

# MEMORANDUM

Agenda Item No. 7(B)

**TO:** Honorable Chairwoman Audrey M. Edmonson  
and Members, Board of County Commissioners

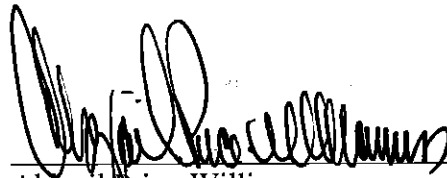
**DATE:** (Second Reading 4-9-19)  
February 20, 2019

**FROM:** Abigail Price-Williams  
County Attorney

**SUBJECT:** Ordinance creating and establishing a special benefit area in Miami-Dade County, Florida, for certain non-residential and non-institutional parcels within the area generally bounded by NE 186th Street, NE 187th Street, and NE 188th Street on the north, by the Oleta River on the west, by the Florida East Coast Railway on the east, and by NE 179th Street on the south; to be known and described as Ojus Sanitary Sewer Special Benefit Area; identifying services to be provided; authorizing and directing the Mayor to provide for the installation of sewer systems

Ordinance No. 19-31

The accompanying ordinance was prepared by the Water and Sewer Department and placed on the agenda at the request of Prime Sponsor Commissioner Sally A. Heyman.

  
\_\_\_\_\_  
Abigail Price-Williams  
County Attorney

APW/cp

# Memorandum



**Date:** April 9, 2019  
**To:** Honorable Chairwoman Audrey M. Edmonson  
and Members, Board of County Commissioners  
**From:** Carlos A. Gimenez  
Mayor  
**Subject:** Ojus Sanitary Sewer Special Benefit Area

A handwritten signature in black ink, appearing to read "Carlos A. Gimenez", written over the "From:" field.

## **Recommendation**

It is recommended that the Board of County Commissioners (Board) approve a petition submitted by the Miami-Dade Water and Sewer Department (WASD) in accordance with Article 1, Chapter 18 Section 18-21 of the Miami-Dade County Code for the creation of an "Ojus Sanitary Sewer Special Benefit Area" (hereinafter, "Special Benefit Area"). This Special Benefit Area will serve to provide for the expansion of sanitary sewer service to an urban area located entirely within a portion of unincorporated Miami-Dade County in the northeast section of the County.

## **Scope of Agenda Item**

Sanitary sewer improvements will be constructed in an area bounded by N.E. 186 Street, N.E. 187 Street and N.E. 188 Street to the north, by the Oleta River to the west, by the Florida East Coast Railway to the east and by NE 179 Street to the south in District 4, which is represented by Commissioner Sally A. Heyman.

## **Fiscal Impact/Funding Source**

There is a fiscal impact to the County as the County will advance the costs to design, permit and construct the sanitary sewer improvements in the Special Benefit Area. The total project estimate prepared by WASD totals \$19,173,681.93, which consists of \$9,953,187 in construction costs and \$9,220,493.93 in bond fees as the users of this sewer system will fund a bond repayment through a special assessment. Each property owner within the Special Benefit Area shall guarantee payment to the County of all costs and expenses and will pay the County a proportionate share of the total costs for construction through a special assessment over a period of 30 years. The assessment will be based on a "per square foot" of parcel size based on the Property Appraiser's data. The expected estimated annual cost per assessable square foot of real property is \$0.488 for 30 years. In the future, property owners who change the size of a parcel will be responsible for paying the remaining annual assessments based on the revised parcel sizes.

A preliminary special assessment roll has been developed. If costs are lower than estimated by the Department, WASD's Director will make an adjustment and decrease the square footage rate of assessment. If costs are higher, no adjustments will be made prior to the Board adopting a revised assessment roll.

## **Track Record/Monitor**

WASD's Deputy Director, Hardeep Anand, will be responsible for overseeing the creation of the Special Benefit Area.

**Social Equity Statement**

The creation of this Special Benefit Area will benefit residents and property owners within the geographic boundaries of the Special Benefit Area regardless of demographics or income levels as sewer service, which is not available currently, will be provided through this Special Benefit Area. Residents and property owners in the Special Benefit Area continue to demonstrate their desire for sewer services through service applications and requests. The Special Benefit Area is for certain non-residential and non-institutional parcels made-up of mixed use, industrial, and residential modified live/work zoned properties that do not have access to the County's sewer system.

The monetary burden associated with the construction of these proposed sanitary sewer improvements will be assessed to each property owner through a special assessment over a 30-year period. Each property shall connect and shall also pay standard WASD connection charges and the cost of elimination of the existing septic system.

**Background**

There are numerous property owners in the Special Benefit Area whose parcels are zoned for higher density development than the current sewage disposal septic systems allow. A centralized sewage collection system using the WASD regional treatment and disposal plant will allow for the zoned growth in the urban center and eliminate septic systems near the coast and river. The area is part of the Ojus Metropolitan Urban Center which encourages smart growth in transportation corridors. The establishment of the Special Benefit Area is supported by the County's Comprehensive Development Master Plan Policy WS-4E which states that "Miami-Dade County shall encourage the use of special taxing districts to eliminate the use of septic tanks and private wells within the Urban Development Boundary."

Upon approval of this Special Benefit Area by the Board, WASD will proceed to design and construct the proposed sewer collection system and to mandate the connection of non-residentially and non-institutionally zoned properties to the County's operated gravity sewer system.

