

Memorandum



Date: (Public Hearing: 6-4-24)
May 7, 2024

To: Honorable Chairman Oliver G. Gilbert, III
and Members, Board of County Commissioners

Agenda Item No. 5(G)

From: Daniella Levine Cava
Mayor

Subject: Ordinance Creating the Keys Lake Multipurpose Maintenance Special Taxing District

Executive Summary

The purpose of this item is to gain authorization from the Board of County Commissioners (Board) to: 1) create a special taxing district in the City of Homestead (City), in Miami-Dade County (County), Florida, for the maintenance of landscaping in the public Rights-of-Way; and 2) transfer the new district to the City of Homestead via separate resolution.

Recommendation

It is recommended that the Board approve a petition submitted in accordance with Article 1, Chapter 18, of the Code of Miami-Dade County (Code) for the creation of the Keys Lake Multipurpose Maintenance Special Taxing District (Special Taxing District), located within the boundaries of the City of Homestead (City). The creation of this Special Taxing District is a subdivision requirement pursuant to Chapter 28 of the Code. Pursuant to section 1.01 of the Home Rule Charter and section 18-3.1 of the Code, this Board is vested with the power to designate the governing body of a municipality as the governing body of an existing special taxing district, if the municipality assumes any and all liabilities of the special taxing district. Therefore, it is also recommended that, upon creation of the Special Taxing District, the Board approve the attached Resolution and Interlocal Agreement authorizing the transfer and waiving by two-thirds (2/3) vote of the members present the requirement to hold an election approving said transfer. Waiver of election is appropriate in this case as no qualified electors reside within the Special Taxing District.

Scope

This proposed Special Taxing District lies within Commission District 9, which is represented by County Commissioner Kionne L. McGhee, and will provide multipurpose maintenance services, if and when necessary.

Fiscal Impact/Funding Source

Creation of this Special Taxing District will result in no economic impact to the County budget.

Social Equity Statement

The proposed Ordinance creates 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. The proposed Interlocal Agreement and concurring Resolution transfer the Special Taxing District, pursuant to section 18-3.1. If approved, the City will be the new governing body for the Special Taxing District, and property owners within the proposed Special Taxing District will pay special assessments appropriately apportioned according to the special benefit they received from the Special Taxing District's service,

regardless of their demographics, and that the total estimated amount of the special assessment to be levied would not be in excess of such special benefit. The creation of this Special Taxing District, which was requested by 100% of the property owners, will provide for maintenance in the event that a community development district (CDD) or association fails to provide the required services.

Pursuant to section 18-20.2(b) of the Code regarding notice to purchasers of new residential property, it shall be the obligation of a seller of new residential property to provide the purchaser thereof with notice either of the existence of a special taxing district created pursuant to this Chapter of the Code or of a pending petition to create such a special taxing district. The notice shall be provided in the manner set forth in section 18-20.2 of the Code.

Track Record/Monitor

The creation and transfer of the new special taxing district will be managed by the County's Parks, Recreation and Open Spaces Department (PROS) and overseen by the Chief of the Special Assessment Districts Division (Division), Liset Romero-Lopez.

Delegation of Authority

This item authorizes the County Mayor or County Mayor's designee to execute the attached Interlocal Agreement to effectuate the transfer of the Special Taxing District upon its creation.

Background

In accordance with the provisions of Chapter 18 of the Code, a petition to create and transfer the Special Taxing District, duly signed by 100% of the owners of property within the proposed Special Taxing District, was filed with the Clerk of the Board. A copy of the petition was sent to the County Mayor and the County Attorney to examine and to file 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. PROS compiled and filed with the Clerk a memorandum, and accompanying written report and recommendations (Report), a copy of which is attached to this memorandum. The Report sets forth the boundaries of the Special Taxing District, an estimate of the cost of the improvements and/or services to be provided, the need for and desirability of the Special Taxing District, the ability of the affected properties to bear the special assessments, certifies that the improvements and/or services to be provided conform to the master plan of Miami-Dade County, and recommends that the Special Taxing District be created to provide a special benefit to all property within the proposed Special Taxing District.

Contingent upon Board approval of the creation and subsequent transfer of this Special Taxing District, and in the event any association or CDD fails to provide maintenance services, the City will provide the Special Taxing District's required maintenance services and cause implementation of special assessments for the costs of such services against the benefited properties, as well as contract monitoring, compliance and enforcements, if and when necessary.

Boundaries:

On the North, Homestead Extension of Florida's
Turnpike/State Road 821;
On the East, Theoretical SW 169 Place;

On the South, SW 336 Street (Arthur Vining Parkway);
On the West, SW 172 Avenue (McMinn Road).
(Homestead Street Numbering in Parathesis)

- Number of Parcels:** 4 (Tentative plat proposes single-family lots and townhome units).
- Number of Owners:** 1
- Number of Owners with Homestead Exemption Signing Petition:** None – AG EHC II (LEN) Multi State 1, LLC., the sole property owner and developer
- Preliminary Public Meeting:** None necessary.
- Public Hearing Notification:** The Clerk will certify the place, date, and hour for a public hearing on the petition and the Report at which all interested persons will be afforded the opportunity to present for this Board’s consideration their objections, if any, to the creation and transfer of the Special Taxing District. As pursuant to section 18-3(d) of the Code, 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 proposed Special Taxing District as their names and addresses appear on the latest Miami-Dade County Real Property Tax Roll.
- Required Referendum:** The creation of the Special Taxing District will be subject only to Board approval; no election will be necessary as 100% of the property owners signed the petition. It is recommended that the Board waive by two-thirds (2/3) vote the election requirement for the transfer because the transfer was requested by 100% of the property owners.
- Multipurpose Maintenance Services:** The creation of this Special Taxing District is requested to maintain landscaped swales, medians, common areas, any entrance features, wetlands, lakes, and the exterior of any fencing or walls within the Special Taxing District’s boundaries abutting public rights-of-way, including maintenance of turf, trees,

shrubs, irrigation, and utility payments, should any association or CDD fail to provide these services. The Special Taxing District will also maintain the private road area if there is a failure to provide maintenance within the private road area as defined in a non-exclusive easement granted to the City and recorded in the Public Records. Services will commence following failure of any association or CDD to provide these services.

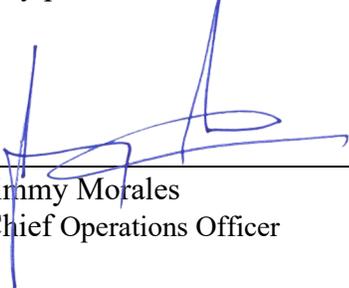
Estimated Total District Costs:	<u>First Year</u>	<u>Second Year</u>
	\$33,713.76	TBD
Method of Apportionment:	Square Footage	
Estimated Annual District Assessments:	<u>First Year</u>	<u>Second Year</u>
Per Assessable Square Foot:	\$0.0600	TBD
For a Typical Townhouse Unit:	\$129.00	TBD

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, and are subject to change in the event that the Special Taxing District's services are adjusted by the City as provided herein.

