

# Memorandum



**Date:** (Public Hearing 1-22-20)  
December 3, 2019

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

Agenda Item No. 5(H)

**From:** Carlos A. Gimenez  
Mayor

Ordinance No. 20-6

**Subject:** Ordinance Creating the Keys Gate Residential Multipurpose Maintenance Special Taxing District

## Recommendation

It is recommended that the Board of County Commissioners (Board) approve a petition submitted in accordance with Article 1, Chapter 18, of the Code of Miami-Dade County (Code) for creation of the Keys Gate Residential Multipurpose Maintenance Special Taxing District (Special Taxing District). The multipurpose maintenance program will remain dormant until such time as any association or community development district (CDD) fails to provide the required maintenance services.

## Scope

This proposed Special Taxing District lies within Commission District 9, which is represented by County Commissioner Dennis C. Moss, 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 Miami-Dade County (County) budget. Maintenance services which cannot be equitably or conveniently provided by the property owners and/or developers shall be provided by the Special Taxing District upon acceptance of the plat's required services by the County and upon the failure of any association or CDD to provide the required maintenance services and such services will be funded by special assessments against benefited properties.

The economic impact on the private sector will be a perpetual annual special assessment for the cost of maintenance services to all property owners within the Special Taxing District, if and when necessary.

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

## 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. If approved, property owners within the proposed Special Taxing District will pay special assessments appropriately apportioned according to the special benefit they receive from the Special Taxing District's services, regardless of their demographics, and that the total estimated amount of the special assessments 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 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/Monitoring**

The 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), Lorena Guerra-Macias.

**Background**

In accordance with the provisions of Chapter 18 of the Code of the Code, a petition to create 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 of this Special Taxing District, and in the event any association or CDD fails to provide maintenance services, PROS and the Division will provide the Special Taxing District's required maintenance services and cause implementation of special assessments for the costs of such services against the benefitted properties, as well as contract monitoring, compliance and enforcements, if and when necessary.

**Boundaries:**

On the North, South Canal Drive;  
On the East, SW 152 Avenue (Kingman Road);  
On the South, theo. SE 21 Avenue;  
On the West, theo. SE 26 Court.

**Number of Parcels:**

4 (Tentative plat proposes 304 villas, 349 townhomes and 117 single-family units).

**Number of Owners:**

1

**Number of Owners With Homestead  
Exemption Signing Petition:**

None – The petition was submitted by Lennar Homes, 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 establishment of the Special Taxing District. As pursuant to Section 18-3(d), a public notice will be duly published in a newspaper of general circulation published in Miami-Dade County, Florida, and copies thereof will be mailed to all owners of taxable real property within the boundaries of the 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.

**Preliminary Assessment Roll:**

In the event any association or CDD fails to provide the maintenance services below, and contingent upon Board approval of this Special Taxing District's creating ordinance, a hearing to adopt the multipurpose maintenance preliminary assessment roll will be conducted. The implementation of the assessment roll will be in accordance with the procedures defined in Chapter 18 of the Code.

**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 County and recorded in the Public Records.

**Estimated Initial Billing:**

Assessment billed annually as an itemized portion of the Real Property tax bill. Collection to commence in November following adoption of this Special Taxing District's assessment roll.

**Initial Start of Service:**

October 1<sup>st</sup> following cessation of maintenance services by the developers and failure of any association or CDD to provide services.

**Estimated Total District Costs:**

| <u>First Year</u> | <u>Second Year</u> |
|-------------------|--------------------|
| \$266,261.66      | \$239,882.19       |

**Method of Apportionment:**

Square Footage

**Estimated Annual District Assessments:**

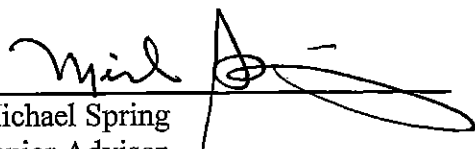
|                                  | <u>First Year</u> | <u>Second Year</u> |
|----------------------------------|-------------------|--------------------|
| Per Assessable Square Foot:      | \$0.1498          | \$0.1350           |
| For a Typical Villa Unit:        | \$289.94          | \$261.25           |
| For a Typical Townhome Unit:     | \$294.62          | \$265.47           |
| For a Typical Single-family Lot: | \$643.57          | \$579.96           |

The above annual costs and assessment information for multipurpose maintenance services are for informational purposes only and were calculated based on current costs assuming that maintenance services were to commence this year. Actual costs for multipurpose maintenance services will be determined at the time of the assessment roll hearing. 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.