Details of the Special Benefit Area are noted below:

Boundaries:	On the North: N.E. 186 St., N.E. 187 St., N.E. 188 St.; On the West: The Oleta River; On the East: The Florida East Coast Railway; On the South: NE 179 <sup>th</sup> St.; excluding parcels which front existing sanitary sewer infrastructure, and residentially and institutional zoned parcels.
Number of Parcels:	98
Number of Property Owners:	56
Number of Commercial, Mixed-Use, Live-Work, and Residential Modified Properties	87

Number of Industrial Properties 11

Number of Institutional Properties 0

Number of Residential Properties 0

Preliminary Public Meeting: March 12, 2019

Total Cost with Financing Charges: \$19,173,681.93

Method of Apportionment: Square footage of parcel area

Annual Cost per Assessable Square Foot: \$0.488

Sample Annual Assessments: Cost for a 0.5 Acre Parcel: \$10,628.64

Cost for a 1 Acre Parcel: \$21,257.28

Cost for a 5 Acre Parcel: \$106,286.40

Type of Improvement: The project will design and construct a sanitary sewer system to provide service to property owners in the Special Benefit Area. The sewer infrastructure to be constructed consists of: (1) approximately 5,920 linear feet of 6-inch PVC public sewer laterals, (2) approximately 9,915 linear feet of 8-inch to 12-inch PVC public gravity sewer piping, (3) approximately 1,150 linear feet of 10-inch to 12-inch ductile iron force main or PVC sewer force main piping within the public right-of-way, and (4) one sewer pump station located within the public right-of-way, or an alternate WASD owned parcel or easement, if available.

Required Referendum: No referendum required pursuant to Section 18-21 of the Miami-Dade County Code.

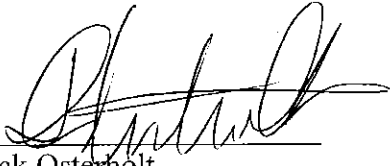
Estimated Completion: Month/Year August 2020

Estimated Initial Billing: October 2020

Assessments levied may be paid in full or financed over a 30-year period.

Findings:

As required by the provisions of Section 18-3 of the Miami-Dade County Code, I have reviewed the facts submitted by the WASD Director and the Report and Recommendation attached hereto as Exhibit A, and which is incorporated herein by reference, and concur with his findings and recommendation that this Special Benefit Area be created pursuant to Section 18-21 of the Code. Additionally, a project to provide sanitary sewer improvements, within the boundaries of the Special Benefit Area, is being proposed.



Jack Osterholt  
Deputy Mayor

January 28, 2019

**REPORT AND RECOMMENDATIONS  
ON THE CREATION OF OJUS SANITARY SEWER SPECIAL BENEFIT AREA  
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 Special Benefit Area for the expansion of sanitary sewer service to the Ojus Urban Area, the following facts are submitted by the Miami-Dade County Water and Sewer Department (WASD) Director concerning the creation of the Ojus Sanitary Sewer Special Benefit Area (Special Benefit Area).

**1. BOUNDARIES OF THE AREA**

The proposed Special Benefit Area is located entirely within a portion of unincorporated Miami-Dade County, and the boundaries, as set forth in the petition, are as follows:

Certain non-residential and non-institutional parcels located within the area generally bounded by NE 186th Street, NE 187th Street, and NE 188th Street on the north, by the Oleta River on the west, by the Florida East Coast Railway on the east, and by NE 179th Street on the south; excluding parcels which front existing gravity sanitary sewer infrastructure. The Special Benefit Area's boundaries and geographical location are shown on the attached exhibit entitled Ojus Sanitary Sewer Special Benefit Area Boundary and Folios, hereinafter referred to as **Exhibit 1**.

The properties that form the Special Benefit Area, including addresses and folios, are defined in **Exhibit 2** of this report.

**2. DESCRIPTION AND LOCATION OF THE INSTALLATION TO BE CONSTRUCTED**

The improvement to be provided through the Special Benefit Area will consist of the construction of approximately 5,920 linear feet (LF) of six-inch PVC public sewer laterals; 9,915 LF of eight-inch to twelve-inch PVC public gravity sewer piping, 1,150 LF of ten-inch to twelve-inch ductile iron or PVC sewer force main piping within public right-of-way, and a sewer pump station located within public right-of-way and/or WASD owned parcel or easement, in accordance with WASD's Rules and Regulations (Implementing Order 10-8) and corresponding technical standards, which specifically permits the pump station to be constructed in the right of way. An illustration of the proposed improvements is presented in **Exhibit 3**.

**3. ESTIMATED COSTS FOR IMPROVMENTS**

The construction cost of the sanitary sewer improvements proposed within the Special Benefit Area was estimated by the Miami-Dade Water and Sewer Department. The construction cost estimate considers the planning level design of the improvements and is considered to be a Class 5 planning level cost estimate.

WASD will design, permit, and construct the sanitary sewer improvements. The financing cost will also be assessed to the Special Benefit Area.

The Special Benefit Area's construction cost estimate is presented below.

<b><u>Item Description</u></b>	<b><u>Estimated Cost</u></b>
Utility Administration/Fees	\$1,631,938
Mobilization and Traffic Control	\$252,802
Gravity, Force Main and Pump Station Installation	\$5,266,720
Design Engineering	\$492,965
Construction Engineering & Inspections	\$854,473
Planning Level Contingency	\$1,053,345
Direct Cost Contingency 5%	\$400,944
<b><u>Design and Construction Costs to Special Benefit Area</u></b>	<b>\$9,953,187</b>

A more detailed cost estimate for the Special Benefit Area is presented in **Exhibit 4**.

**4. PROCEDURE**

As provided for under Chapter 18 of the Code, the property owners within the proposed Special Benefit Area shall guarantee payment of all costs and expenses incidental to the creation of such Special Benefit Area and shall pay the entire construction and financing costs of providing sewer infrastructure within the Special Benefit Area. Based on property square footage and

percentage of interest (applicable to condo units), property owners within the proposed Special Benefit Area will pay the County, through a special assessment, a proportionate share of the total costs for the construction and financing.

In the event actual total costs are lower than the total costs estimated herein, the Director of WASD shall adjust and decrease the rate of the assessment. In the event actual costs are higher than estimated herein, the rate of the assessment shall not be increased prior to the Board of County Commissioners (Board) adopting a revised assessment roll.

The project costs will be assessed, through the Special Benefit Area, and property owners will be required to pay the cost of the construction and financing over a period of 30-years. The assessment will be based on a per square foot of parcel size based on the Property Appraiser data, and per the percentage of interest applicable to condo units, as established by the Miami-Dade County Property Appraiser Residential Condominium Section annually. Should a parcel be modified in size in the future, the new or revised ownership shall be responsible for paying the remaining annual assessment based on each revised parcel or folio size or percentage of interest.