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

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

In compliance with the provisions of section 18-3(c) of the Code, I have reviewed the facts submitted by PROS in its Report and Recommendations, a copy of which is attached and incorporated herein. I concur with their recommendation that this Special Taxing District be created and transferred to the City pursuant to sections 18-22.1 and 18-3.1 of the Code.



Jimmy Morales
Chief Operations Officer

**REPORT AND RECOMMENDATIONS ON THE
CREATION AND TRANSFER OF KEYS LAKE
MULTIPURPOSE MAINTENANCE SPECIAL TAXING DISTRICT
MIAMI-DADE COUNTY, FLORIDA**

Pursuant to Chapter 18 of the Code of Miami-Dade County (Code), and as a result of a detailed investigation of a duly petitioned for special taxing district, the following facts are submitted by the Miami-Dade County Parks, Recreation and Open Spaces Department (PROS) Director concerning the creation and transfer of Keys Lake Multipurpose Maintenance Special Taxing District (Special Taxing District).

1. BOUNDARIES OF THIS DISTRICT

The proposed Special Taxing District is located entirely within the municipal limits of the City of Homestead, Florida. Pursuant to Chapter 18 of the Code, Miami-Dade County has received approval from the City of Homestead to create and transfer this Special Taxing District per Resolution No. R2022-10-110, a copy of which is attached, and the boundaries, as set forth in the petition, are as follows:

A portion of Section 19, Township 57 South, Range 39 East, Miami-Dade County, Florida (a.k.a. Los Cayos Subdivision, Tentative Plat No. T-24760); being more particularly described as follows:

That portion of Lot 5, Block 1, "MIAMI LAND AND DEVELOPMENT COMPANY", in said Section 19, as recorded in Plat Book 5, at Page 10 of the Public Records of Miami Dade County, Florida, lying Southerly of the Southeasterly Right-of-Way of the Homestead Extension of Florida's Turnpike as shown on the Florida Department of Transportation Right-of-Way Map, Section 87005-2302, sheet 5 of 12 sheets, dated April 1970.

And

Lot 8, Block 1, "MIAMI LAND AND DEVELOPMENT COMPANY", in said Section 19, according to the Plat thereof, as recorded in Plat Book 5, at Page 10 of the Public Records of Miami-Dade County, Florida; together with the E ½ of the S.W. 172nd Avenue adjacent thereto vacated by Resolution No. 2006-11-125 of the City of Homestead, of the Public Records of Miami-Dade County, Florida; less that portion of said Lot 8, lying Northerly of the Southeasterly Right-of-Way of the Homestead Extension of Florida's Turnpike as shown on the Florida Department of Transportation Right-of-Way Map, Section 87005-2302, sheet 5 of 12 sheets, dated April 1970.

And

Lot 9, Block 1, "MIAMI LAND AND DEVELOPMENT COMPANY", in said Section 19, according to the Plat thereof, as recorded in Plat Book 5, at Page 10 of the Public Records of Miami-Dade County, Florida; together with the E ½ of the S.W. 172nd Avenue adjacent thereto vacated by Resolution No. 2006-11-125 of the City of Homestead, of the Public Records of Miami-Dade County, Florida.

And

Lot 10, Block 1, "MIAMI LAND AND DEVELOPMENT COMPANY", in said Section 19, according to the Plat thereof, as recorded in Plat Book 5, at Page 10

of the Public Records of Miami-Dade County, Florida, less dedicated Rights-of-Way. All lying and being in Miami-Dade County, Florida.

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

2. LOCATION AND DESCRIPTION OF DISTRICT

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

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

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

This initial cost estimate has been developed by PROS based on previous estimates for similar maintenance special taxing districts if services were to commence in 2024. The combined annual costs of the Special Taxing District’s multipurpose maintenance services for the initial maintenance program are estimated for report purposes to be \$33,713.76 for the first year. The expense of the multipurpose maintenance program will be continuous and service costs following the Special Taxing District’s implementation are to be apportioned to individual properties within the Special Taxing District on the basis of lot or parcel square footage. The costs of the multipurpose maintenance program and administrative expenses as shown below are to be paid for by special assessments levied against all benefited properties. Actual multipurpose maintenance costs will be determined by the City of Homestead and presented to the City Council at the time of the multipurpose maintenance assessment roll public hearing and will then be adjusted annually thereafter based on actual expenses.

<u>Estimated Annual District Costs</u>	<u>First Year</u>	<u>Second Year</u>
Initial Annual Maintenance	\$18,945.67	TBD
Engineering and Administrative Costs	\$7,789.13	TBD
Billing, Collecting and Processing Costs	\$1,360.00	TBD
Contingencies	<u>\$5,618.96</u>	<u>TBD</u>
Total Annual Maintenance Services Costs	\$33,713.76	TBD

<u>Estimated Annual District Assessments (Cont'd)</u>	<u>First Year</u>	<u>Second Year</u>
Per Assessable Square Foot:	\$0.0600	TBD
For a Typical Townhouse Unit:	\$129.00	TBD

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

The proposed Special Taxing District conforms to and in no way conflicts with the master plan of development for the County (see attached memorandum from the Department of Regulatory and Economic Resources (RER)).

5. RECOMMENDATION CONCERNING THE DESIRABILITY OF THIS DISTRICT

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

6. PROCEDURE

Upon approval of the petitioner's plat by the Board, and at the time-of-service provision, the multipurpose maintenance lot or parcel square footage first year annual rate of the assessment shall be determined and will require the adoption of a multipurpose maintenance assessment roll by the City of Homestead and is predicated upon failure of the developer/owner, association or CDD to provide required maintenance services. The multipurpose maintenance square footage rate of the assessment for the second year and each year thereafter will then be adjusted annually based on actual expenses. The above annual costs and assessment information for multipurpose maintenance services are for report purposes only and were calculated based on current costs assuming that maintenance services were to commence this year.

However, because costs and/or maintenance service levels may increase, the estimated annual expense, as indicated herein, can only be based on the initial maintenance program. After the first year, the costs of the multipurpose maintenance program will therefore require adjustment annually through the budget process performed by the City of Homestead as administrator of the Special Taxing District.

7. RECOMMENDATION

It is recommended that Keys Lake Multipurpose Maintenance Special Taxing District be created and transferred pursuant to sections 18-22.1 and 18-3.1 of the Code. The creation and transfer of this Special Taxing District will be subject to Board approval only; no election will be necessary as 100% of the property owners signed the petition. I also recommend that the County Attorney cause to be prepared an ordinance authorizing the creation and transfer of the Keys Lake Multipurpose Maintenance Special Taxing District. Pursuant to Chapter 18 of the Code, the Board shall receive and hear, at a public hearing, remarks by interested persons on this Special Taxing District, and thereafter may adopt such ordinance. The ordinance creating and transferring the Special Taxing District shall take effect ten days after the date of its adoption unless vetoed by the Mayor, and if vetoed, it shall become effective only upon an override by the Board. My office will also be available to answer any questions from the public or your office in regard to the financial and/or engineering facts of this Special Taxing District. We further recommend that the County Mayor or County Mayor's designee forward the attached report to the Board after review and concurrence with our findings.

