40

EXHIBIT "A"
(Boundaries and Geographical Location Sketch)