Following the creation of the Special Benefit Area by the Board, the property shall not be placed in service for sewer services prior to receipt of the payment from the property owner for the first-year assessment.

In addition to the assessment of the Special Benefit Area, upon connection to the sanitary sewer system, property owners will be subject to standard WASD sanitary sewer connection charges, procedures and requirements established for new first-time connections. Upon placement into service of the project, WASD will be responsible for the maintenance, repairs, upgrades, and renewal/replacement of the public system through standard sewer service rates as approved by the Board of County Commissioners each year. Abandonment of any septic system will be at the property owner's expense. One lateral will be provided per property, and additional laterals required for new connections will be the owner's responsibility.

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

The proposed Special Benefit Area conforms to and in no way conflicts with the Comprehensive Development Master Plan (CDMP) of Miami-Dade County (see attached memorandum from the Department of Regulatory and Economic Resources, **Exhibit 5**).



6. **RECOMMENDATION CONCERNING THE DESIRABILITY OF THIS AREA**

The proposed Special Benefit Area is recommended for properties within areas designated for Mixed-Use Corridor (MC), Mixed-Use Corridor/Industrial (MCI), Mixed-Use Main Street (MM), Residential Modified (RM) and Residential Modified-Live/Work (RML) on the Land Use Regulating Plan developed for Ojus Urban Area District (OUAD), which do not have immediate access to gravity sanitary sewer service. Parcels within Residential (R) or Institutional (I) areas are not included in the Special Benefit Area.

The need for sanitary sewer service within commercial areas of the Special Benefit Area is apparent. Property owners within the boundaries of the area continue to demonstrate their desire for sewer services through numerous applications and requests. The lack of sanitary sewer service to commercial properties within the Special Benefit Area does not allow for these properties to make use of permissible existing land use densities as they are currently being served by septic tank systems. Larger developments cannot use septic systems as a sewage disposal system. Therefore, there is a significant economic benefit to installing centralized sewer services in the area.

The construction of sanitary sewers will allow for building expansion and redevelopment and eliminate regulatory sewage disposal related limits on economic growth in the area. Sewer services provide opportunity for economic growth and development that help achieve the vision that Miami-Dade Department of Planning and Zoning have established for this area, via the creation of the OUAD Master Plan. Several CDMP policies support the goal of the Special Benefit Area.

Other benefits include the environmental benefit due to the elimination of septic tanks; creation of local jobs and; enhancement of property values.

The ability of the affected properties to pay the special assessments is evident since the costs of the Special Benefit Area's services, including any bonds then outstanding, provide for additional development opportunity which far exceeds the assessments. In my opinion, the sewer services installed pursuant to the creation of this Special Benefit Area will provide special benefits to properties within the Special Benefit Area's boundaries exceeding the amount of special assessments to be levied.

**7. ESTIMATE OF ASSESSMENTS AGAINST BENEFITED PROPERTIES**

As determined in Item 4 above, each property owner will be assessed their proportional cost of the improvement based on the square footage of the property being benefited and the percentage of interest applicable to condo units. The annual assessment shown below represents the per square foot cost per year for the WASD improvements *including* bond related financing costs and fees estimated at \$9,220,494.93.

<u>Estimated Assessment Cost</u>	<u>Annually for 30 Years</u>
Total Cost to Area:	\$639,122.73
Per Assessable Square Foot (Area):	\$0.488
For a Typical 10,000 Square Foot Property:	\$4,880.00

The example provided is applicable to condo properties, however, the amount to be paid by the condo units is computed using the property or parcel size, the rate per assessable square foot, and the percentage of interest established by the Property Appraiser, Residential Condominium Section for each condo unit.

The above costs and assessment information are based on the expected infrastructure and financing services to be provided by the Special Benefit Area and are subject to change in the event the Special Benefit Area's construction or financing costs or area are modified. Total costs and assessments will be adjusted, as necessary, to match actual costs and financing terms.

**8. RECOMMENDATION**

It is recommended that Ojus Sanitary Sewer Special Benefit Area be created pursuant to Section 18-4 of the Code, which provides for the creation of Special Benefit Areas for sanitary sewer services. The creation of this Special Benefit Area will be subject to Board approval only; no election will be necessary as mixed use and commercial property owners do not have an ability to vote to tax themselves as they may not live within the area.

I also recommend that the County Attorney cause to be prepared, an ordinance authorizing the creation of the Ojus Sanitary Sewer Special Benefit Area. Pursuant to Chapter 18 of the Miami-Dade County Code, the Board shall receive and hear, at a public hearing, remarks by interested