- Attachments:
- (1) Copy of Petition and Attachments
 - (2) Copy of Resolution from the City of Homestead
 - (3) Copy of Interlocal Agreement
 - (4) Copy of Memo from Department of Regulatory and Economic Resources
 - (5) District Boundaries and Geographical Location Sketch (Exhibit A)

MIAMI-DADE COUNTY ATTORNEY'S OFFICE
MEMORANDUM

TO: Liset Romero-Lopez
Chief, Special Assessment Districts Division

FROM: Ryan Carlin *RC*
Assistant County Attorney

DATE: March 25, 2024

SUBJECT: Keys Lake Multipurpose Maintenance Special Taxing District

Please be advised that I have reviewed the above referenced petition and find it to be legally sufficient for the purposes stated within the Petition, provided that the areas to be maintained are adjacent to or accessible from the public right of way, and are accessible to or usable by the public.

Memorandum



Date: March 22, 2024

To: Basia Pruna, Deputy Clerk
Office of the Clerk of the Board
Attn: Shania Momplaisir

From: Liset Romero-Lopez, Chief *LRL*
Special Assessment Districts Division
Parks, Recreation and Open Spaces Department

Subject: Keys Lake Multipurpose Maintenance Special Taxing District

In reference to the subject petition, we hereby certify that, in compliance with Section 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 an 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	<u>4</u>
2.	Total number of owners of property within district boundaries	<u>1</u>
3.	Total number of resident owners within district boundaries (this is a new subdivision area)	<u>0</u>
4.	Total number of signatures on the petition	<u>1</u>
5.	Total number of owners or representatives signing the petition in an official capacity	<u>1</u>
6.	Percentage of owners or representatives signing the petition in their official capacity	<u>100%</u>

Pursuant to Section 18-2 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

cc: Ryan Carlin

**MIAMI-DADE COUNTY
PARKS, RECREATION AND OPEN SPACES DEPARTMENT
SPECIAL ASSESSMENT DISTRICTS DIVISION**

December 8, 2022
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, for the creation of the Special Taxing District(s) required by the respective plat(s) pursuant to Chapter 18 of the Code of Miami-Dade County, Florida, for any or all of the following: landscape, lake, entrance features and wall maintenance services (requested landscape, lake, entrance features and wall maintenance services shall be more fully described on the attached Exhibit B). The petitioned for district lies within that portion of the incorporated area of Miami-Dade County more fully described on the attached Exhibit A.

Tentative Plat(s) Name(s) LOS CAYOS SUBDIVISION (T-24760)

It is understood and agreed that the boundaries of this district and the type and level of services to be provided by this district will be reviewed by the appropriate County authorities. It is also understood that the improvements to be provided shall be in accordance with minimum standards and requirements set forth by the Miami-Dade County Parks, Recreation and Open Spaces Department.

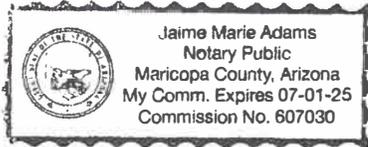
OWNER'S NAME	OWNER'S ADDRESS	LEGAL DESCRIPTION OF PROPERTY	TAX FOLIO NUMBER
AG EHC II (LEN) MULTI STATE 1 LLC, a Delaware limited liability company By: Essential Housing Asset Management, LLC, its Authorized Agent By: <u>Steven S. Benson, Manager</u>	c/o Lennar Homes, LLC 5505 Blue Lagoon Drive, Miami FL 33126	MORE FULLY DESCRIBED ON THE ATTACHED "EXHIBIT A"	10-7919-001-0060 10-7919-001-0070 10-7919-001-0080 10-7919-001-0031

STATE OF Arizona
COUNTY OF Maricopa

I HEREBY CERTIFY that on this day, an officer duly authorized to take acknowledgements, personally appeared before me, by physical presence -OR- Online Notarization, Steven S. Benson, Manager of Essential Housing Asset Management, LLC, an Arizona limited liability company, the Authorized Agent for AG EHC II (LEN) MULTI STATE 1, LLC, a Delaware limited liability company. personally known to me, or who produced identification in the form of _____, and who executed the same for the purposes herein expressed.

WITNESS my hand and official seal in the County and State last aforesaid, this 30 day of March, 2023.

[SEAL]



Notary Public State of AZ : Jaime Marie Adams
 Print Name: Jaime Marie Adams
 My Commission expires: 07/01/2025

DEPARTMENTAL ACCEPTANCE DATE
(GOVERNMENT USE ONLY)

EXHIBIT "A"

EXHIBIT A TO THE PETITION FOR THE PLAT KNOWN AS **LOS CAYOS SUBDIVISION (T-24760)** DATED DECEMBER 8, 2022, FOR THE CREATION OF A MULTIPURPOSE MAINTENANCE SPECIAL TAXING DISTRICT.

Legal Description:

PARCEL 1:

LOT 8, BLOCK 1, OF MIAMI LAND AND DEVELOPMENT COMPANY, IN SECTION 19, TOWNSHIP 57 SOUTH, RANGE 39 EAST, ACCORDING TO THE PLAT THEREOF, RECORDED IN PLAT BOOK 5, PAGE 10, OF THE PUBLIC RECORDS OF MIAMI-DADE COUNTY, FLORIDA. TOGETHER WITH THE EAST ONE-HALF OF SW 172 AVENUE ADJACENT THERETO VACATED BY RESOLUTION No. 2006-11-125 OF THE CITY OF HOMESTEAD, OF THE PUBLIC RECORDS OF MIAMI-DADE COUNTY.

LESS THAT PORTION OF SAID LOT 8, LYING NORTHERLY OF THE SOUTHEASTERLY RIGHT-OF-WAY OF THE HOMESTEAD EXTENSION OF FLORIDA'S TURNPIKE AS SHOWN ON FLORIDA DEPARTMENT OF TRANSPORTATION RIGHT-OF-WAY MAP, SECTION 87005-2302, SHEET 5 OF 12 SHEETS, DATED APRIL 1970.

LOT 9, BLOCK 1, OF MIAMI LAND AND DEVELOPMENT COMPANY, IN SECTION 19, TOWNSHIP 57 SOUTH, RANGE 39 EAST, ACCORDING TO THE PLAT THEREOF, RECORDED IN PLAT BOOK 5, PAGE 10, OF THE PUBLIC RECORDS OF MIAMI-DADE COUNTY, FLORIDA. TOGETHER WITH THE EAST ONE-HALF OF SW 172ND AVENUE ADJACENT THERETO VACATED BY RESOLUTION No. 2006-11-125 OF THE CITY OF HOMESTEAD, OF THE PUBLIC RECORDS OF MIAMI-DADE COUNTY, FLORIDA.

LOT 10, BLOCK 1, OF MIAMI LAND AND DEVELOPMENT COMPANY, IN SECTION 19, TOWNSHIP 57 SOUTH, RANGE 39 EAST ACCORDING TO THE PLAY THEREOF, RECORDED IN PLAT BOOK 5, PAGE 10, OF THE PUBLIC RECORDS OF MIAMI-DADE COUNTY, FLORIDA; LESS DEDICATED RIGHT-OF-WAY, ALL LYING AND BEING IN MIAMI-DADE COUNTY, FLORIDA.