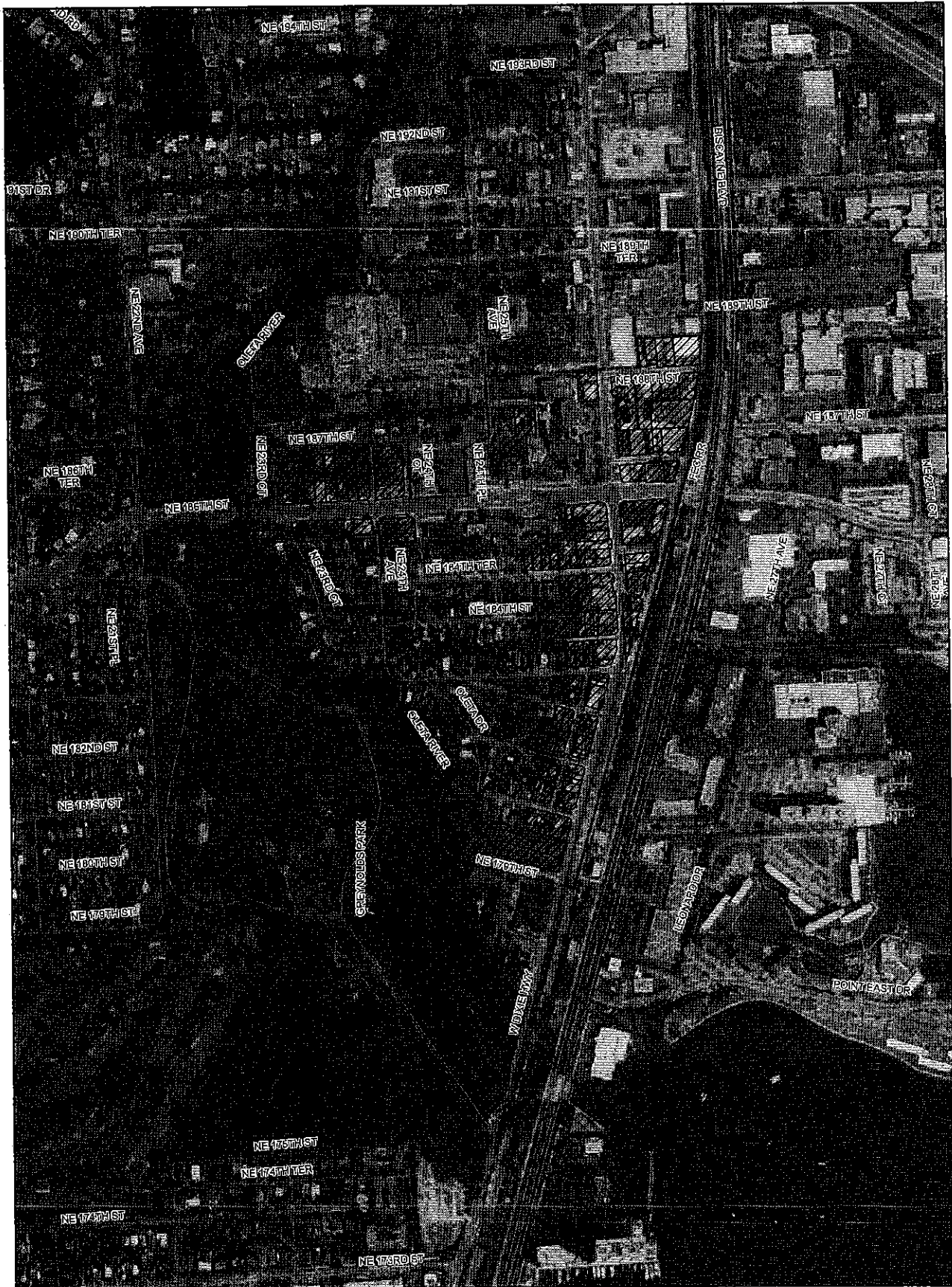
persons on this Special Benefit Area, and thereafter may adopt such ordinance. Following adoption of the creating ordinance, it is further recommended that the Board adopt the Special Benefit Area's Preliminary Assessment Roll resolution to fund the Special Benefit Area's services. Adoption of this resolution will enable the Miami-Dade County Tax Collector to collect the funds necessary to administer the Special Benefit Area, reimburse affected County Departments involved in the creation and establishment of the Special Benefit Area, as well as provide funds for payment of the Special Benefit Area's construction and financing costs, each year thereafter.

The ordinance creating the Special Benefit Area shall take effect ten (10) days after the date of its adoption unless vetoed by the Mayor, and if vetoed, it shall become effective only upon an override by the Board. My office will also be available to answer any questions from the public or your office in regard to the financial and/or engineering facts of this Special Benefit Area. 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.



**9. LIST OF EXHIBITS**

- (1) Exhibit 1 - Ojus Sanitary Sewer Special Benefit Area Boundary and Folios
- (2) Exhibit 2 - Properties that form the Ojus Sanitary Sewer Special Benefit Area
- (3) Exhibit 3 - Ojus Sanitary Sewer Special Benefit Area Sanitary Sewer Improvements
- (4) Exhibit 4 - Ojus Sanitary Sewer Special Benefit Area Planning Level Cost Estimate
- (5) Exhibit 5 - Copy of Memo from Department of Regulatory and Economic Resources

**Exhibit 1**  
**Ojus Sanitary Sewer Special Benefit Area**  
**Boundary and Folios**



Source: Miami-Dade County, WASD

- LEGEND**
-  General OSSSBA Boundary
  -  Folios Included in OSSSBA (98 TOTAL)

Note: Properties with Residential (R) or Institutional (I) land use and those abutting existing gravity sewer are excluded from OSSSBA.

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MIAMI-DADE COUNTY WATER AND SEWER DEPARTMENT  
OJUS SANITARY SEWER SPECIAL BENEFIT AREA (OSSSBA)  
BOUNDARY AND FOLIOS  
01/28/2019

EXHIBIT  
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**Exhibit 2**  
**Properties that form the**  
**Ojus Sanitary Sewer Special Benefit Area**

**Exhibit 2 - Properties that form the Ojus Sanitary Sewer Special Benefit Area**

<b>Folio</b>	<b>Property Address</b>
3022030000180	2645 NE 186 TER
3022030100010	18315 W DIXIE HWY
3022030130010	18461 W DIXIE HWY
3022030130011	18451 W DIXIE HWY
3022030130020	18407 W DIXIE HWY
3022030140010	18501 W DIXIE HWY
3022030150010	2645 NE 188 ST
3022030190010	18721 W DIXIE HWY
3022030190060	2646 NE 188 ST
3022030190070	2648 NE 188 ST
3022030190090	2680 NE 188 ST
3022030190120	2655 NE 188 ST
3022030190140	2675 NE 188 ST
3022030200010	18450 W DIXIE HWY
3022030200020	18480 W DIXIE HWY
3022030200030	18500 W DIXIE HWY
3022030200040	18514 W DIXIE HWY
3022030200041	18518 W DIXIE HWY
3022030200050	2590 NE 186 ST
3022030200090	2521 NE 184 TER
3022030200100	2531 NE 184 TER
3022030200110	2541 NE 184 TER
3022030200120	2551 NE 184 TER
3022030200121	2561 NE 184 TER
3022030200130	2587 NE 184 TER
3022030200131	2589 NE 184 TER
3022030200270	2420 NE 186 ST
3022030200300	Vacant Land - No Address
3022030200310	18356 W DIXIE HWY
3022030200340	2580 NE 184 TER
3022030200350	2572 NE 184 TER
3022030200360	2574 NE 184 TER
3022030200700	18632 NE 25 PL
3022030200770	18615 W DIXIE HWY
3022030200780	2645 NE 186 ST
3022030200790	2655 NE 186 ST
3022030200810	18685 W DIXIE HWY
3022030200850	2649 NE 186 TER
3022030200860	2655 NE 186 TER
3022030370010	2635 NE 188 ST
3022040000010	18336 W DIXIE HWY
30220400000660	18671 NE 25 PL
30220400000760	Vacant Land - No Address
30220400000780	2555 NE 183 TER
30220400000790	18790 W DIXIE HWY