DEPARTMENTAL ACCEPTANCE DATE
(GOVERNMENT USE ONLY)

PARCEL 2:

THAT PORTION OF LOT 5, BLOCK 1, OF MIAMI LAND AND DEVELOPMENT COMPANY, IN SECTION 19, TOWNSHIP 57 SOUTH, RANGE 39 EAST, ACCORDING TO THE PLAT THEREOF, RECORDED IN PLAT BOOK 5, PAGE 10, OF THE PUBLIC RECORDS OF MIAMI-DADE COUNTY, FLORIDA; LYING SOUTHERLY OF THE SOUTHEASTERLY RIGHT-OF-WAY OF THE HOMESTEAD EXTENSION OF FLORIDA'S TURNPIKE AS SHOWN ON FLORIDA DEPARTMENT OF TRANSPORTATION RIGHT-OF-WAY MAP, SECTION 87005-2302, SHEET 5 OF 12 SHEETS, DATED APRIL 1970.

Folio Nos.:

10-7919-001-0060

10-7919-001-0070

10-7919-001-0080

10-7919-001-0031

EXHIBIT B

EXHIBIT B TO THE PETITION FOR THE SUBDIVISION KNOWN AS LOS CAYOS SUBDIVISION DATED DECEMBER 8, 2022, FOR THE CREATION OF A MULTIPURPOSE MAINTENANCE SPECIAL TAXING DISTRICT

AREAS TO BE MAINTAINED:

WITHIN THE PUBLIC RIGHT-OF-WAY:

- WALL AND ENTRANCE FEATURES ALONG S.W. 336TH STREET (ARTHUR VINING PARKWAY)
- BERMS AND LANDSCAPING ALONG S.W. 336TH STREET (ARTHUR VINING PARKWAY) AND ALONG S.W. 172ND AVENUE (MCMINN ROAD)

WITHIN THE COMMUNITY:

- TRACT A - PRIVATE ROAD INFRASTRUCTURE TO BE MAINTAINED
- TRACT B - (EXCEPT CLUBHOUSE).

MAINTENANCE SCHEDULE:

- A) LAWN/GRASS
 - 1) CUT AS REQUIRED
 - 2) FERTILIZE AND WEED CONTROL, AS NEEDED
 - 3) TREAT FOR PESTS/DISEASES, AS NEEDED
 - 4) IRRIGATE WITH AUTOMATIC SYSTEM AND ELECTRICAL SERVICE FOR SAME.
 - 5) MULCHING—PERFORMED TWICE A YEAR OR AS NEEDED.
- B) TREES/SHRUBS
 - 1) RIM, FERTILIZE AND TREAT FOR PESTS, AS NEEDED
 - 2) REPLACE, AS REQUIRED.
- C) WALL MAINTENANCE
 - 1) MAINTENANCE AND SURFACE REPAIR OF THE EXTERIOR OF A DECORATIVE MASONRY WALL AND THE REMOVAL OF GRAFFITI, AS NEEDED.
 - 2) WALL COLUMN PAINTING (EVERY FOUR YEARS).

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

TRACT A - (INGRESS-EGRESS, PEDESTRIAN ACCESS, PARKING, PRIVATE PASSIVE GREEN AREA LANDSCAPE, COMMON AREA, AND UTILITY EASEMENT) PRIVATE ROADS

TRACT B (EXCEPT CLUBHOUSE) – (TOT-LOT, CLUBHOUSE, DOG PARK, GREEN AREA OF MIAL KIOSK, MULTIPURPOSE FIELD, LANDSCAPE, COMMON OPENE SPACE AND UTILITY EASEMENT TRACT)

ROAD MAINTENANCE INCLUDES INFRASTRUCTURE REPAIR UPON ACTIVATION OF THE DORMANT MULTIPURPOSE DISTRICT

CITY OF HOMESTEAD, FLORIDA

RESOLUTION NO. R2022-10-110

A RESOLUTION OF THE CITY OF HOMESTEAD, FLORIDA, SUPPORTING THE CREATION OF THE KEYS LAKE MULTIPURPOSE MAINTENANCE SPECIAL TAXING DISTRICT (STD), AGGREGATELY ENCOMPASSING APPROXIMATELY 26.42 ACRES, MORE OR LESS, HAVING EXTERNAL BOUNDARIES AS DEPICTED AND LEGALLY DESCRIBED IN EXHIBIT "A;" AUTHORIZING THE CITY MANAGER TO ENTER INTO AN INTERLOCAL AGREEMENT BETWEEN MIAMI-DADE COUNTY ("COUNTY") AND THE CITY FOR THE CREATION AND IMMEDIATE TRANSFER OF THE STD TO THE CITY UPON CREATION PURSUANT TO SECTION 18-3.1 OF THE COUNTY CODE OF ORDINANCES; PROVIDING FOR TRANSMITTAL BY THE CITY CLERK; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, Article I of Chapter 18 of the Miami-Dade County Code of Ordinances ("County Code") allows for the creation, establishment, and operation of a Special Taxing District within incorporated areas for the purpose of providing essential services, capital improvements and maintenance/repair of all common areas, facilities and structures within the proposed residential subdivision development, which may include, but are not limited to roadways, swales, landscaping, street lighting, entrance features, and recreational amenities (collectively referred to as the "Special Taxing District's Improvements"); and

WHEREAS, Section 18-2 of the County Code provides that no special taxing district shall be created within a municipality without the approval of the governing body of the municipality; and

WHEREAS, Section 18-3.1 of the County Code allows the County and a municipality, by joint resolutions, to designate the governing body of such municipality as the governing body of a new special taxing district created wholly within the boundaries of such municipality; and

WHEREAS, the County requires the creation of a dormant multi-purpose residential special taxing district and immediate transfer to the City pursuant to an interlocal agreement, when a concurrent Community Development District (CDD) is requested; and

WHEREAS, the City of Homestead (the "City") expresses its support for the creation and establishment of the Keys Lake Multipurpose Maintenance Special Taxing District ("STD") requested by Keys Gate III Trust within the geographical boundaries of the City, as further depicted and legally described in Exhibit "A;" and

WHEREAS, the City hereby requests immediate transfer of control and operation of the STD upon its creation by the County; and

WHEREAS, the City shall provide for the operation and management of the STD as well as the maintenance of the Special Taxing District's Improvements; and

WHEREAS, the STD maintenance service charges, special assessments, or general tax levies will cover the costs associated with providing the Special Taxing District's Improvements; and

WHEREAS, the next steps within this process requires the Board of County Commissioners ("BCC") establish the STD, pursuant to adoption of a resolution and authorizing the transfer of the STD to the City, subject to an executed an Interlocal

agreement between the City and the County relating to the immediate transfer of the STD to the City upon creation by the County (the "Agreement"); and

WHEREAS, the City Council finds that this Resolution is in the best interest and welfare of the City.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF HOMESTEAD, FLORIDA:

Section 1. Recitals Adopted. That each of the above-stated recitals is hereby adopted and confirmed.