**Exhibit 2 - Properties that form the Ojus Sanitary Sewer Special Benefit Area**

<b>Folio</b>	<b>Property Address</b>
302204000800	2575 NE 183 TER
3022040010010	2380 NE 187 ST
3022040010020	Vacant Land - No Address
3022040010030	2366 NE 187 ST
3022040010040	2350 NE 187 ST
3022040010050	2344 NE 187 ST
3022040010060	2330 NE 187 ST
3022040010080	18615 NE 23 CT
3022040010090	18601 NE 23 CT
3022040010100	2345 NE 186 ST
3022040010101	2351 NE 186 ST
3022040010110	2367 NE 186 ST
3022040010130	2375 NE 186 ST
3022040010140	Vacant Land - No Address
3022040010150	Vacant Land - No Address
3022040010200	2390 NE 186 ST
3022040020070	2400 NE 187 ST
3022040020080	18660 NE 24 CT
3022040020090	18616 NE 24 CT
3022040020100	18606 NE 24 CT
3022040040010	Vacant Land - No Address
3022040040020	18550 NE 23 CT
3022040040030	Vacant Land - No Address
3022040090010	18310 W DIXIE HWY
3022040090050	18300 W DIXIE HWY
3022040090055	2585 NE 183 ST
3022040090060	2575 NE 183 ST
3022040090062	2565 NE 183 ST
3022040090350	2595 NE 182 TER
3022040090460	2596 NE 182 TER
3022040090470	18220 NE 25 PL
3022040090480	18200 NE 25 PL
3022040090580	2550 NE 182 ST
3022040090590	18150 NE 25 PL
3022040090591	18100 NE 25 PL
3022040090600	2555 NE 181 ST
3022040090680	2560 NE 181 ST
3022040090700	18050 W DIXIE HWY
3022040090740	18290 W DIXIE HWY
3022040090750	Vacant Land - No Address
3022040090760	Vacant Land - No Address
3022040090770	18280 W DIXIE HWY
3022040090820	18240 W DIXIE HWY
3022040090870	18220 W DIXIE HWY
3022040090880	18200 W DIXIE HWY



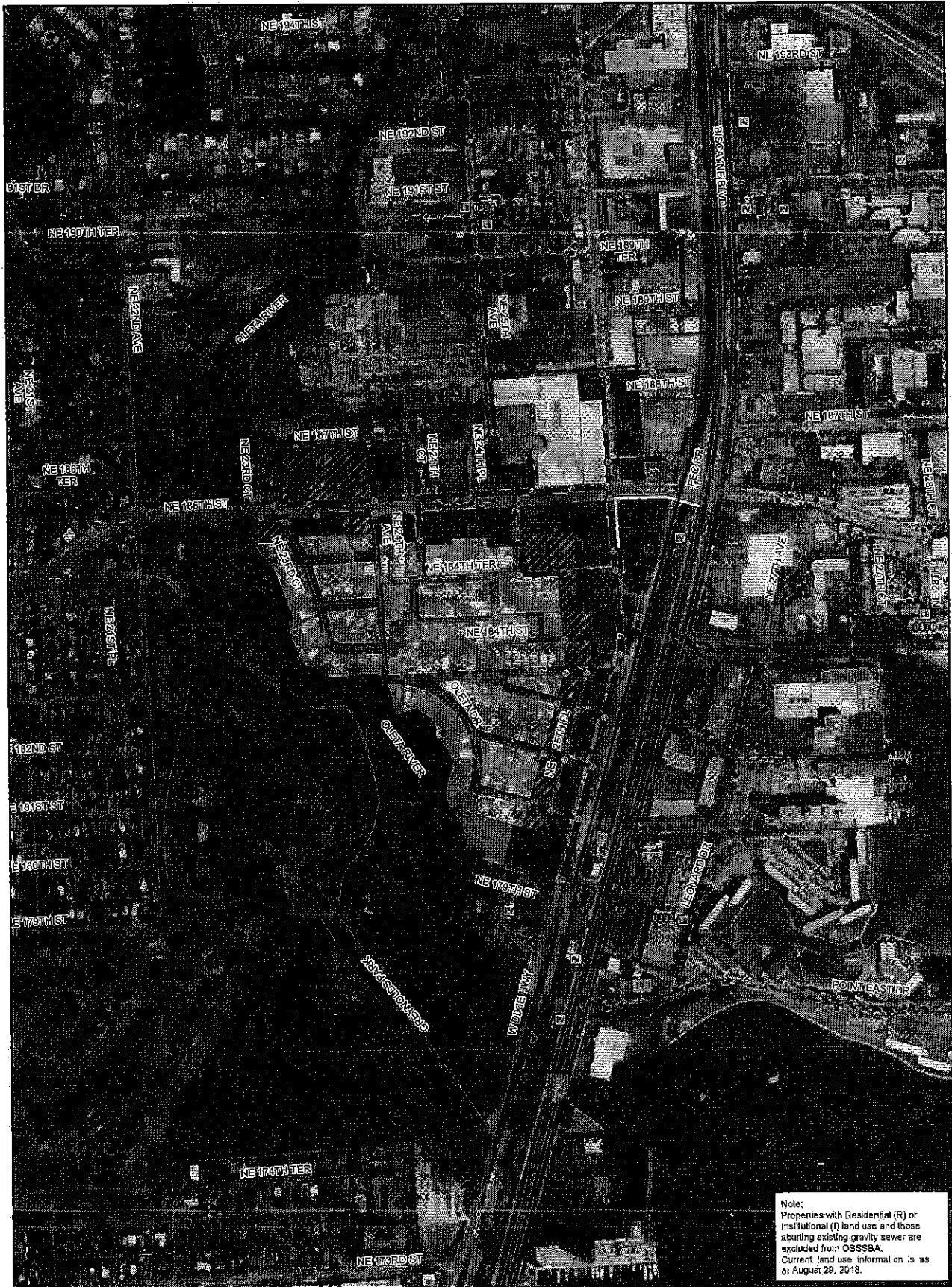
**Exhibit 2 - Properties that form the Ojus Sanitary Sewer Special Benefit Area**