Section 2. Approval. In accordance with County Code Section 18-3.1, the City hereby expresses its support for Miami-Dade County to create and immediately transfer control of the Keys Lake Multipurpose Maintenance Special Taxing District, comprising approximately 26.42 acres and having external boundaries located within the City, as further depicted and legally described in Exhibit "A," to the City upon its establishment.

Section 3. Authorization. The City Manager is authorized to execute the Agreement in substantially the form attached as Exhibit "B" concerning transfer of the Keys Lake Multipurpose Maintenance Special Taxing District upon its establishment.

Section 4. Implementation. The City Manager and the City Attorney are hereby authorized to take such further action as may be necessary to implement the purpose and the provisions of this Resolution and the attached Agreement.

Section 5. Transmittal by the City Clerk. The City Clerk is hereby directed to transmit/provide a certified copy of this Resolution to the Miami-Dade County Board of County Commissioners.

Section 6. Effective Date. That this resolution shall be effective immediately upon adoption.

PASSED AND ADOPTED THIS 19th day of October, 2022.



STEVEN D. LOSNER,
Mayor

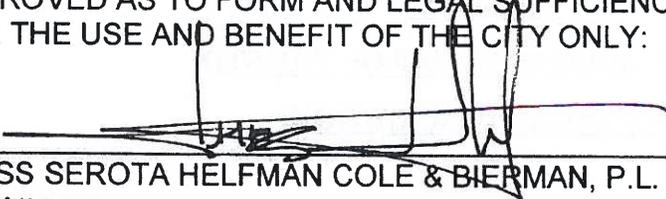
ATTEST:



ELIZABETH SEWELL, MPA, MMC, FCRM
City Clerk



APPROVED AS TO FORM AND LEGAL SUFFICIENCY
FOR THE USE AND BENEFIT OF THE CITY ONLY:



WEISS SEROTA HELFMAN COLE & BIERMAN, P.L.
City Attorney

Moved by:
Seconded by:
Council Vote:

Councilman Sean L. Fletcher
Councilwoman Erica G. Ávila
6-1

FINAL VOTE AT ADOPTION

Mayor Steven D. Losner
Vice-Mayor Julio Guzman
Councilwoman Erica G. Ávila
Councilwoman Jenifer N. Bailey
Councilwoman Patricia D. Fairclough-Staggers
Councilman Sean L. Fletcher
Councilman Larry Roth

YES
YES
YES
YES
YES
YES
NO

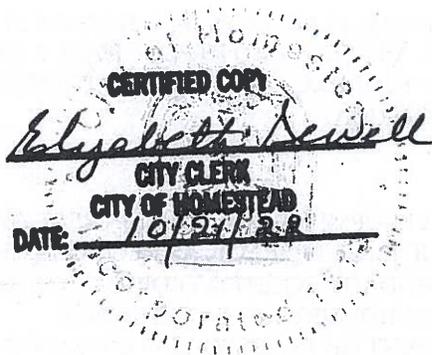


Exhibit "A"

**INSERT BOUNDARY MAP OF THE STD
AND LEGAL DESCRIPTION:**

LEGAL DESCRIPTION:

FOLIO NUMBER: 10-1079-001-0060:

LOT 8, BLOCK 1, OF MIAMI LAND AND DEVELOPMENT COMPANY, IN SECTION 19, TOWNSHIP 57 SOUTH, RANGE 39 EAST, ACCORDING TO THE PLAT THEREOF, AS

RECORDED IN PLAT BOOK 5 AT PAGE 10, OF THE PUBLIC RECORDS OF MIAMI-DADE COUNTY, FLORIDA.

LESS THAT PORTION OF SAID LOT 8, LYING NORTHERLY OF THE SOUTHEASTERLY RIGHT-OF-WAY OF THE HOMESTEAD EXTENSION OF FLORIDA'S TURNPIKE AS SHOWN

ON THE FLORIDA DEPARTMENT OF TRANSPORTATION RIGHT-OF-WAY MAP, SECTION 87005-2302, SHEET 5 OF 12 SHEETS, DATED APRIL, 1970.

FOLIO NUMBER: 10-1079-001-0070:

LOT 9, BLOCK 1, OF MIAMI LAND AND DEVELOPMENT COMPANY, IN SECTION 19, TOWNSHIP 57 SOUTH, RANGE 39 EAST, ACCORDING TO THE PLAT THEREOF, AS

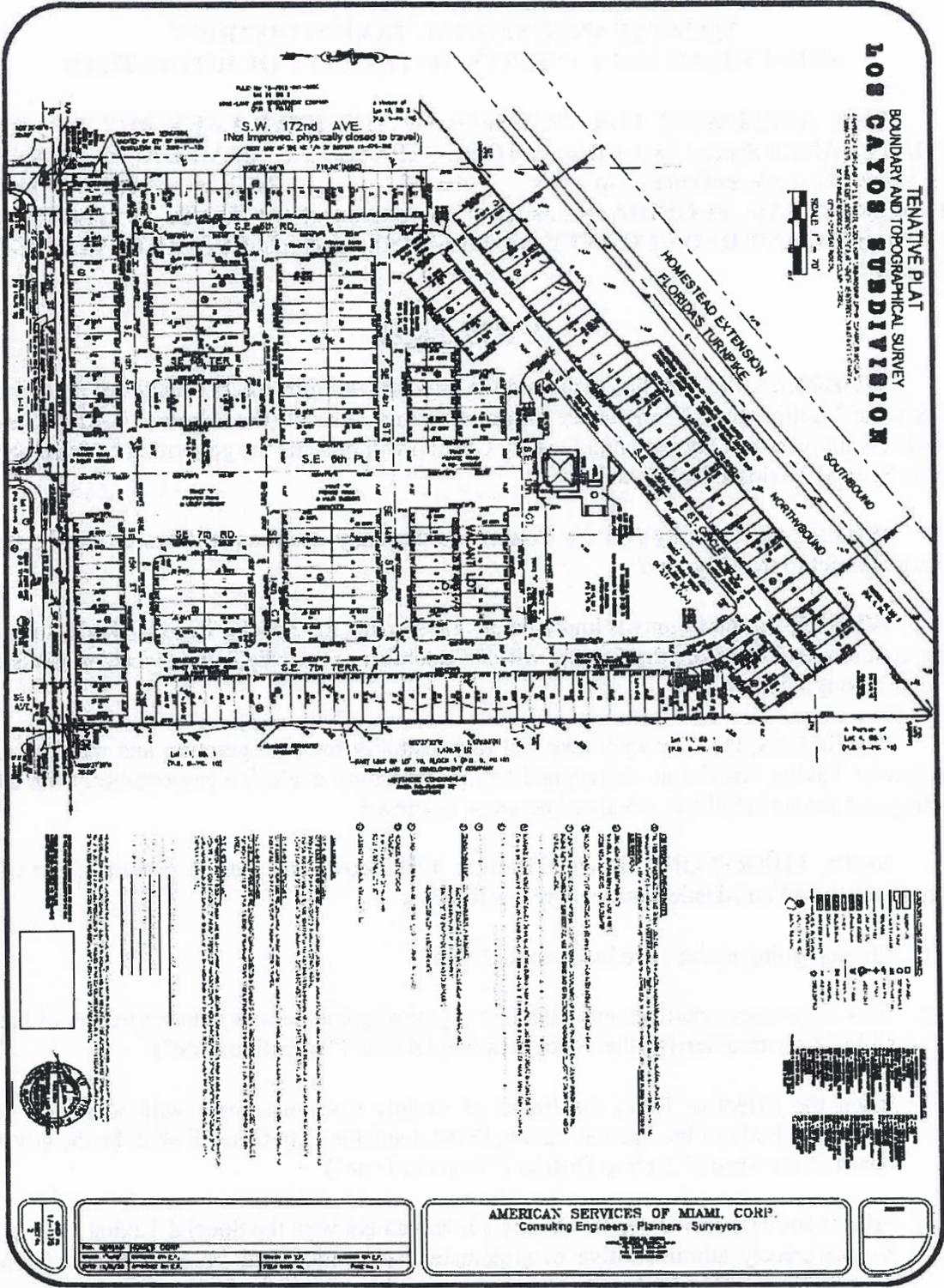
RECORDED IN PLAT BOOK 5 AT PAGE 10, OF THE PUBLIC RECORDS OF MIAMI-DADE COUNTY, FLORIDA.

FOLIO NUMBER: 10-1079-001-0080:

LOT 10, BLOCK 1, OF MIAMI LAND AND DEVELOPMENT COMPANY, IN SECTION 19, TOWNSHIP 57 SOUTH, RANGE 39 EAST, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 5 AT PAGE 10, OF THE PUBLIC RECORDS OF MIAMI-DADE COUNTY, FLORIDA, LESS DEDICATED RIGHT-OF-WAY, ALL LYING AND BEING IN MIAMI-DADE COUNTY, FLORIDA.

FOLIO NUMBER: 10-1079-001-0031:

THAT PORTION OF LOT 5, BLOCK 1, OF MIAMI LAND AND DEVELOPMENT COMPANY, IN SECTION 19, TOWNSHIP 57 SOUTH, RANGE 39 EAST, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 5 AT PAGE 10, OF THE PUBLIC RECORDS OF MIAMI-DADE COUNTY, FLORIDA, LYING SOUTHERLY OF THE SOUTHEASTERLY RIGHT-OF-WAY OF THE HOMESTEAD EXTENSION OF FLORIDA'S TURNPIKE AS SHOWN ON THE FLORIDA DEPARTMENT OF TRANSPORTATION RIGHT-OF-WAY MAP, SECTION 87005-2302, SHEET 5 OF 12 SHEETS, DATED APRIL, 1970.



**TRANSFER OF THE KEYS LAKE MULTIPURPOSE SPECIAL TAXING DISTRICT
FROM MIAMI-DADE COUNTY TO THE CITY OF HOMESTEAD**

THIS AGREEMENT FOR TRANSFER OF THE **KEYS LAKE MULTIPURPOSE SPECIAL TAXING DISTRICT** TO BE CREATED BY MIAMI-DADE COUNTY (AGREEMENT), made and entered into this ____ day of _____, 2023, by and between the **CITY OF HOMESTEAD, FLORIDA**, a municipal corporation of the STATE OF FLORIDA (hereinafter referred to as the “City”) and **MIAMI-DADE COUNTY**, a political subdivision of the STATE OF FLORIDA (hereinafter referred as the “County”).

WITNESSETH

WHEREAS, the City has requested the creation and immediate transfer of control of the Keys Lake Multipurpose Special Taxing District (“Special Taxing District”) from the County to the City such that the City Council will become the governing body responsible for the Special Taxing District; and

WHEREAS, the City and the County are mutually desirous of transferring the Special Taxing District to the City; and

WHEREAS, the County is immediately transferring the Special Taxing District to the City upon creation, and therefore the County will not establish or provide any services or assets to the Special Taxing District; and

WHEREAS, the City shall take full responsibility for the operation and maintenance of the Special Taxing District as determined herein, including exclusive responsibility for all preexisting and future liabilities, whether known or unknown,

NOW, THEREFORE, in consideration of the covenants herein provided, the City of Homestead and Miami-Dade County agree as follows:

1. The foregoing recitals are incorporated herein.
2. This Agreement shall become effective if passed pursuant to a joint resolution of the City and County transferring the Special Taxing District (“Transfer Date”).
3. As of the Transfer Date, the Board of County Commissioners will no longer be the governing body of the Special Taxing District and the City Council shall be the governing board of the Special Taxing District.
4. Prior to the Transfer Date, the County’s involvement with the Special Taxing District shall be exclusively administrative to effectuate the creation and immediate transfer of the Special Taxing District to the City.
5. On Transfer Date, the County will cease all involvement, and the City will be exclusively responsible for the Special Taxing District.

6. Beginning on the Transfer Date, the City shall be responsible for all pre-existing and future liabilities of the Special Taxing District, whether known or unknown.
7. The City shall be responsible for establishing assessment rates and collecting assessments for the Special Taxing District. If the City intends on using the uniform method for the levy, collection, and enforcement of non-ad valorem assessments, the City shall comply with the requirements of section 197.3632 of the Florida Statutes and shall make such arrangements with the Miami-Dade County Office of the Property Appraiser and Miami-Dade County Tax Collector.
8. The City shall be responsible for arranging for the Special Taxing District's utility accounts, and procuring contracts with vendors to provide all necessary services to the Special Taxing District.
9. The City shall be responsible for establishing its own protocols and policies for administration and assessment of the Special Taxing District.
10. The City shall be responsible for the continuous operation, maintenance, repair, and replacement, when necessary, of the Special Taxing District's improvements.
11. The City shall be responsible for payment of all of the Special Taxing District's expenses. It is provided, however, that such payment of the Special Taxing District's expenses incurred by the City are properly chargeable to the Special Taxing District.
12. Within sixty (60) days of the Transfer Date, the County shall provide to the City a final financial reconciliation of all known liabilities for the Special Taxing District. Any omission from the final reconciliation shall not constitute a waiver by either the County or the City for payment to or from the Special Taxing District's account.
13. The County shall issue an invoice to the City for any deficit in the Special Taxing District's account, including, but not limited to, the costs to establish the Special Taxing District. The City shall pay the invoice within sixty (60) days of receipt. It is provided, however, that such expenses incurred by the City are properly chargeable to the Special Taxing District.
14. Pursuant to section 2-8.9 of the Code of Miami-Dade County, the City is encouraged to pay the Living Wage.
15. To the extent allowed by, and subject to the limitations of, section 768.28 of the Florida Statutes, the City does hereby agree to indemnify and hold the County, its officials, employees and instrumentalities, harmless from any and all liability for any damage, injury, or claim that may arise by virtue of the Special Taxing District, or the exercise of any rights, obligations or actions under this Agreement, including, but not limited to, the City's operation of the Special Taxing District or the City's failure to provide services or maintain, repair, replace, or operate the improvements.