<b>Folio</b>	<b>Property Address</b>
3022040090890	18190 W DIXIE HWY
3022040090900	18190 W DIXIE HWY
3022040090910	18180 W DIXIE HWY
3022040090920	18170 W DIXIE HWY
3022040090940	18100 W DIXIE HWY
3022040520001 (Reference Folio)	2575 NE 182 ST UNIT: A
3022040520010 (Unit A), 3022040520020 (Unit B)	2577 NE 182 ST UNIT: B
3022090100010	17990 W DIXIE HWY
3022090100030	Vacant Land - No Address
<b>Total Properties</b>	<b>98</b>

Source: Data Extracted From Property Appraiser Database on 8/30/2018.

**Exhibit 3**

**Ojus Sanitary Sewer Special Benefit Area**  
**Sanitary Sewer Improvements**

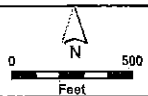


Source: Miami-Dade County, WASD

LEGEND		Planned Improvements		Current Land Use	
	General OSSBA Boundary		Force Main		Institutional
	Force Main		Gravity Main		Mixed Use Corridor
	Gravity Main		Pump Station		Mixed Use Corridor / Industrial
	Pump Station		Manhole		Mixed Use Main Street
	Private Pump Station				Residential
	Manhole				Residential Modified
					Residential Modified-Live/Work

Note:  
Properties with Residential (R) or Institutional (I) land use and those abutting existing gravity sewer are excluded from OSSBA.  
Current land use information is as of August 29, 2018.

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MIAMI-DADE COUNTY WATER AND SEWER DEPARTMENT  
OJUS SANITARY SEWER SPECIAL BENEFIT AREA (OSSBA)  
SANITARY SEWER IMPROVEMENTS  
01/28/2019

EXHIBIT  
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**Exhibit 4**

**Ojus Sanitary Sewer Special Benefit Area**  
**Planning Level Cost Estimate**

**Exhibit 4 - Ojus Sanitary Sewer Special Benefit Area Planning Level Cost Estimate**

Item	Description	Qty	Units	\$/Units	TOTAL
1	Construction Cost	1	LS	\$ 5,266,720	\$ 5,266,720
2	Inflation Escalation		$F = P \times (1 + 3.2\%)^t$	\$ -	\$ -
3	Class 5 Planning Estimate			20%	\$ 1,053,344
<b>SUB-TOTAL 1</b>					<b>\$ 6,320,064</b>
4	Furnish Traffic Control, (2% of Subtotal #1)		Aggr. Sum (Divided four payments)	2%	\$ 126,401.28
5	Mobilization and demobilization estimated (2% of Sub-Total 1)		Aggr. Sum	2%	\$ 126,401.28
<b>Construction Bid Amount</b>					<b>SUB-TOTAL 2 \$ 6,572,867</b>
6	For Unforeseen conditions for minor construction changes and for quantity adjustments, if ordered by the engineer		Allowance Acc. (10%)	0%	\$ -
<b>SUB-TOTAL 3</b>					<b>\$ 6,572,867</b>
7	Authorized Reimbursable cost account for costs of required permit, fees, inspections, impact fees, etc., if authorized by the Engineer. (2% of Subtotal 3)		Reimbursable Fee (3%)	1.5%	\$ 98,593
8	Engineering, Survey, Geotechnical and Environmental (7.5% of Subtotal 3)		Aggr. Sum	7.5%	\$ 492,964.99
9	Engineering Services during construction (3% of Subtotal 3)		Aggr. Sum	3%	\$ 197,186.00
10	Construction Management (10% of Subtotal 3)		Aggr. Sum	10%	\$ 657,286.66
<b>SUB-TOTAL 4</b>					<b>\$ 8,018,897</b>
11	Land Acquisition		Aggr. Sum		\$0
<b>Total Direct Cost</b>					<b>SUB-TOTAL 5 \$ 8,018,897</b>
12	WASD Stores Overhead (9.4% of Subtotal 3)			9.4%	\$617,849
13	Legal (0.5% of Direct Costs)				\$0
14	Contingency (5% to 15% of Direct Costs)			5%	\$400,945
15	DBED Fees 0.44% of Direct Cost		Aggr. Sum		\$0
<b>Other Indirect Costs</b>					<b>SUB-TOTAL 6 \$ 2,037,692</b>
16	Department Overhead (10.6% of Direct and Indirect Costs, Excluding Contingency)		Aggr. Sum	10.60%	\$915,495
<b>GRAND TOTAL</b>					<b>\$ 9,953,187</b>


**Exhibit 5**  
**Copy of Memo from**  
**Department of Regulatory and Economic Resources**

# Memorandum



**Date:** October 18, 2018

**To:** Jose Cueto, PE, Assistant Director, Planning and Regulatory Compliance  
Miami-Dade Water and Sewer Department

**From:**   
Jerry Bell, AICP, Assistant Director for Planning  
Department of Regulatory and Economic Resources

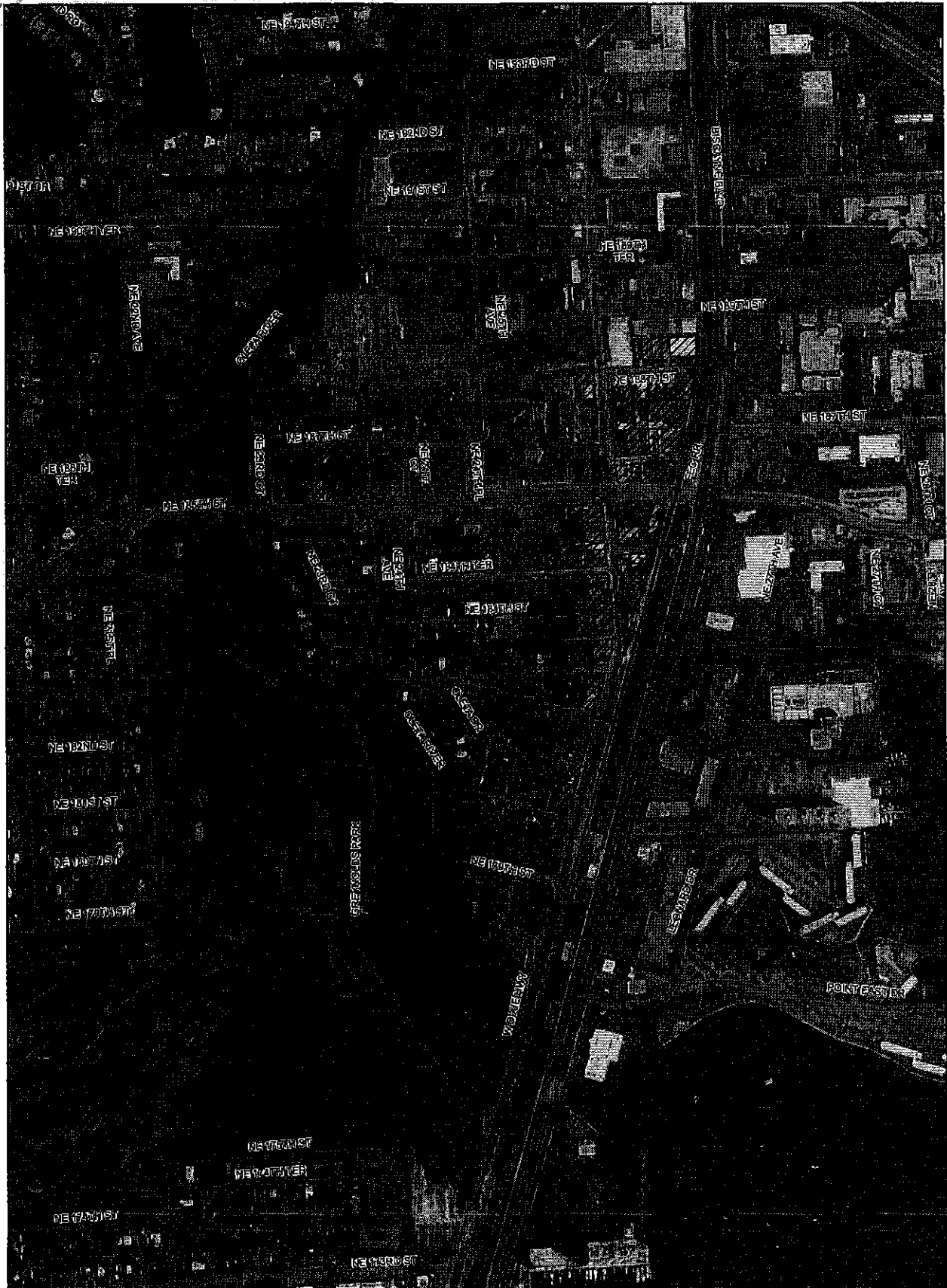
**Subject:** Ojus Sewer Special Taxing District

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This memorandum is to confirm that the establishment of a Sewer Special Taxing District within the area generally bounded by NE 186th Street, NE 187th Street, and NE 188th Street on the north, by the Oleta river on the west, by the Florida East Coast Railway on the east, and by NE 179th Street on the south (see Exhibit 1) is consistent with the Comprehensive Development Master Plan of Miami-Dade County. Further, establishment of the Sewer Special Taxing District is supported by CDMP Policy WS-4E which states "Miami-Dade County shall encourage the use of special taxing districts to eliminate the use of septic tanks and private wells within the Urban Development Boundary."

If additional information is needed, please contact me at (305) 375-2835.

Attachment



Source: Miami-Dade County; WABD

- Legend**
-  General OSSBA Boundary
  -  Folios Included in OSSBA (98 TOTAL)

Note: Properties currently zoned Residential or institutional and those abutting existing gravity sewer are excluded from OSSBA.

QUALITY, VALUE, ECONOMIC GROWTH.  
[WWW.MIAMI-DADE.GOV/WATER](http://WWW.MIAMI-DADE.GOV/WATER)



MIAMI-DADE COUNTY WATER AND SEWER DEPARTMENT  
 OJUS SANITARY SEWER SPECIAL BENEFIT AREA (OSSBA)  
 BOUNDARY AND FOLIOS  
 10/17/2018

EXHIBIT  
 1

24



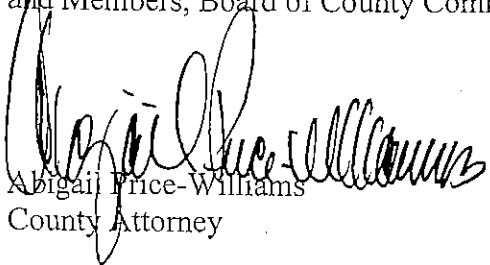


# MEMORANDUM

(Revised)

TO: Honorable Chairwoman Audrey M. Edmonson  
and Members, Board of County Commissioners

DATE: April 9, 2019

FROM:   
Abigail Price-Williams  
County Attorney

SUBJECT: Agenda Item No. 7(B)

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 \_\_\_\_\_, 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

Agenda Item No. 7(B)