16. The undersigned further agrees that these conditions shall be deemed a continuing obligation between the City and the County and shall remain in full force and effect and be binding on the City, and any permitted successors or assigns.
17. In the event that the City requests any third party to assume any of the responsibilities hereunder, the City acknowledges that such assumption shall not relieve the City from any obligations or responsibilities hereunder. Any failure by any third party shall not subject the County to any liability for any damage, injury, or claim that may arise.
18. Nothing in this Agreement, expressed or implied, is intended to: (a) confer upon any entity or person other than the parties and any permitted successors or assigns, any rights or remedies under or by reason of the Agreement as a third party beneficiary or otherwise except as specifically provided in this Agreement; or (b) authorize anyone not a party to this Agreement to maintain an action pursuant to or based upon this Agreement. Additionally, nothing herein shall be deemed to constitute a waiver of any rights under section 768.28 of the Florida Statutes, or as a waiver of the County's sovereign rights.
19. The language agreed to herein expresses the mutual intent and agreement of the County and the City, and shall not, as a matter of judicial construction, be construed more severely against one of the parties from the other.
20. Any notices to be given hereunder shall be in writing and shall be deemed to have been given if sent by hand delivery, recognized overnight courier (e.g., Federal Express), or by written certified U.S. mail, with return receipt requested, addressed to the Party for whom it is intended, at the place specified. The method of delivery shall be consistent among all of the persons listed herein. For the present, the City and County designate the following as the respective places for notice purposes:

City: City of Homestead
18605 NW 27th Avenue
Homestead, Florida 33056

County: Miami-Dade County
Attn: Special Assessment Districts Division
Stephen P. Clark Center
111 Northwest 1st Street, 1 5th Floor
Miami, Florida 33128

With a copy to: Miami-Dade PROS Director
275 NW 2nd Street, 5th Floor,
Miami, FL 33128
Miami-Dade County Attorney's Office,
111 NE 1st Street, Suite 2810,
Miami, FL 33128

IN WITNESS WHEREOF, the City of Homestead has caused this instrument to be executed by its respective officials thereunto duly authorized, this the day and year above written.

ATTEST:

By: Elizabeth Sewell
City Clerk

APPROVED AS TO LEGAL FORM
AND CORRECTNESS:

CITY OF HOMESTEAD, a municipal corporation

By: [Signature]
City Manager

By: [Signature]
City Attorney

**MIAMI-DADE COUNTY BOARD OF
COUNTY COMMISSIONERS, FLORIDA**

ATTEST:

By: _____
Mayor or Mayor's Designee

Date

HARVEY RUVIN, CLERK

By: _____
Deputy Clerk

Date

Memorandum



Date: September 16, 2020

To: Maria Nardi, Director
Department of Parks, Recreation and Open Spaces

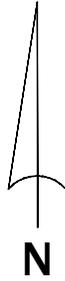
From: Jack Osterholt, Deputy Mayor/Director
Department of Regulatory and Economic Resources

Subject: Street lighting, Maintenance of Landscape, Walls Adjacent to Double Frontage Lots, Entrance Features and Lakes – Special Taxing Districts

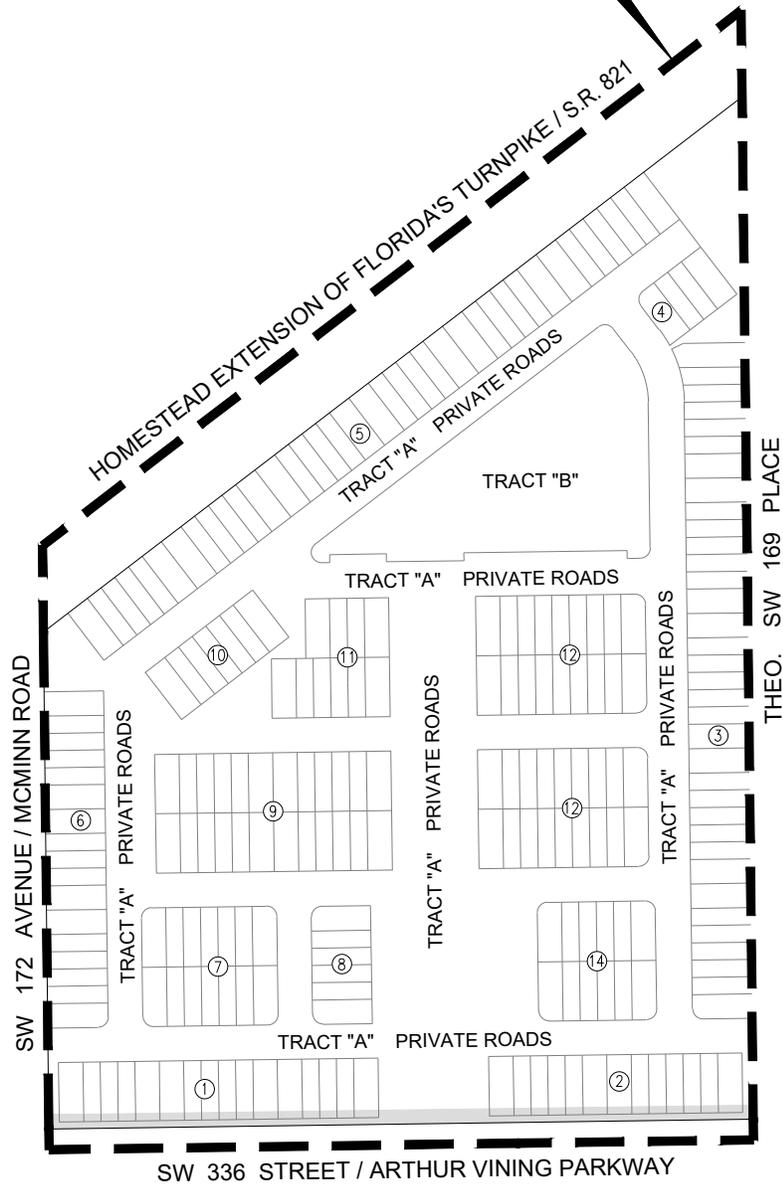
All tentative plats in the unincorporated area of Miami-Dade County submitted to the Development Services Division (Land Development Section) of the Regulatory and Economic Resources Department (RER), must comply with the special taxing districts requirements of the Miami-Dade County Code (the Code) including, but not limited to street lights, maintenance of landscape, walls adjacent to double frontage lots, entrance features and lakes. Final Plats will not be presented to the Board of County Commissioners for consideration until the applicable special taxing districts are created, and all fees have been paid. In that regard, to ensure expeditious processing, this Memorandum may serve, through September 30, 2021, as approval for certain future special taxing district application requests as being consistent with the intent and purpose of the adopted 2020-2030 Comprehensive Development Master Plan (CDMP). Capital Improvement Element Policy CIE-4A states: "Appropriate funding mechanisms will be adopted and applied by Miami-Dade County and the Miami-Dade County Public Schools in order to assure the fiscal resources to maintain acceptable levels of service. Such funding mechanisms may include special taxing districts, municipal taxing service units, local option taxes, user fees, local gas tax, general obligation bonds, impact fees, special purpose authorities, and others as appropriate and feasible" (Adopted Components as Amended through January 23, 2020, page IX-9). The provision for services over and above minimum for neighborhoods and communities may be accomplished through the special taxing district as may be prescribed by the Code.