Veto \_\_\_\_\_

4-9-19

Override \_\_\_\_\_

ORDINANCE NO. 19-31

ORDINANCE CREATING AND ESTABLISHING A SPECIAL BENEFIT AREA IN MIAMI-DADE COUNTY, FLORIDA, FOR CERTAIN NON-RESIDENTIAL AND NON-INSTITUTIONAL PARCELS WITHIN THE AREA GENERALLY BOUNDED BY NE 186TH STREET, NE 187TH STREET, AND NE 188TH STREET ON THE NORTH, BY THE OLETA RIVER ON THE WEST, BY THE FLORIDA EAST COAST RAILWAY ON THE EAST, AND BY NE 179TH STREET ON THE SOUTH; TO BE KNOWN AND DESCRIBED AS OJUS SANITARY SEWER SPECIAL BENEFIT AREA; IDENTIFYING SERVICES TO BE PROVIDED; AUTHORIZING AND DIRECTING THE MAYOR OR DESIGNEE TO PROVIDE FOR THE INSTALLATION OF SEWER SYSTEMS; AND PROVIDING FOR EXCLUSION FROM THE CODE AND AN EFFECTIVE DATE

**WHEREAS**, in accordance with the provisions of Section 18-21 of the Code of Miami-Dade County, Florida (“Code”), certain property owners desire for the County to finance the construction of sanitary sewer facilities within a special benefit area to be known as Ojus Sanitary Sewer Special Benefit Area, (“Special Benefit Area”); and

**WHEREAS**, in accordance with the requirements of Section 18-21 and 18-3 of the Code, the County Mayor or County Mayor’s designee compiled and filed with the Clerk a memorandum and accompanying written report and recommendations (collectively, “Report”), a copy of which is incorporated in this Ordinance by reference, setting forth the location of the local improvement and a description thereof by its material, nature, character and size, a general description of the territory within which special assessments are to be levied, the estimated cost

of the improvement, and also the part of such cost that is to be specially assessed, listing the property folios that form the Special Benefit Area, the need for and desirability of the Special Benefit Area, the ability of the affected properties to bear the special assessments, certifying that the improvements and/or services to be provided conform to the master plan of Miami-Dade County, and recommending that the Special Benefit Area be created; and

**WHEREAS**, the Report recommends creating the Special Benefit Area to provide a special benefit to all property within the proposed Special Benefit Area; and

**WHEREAS**, it appears to this Board from such Report that the improvements and/or services petitioned for would be of special benefit to all property within the proposed Special Benefit Area and that the total amount of the special assessments to be levied would not be in excess of such benefit; and

**WHEREAS**, the Clerk will certify the place, date, and hour for a public hearing on the Ordinance 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 construction or acquisition of the local improvement, or to the levy of special assessments therefor, or to any defect in the proceedings or which question any of the powers of the Board under Chapter 18 of the Code, or to the creation and establishment of the Special Benefit Area; and

**WHEREAS**, the public hearing was held during the meeting of Infrastructure & Capital Improvements Committee on Tuesday, March 12, 2019, beginning at 2:00 p.m. in the Commission Chambers, Stephen P. Clark Center, 111 NW 1<sup>st</sup> Street, Miami, Florida,

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

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

**Section 2.** In accordance with the provisions of Chapter 18 of the Code, a special benefit area, to be known and designated as the Ojus Sanitary Sewer Special Benefit Area in Miami-Dade County, Florida, is hereby created and established in the unincorporated area of Miami-Dade County.

**Section 3.** The properties of this Special Benefit Area are certain non-residential and non-institutional parcels, within the area generally bounded by NE 186<sup>th</sup> Street, NE 187<sup>th</sup> Street, and NE 188<sup>th</sup> Street on the north, by the Oleta River on the west, by the Florida East Coast Railway on the east, and by NE 179<sup>th</sup> Street on the south; to be known and described as Ojus Sanitary Sewer Special Benefit Area, and located entirely within Commission District 4; designated by Folio numbers listed in Exhibit 2 of the Report; lying and being in Miami-Dade County, Florida.

The areas and geographical locations of this Special Benefit Area are shown on Exhibit 1 of the Report and made a part herein by reference.

**Section 4.** The improvements and/or services to be provided in this Special Benefit Area will consist of sanitary sewer infrastructure within public rights-of-way and real estate parcels, as described in the Report.

**Section 5.** The installation of such infrastructure will be accomplished by Miami-Dade County Water and Sewer Department (WASD). The expected costs of the installation of the Special Benefit Area's infrastructure and financing costs are provided by WASD and estimated to be \$19,173,682. The expected estimated cost per assessable square foot of real property within the Special Benefit Area is \$0.488 for 30 years. The succeeding years assessments will be adjusted based on actual costs.

**Section 6.** The entire cost of the Special Benefit Area's improvements shall be specially assessed. It is hereby declared that said services will be a special benefit to all properties that form the Special Benefit Area, and the total amount of special assessments to be levied as aforesaid will not be in excess of such special benefit. Miami-Dade County Water and Sewer Department is hereby authorized to issue a bond for capital and will return to the Board of County Commissioners to finalize the funding for the Special Benefit Area.

**Section 7.** The County Mayor or County Mayor's designee is authorized and directed to cause the installation of said infrastructure to be accomplished within the Special Benefit Area in accordance with the provisions of this Ordinance.

**Section 8.** The County Mayor or County Mayor's designee is further directed to cause to be prepared and filed with the Clerk one Preliminary Assessment Roll for the sewer infrastructure, in accordance with the provisions of Sections 18-14 and 18-22 of the Code. As authorized by Section 197.3632, Florida Statutes, all special assessments levied and imposed under the provisions of this Ordinance shall be collected, subject to the provisions of Chapter 197,

Florida Statutes, in the same manner and at the same time as ad valorem taxes. Unless paid when due, such assessments shall be deemed delinquent and payment thereof may be enforced by means of the procedures provided by the provisions of Chapter 197, Florida Statutes, and/or Section 18-14 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.

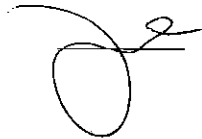
**Section 11.** The provisions of this Ordinance shall become effective ten days after the date of enactment, unless vetoed by the Mayor, and if vetoed, shall become effective only upon an override by this Board.

PASSED AND ADOPTED: April 9, 2019

Approved by County Attorney as  
to form and legal sufficiency:



Prepared by:



Jorge Martinez-Esteve