The RER has no objection to a blanket approval with condition to establish future special taxing districts as limited to requests for street lighting, landscape maintenance, walls adjacent to double frontage lots and lake maintenance districts. The previously noted special taxing districts may be established on the condition that the RER Development Services Division review all landscape maintenance districts and lake maintenance districts for consistency with Landscape Code (Chapter 18A) Section 18A-6(L) Storm Water Retention/Detention Areas.

JO:LG:NK:JB:GR



DISTRICT BOUNDARIES



KEYS LAKE MULTIPURPOSE MAINTENANCE SPECIAL TAXING DISTRICT

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

M-876 (COMM. 0009)
SECTION: 19 - 57 - 39

EXHIBIT "A"
(BOUNDARIES & GEOGRAPHICAL LOCATION SKETCH)



MEMORANDUM
(Revised)

TO: Honorable Chairman Oliver G. Gilbert, III
and Members, Board of County Commissioners

DATE: June 4, 2024

FROM: 
Gen Bonzon-Keenan
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 present ____, 2/3 membership ____, 3/5's ____, unanimous ____, CDMP 7 vote requirement per 2-116.1(3)(h) or (4)(c) ____, CDMP 2/3 vote requirement per 2-116.1(3)(h) or (4)(c) ____, or CDMP 9 vote requirement per 2-116.1(4)(c)(2) ____) 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)
6-4-24

ORDINANCE NO. _____

ORDINANCE CREATING AND ESTABLISHING A SPECIAL TAXING DISTRICT IN THE CITY OF HOMESTEAD, FLORIDA, GENERALLY BOUNDED ON THE NORTH BY HOMESTEAD EXTENSION OF FLORIDA’S TURNPIKE (SR 821), ON THE EAST BY THEORETICAL SW 169 PLACE, ON THE SOUTH BY SW 336 STREET (ARTHUR VINING PARKWAY), AND ON THE WEST BY SW 172 AVENUE (MCMINN ROAD), KNOWN AND DESCRIBED AS KEYS LAKE MULTIPURPOSE MAINTENANCE SPECIAL TAXING DISTRICT; IDENTIFYING SERVICES TO BE PROVIDED; AND PROVIDING FOR EXCLUSION FROM THE CODE AND AN EFFECTIVE DATE

WHEREAS, this Board desires to accomplish the purposes outlined in the accompanying memorandum, which is incorporated herein by reference; and

WHEREAS, a public hearing has been conducted by the Board of County Commissioners in accordance with the requirements and procedures of chapter 18 of the Code of Miami-Dade County,

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

Section 1. This Board incorporates and approves the foregoing recitals as if fully set forth herein.

Section 2. In accordance with the provisions of chapter 18 of the Code, a special taxing district, to be known and designated as the Keys Lake Multipurpose Maintenance Special Taxing District is hereby created and established in the City of Homestead (“City”), Florida, pursuant to City Resolution No. R2022-10-10.

Section 3. The area or boundaries of this Special Taxing District, generally bounded on the north by Homestead Extension of Florida's Turnpike (State Road 821), on the east by Theoretical SW 169 Place, on the south by SW 336 Street (Arthur Vining Parkway), and on the west by SW 172 Avenue (McMinn Road), and located entirely within Commission District 9, are as follows:

Parcels of land lying in Section 19, Township 57 South, Range 39 East, Miami-Dade County, Florida (a.k.a. Los Cayos Subdivision, Tentative Plat No. T-24760); being more particularly described as follows:

That portion of Lot 5, Block 1, "MIAMI LAND AND DEVELOPMENT COMPANY", in said Section 19, as recorded in Plat Book 5, at Page 10 of the Public Records of Miami Dade County, Florida, lying Southerly of the Southeasterly Right-of-Way of the Homestead Extension of Florida's Turnpike as shown on the Florida Department of Transportation Right-of-Way Map, Section 87005-2302, sheet 5 of 12 sheets, dated April 1970.

And

Lot 8, Block 1, "MIAMI LAND AND DEVELOPMENT COMPANY", in said Section 19, according to the Plat thereof, as recorded in Plat Book 5, at Page 10 of the Public Records of Miami-Dade County, Florida; together with the E ½ of the S.W. 172nd Avenue adjacent thereto vacated by Resolution No. 2006-11-125 of the City of Homestead, of the Public Records of Miami-Dade County, Florida; less that portion of said Lot 8, lying Northerly of the Southeasterly Right-of-Way of the Homestead Extension of Florida's Turnpike as shown on the Florida Department of Transportation Right-of-Way Map, Section 87005-2302, sheet 5 of 12 sheets, dated April 1970.

And

Lot 9, Block 1, "MIAMI LAND AND DEVELOPMENT COMPANY", in said Section 19, according to the Plat thereof, as recorded in Plat Book 5, at Page 10 of the Public Records of Miami-Dade County, Florida; together with the E ½ of the S.W. 172nd Avenue adjacent thereto vacated by Resolution No. 2006-11-125 of the City of Homestead, of the Public Records of Miami-Dade County, Florida.

And

Lot 10, Block 1, "MIAMI LAND AND DEVELOPMENT COMPANY", in said Section 19, according to the Plat thereof, as recorded in Plat Book 5, at Page 10 of the Public Records of Miami-Dade County, Florida, less dedicated Rights-of-Way. All lying and being in Miami-Dade County, Florida.

The areas and geographical locations of this Special Taxing District are shown on the map or sketch, attached to the accompanying memorandum.

Section 4. The improvements and/or services to be provided in this Special Taxing District will consist of the following:

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

Section 5. The estimated cost to the property owners for the multipurpose maintenance services and operations by the Special Taxing District, if activated, including engineering, administration, billing, collecting and processing for the first year will be \$33,713.76 (\$0.0600 per assessable square foot). The petitioner is responsible for the estimated administrative costs for the first year in the amount of \$4,000.00. The succeeding years' assessments will be adjusted based on actual costs.

Section 6. The entire cost of the Special Taxing District's improvements and/or services shall be specially assessed. It is hereby declared that said improvements and/or services will be a special benefit to all properties within the Special Taxing District and the total amount of special assessments to be levied as aforesaid will not be in excess of such special benefit.

Section 7. The County Mayor or County Mayor's designee, or the City if transferred, is authorized and directed to cause the installation of said streetlights to be accomplished within the Special Taxing District in accordance with the provisions of said agreement and the terms of this Ordinance.

Section 8. In accordance with the provisions of sections 18-14 and 18-22.1 of the Code and 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 section 18-14 of the Code, including possible loss of title.

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

Section 10. It is the intention of this Board and it is hereby ordained that the provisions of this Ordinance shall be excluded from the Code.

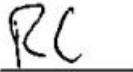
Section 11. The provisions of this Ordinance shall become effective 10 days after the date of enactment, unless vetoed by the Mayor, and if vetoed, shall become effective only upon an override by this Board.

PASSED AND ADOPTED:

Approved by County Attorney as
to form and legal sufficiency:



Prepared by:



Ryan Carlin