Honorable Chairwoman Audrey M. Edmonson  
and Members, Board of County Commissioners  
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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 pursuant to Section 18-22.1 of the Code.

  
\_\_\_\_\_  
Michael Spring  
Senior Advisor

**REPORT AND RECOMMENDATIONS ON THE  
CREATION OF KEYS GATE RESIDENTIAL  
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 of Keys Gate Residential 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 this Special Taxing District per Resolution No. R2019-04-38, a copy of which is attached, and the boundaries, as set forth in the petition, are as follows:

A portion of Section 21, Township 57 South, Range 39 East, Miami-Dade County, Florida (a.k.a. Keys Gate Residential, Tentative Plat # T-24280); being more particularly described as follows:

**PARCEL 1:**

A parcel of land being portion of Tracts 12, through 18 inclusive of Block 1, Tracts 1 through 3 inclusive, Tracts 13 through 16 inclusive of Block 2, and portion of Tract 1 of Block 3 of "PLAT OF LANDS BELONGING TO THE MIAMI LAND DEVELOPMENT COMPANY", according to the plat thereof, as recorded in Plat Book 5, at Page 10 of the Public Records of Miami-Dade County, Florida, all in Section 21, Township 57 South, Range 39 East and being more particularly described as follows:

Commence at the Southeast Corner of Tract V-1 of "KEYS GATE NO. ONE", according to the plat thereof, as recorded in Plat Book 133, at Page 3 of the Public Records of Miami-Dade County Florida; thence S00deg22min57secE along the Southerly projection of the Easterly line of said Tract V-1 for 50.00 feet to an intersection with the Southerly Right-of-Way line of South Canal Drive as described and dedicated in Official Records Book 13507, Page 559 of the Public Records of Miami-Dade County, Florida; thence N89deg02min58secE along said Southerly Right-of-Way line for 99.18 feet to the POINT OF BEGINNING of the hereinafter described parcel of land; thence along said Southerly Right-of-Way line for the following three (3) courses; (1) N89deg02min58secE for 422.25 feet to a point of curvature of a circular curve to the left concave to the Northwest; (2) thence Northeasterly along the arc of said curve having a radius of 2390.00 feet through a central angle of 16deg16min15sec for an arc distance of 678.71 feet to a point of reverse curvature of a circular curve to the right, concave to the Southwest; (3) thence Southeasterly along the arc of said curve having a radius of 25.00 feet through a central angle of 92deg07min58sec for an arc distance of 40.20 feet to its intersection with the Westerly Right-of-Way line of Kingman Road as described and dedicated in Official Records Book 13410, Page 149 and

Official Records Book 13452, Page 2751 of the Public Records of Miami-Dade County, Florida, said point also being a point of reverse curvature of a circular curve to the left, concave to the Northeast, the following three (3) courses being along said westerly Right-of-Way line; (1) thence Southeasterly along the arc of said curve having a radius of 2610.93 feet through a central angle of 10deg23min06sec for an arc distance of 473.24 feet to the point of tangency; (2) thence S25deg28min26secE for 1050.34 feet to a point of curvature of a circular curve to the right concave to the Southwest; (3) thence Southeasterly along the arc of said curve having a radius of 2545.00 feet through a central angle of 24deg29min14sec for an arc distance of 1087.69 feet to a point of compound curvature to a circular curve to the right, concave to the Northwest; thence Southerly and Southwesterly along the arc of said curve, having for its elements a radius of 25.00 feet, through a central angle of 90deg34min06sec for an arc distance of 39.52 feet to a point of tangency; thence S89deg34min54secW for a distance of 960.49 feet; thence N25deg00min30secW for 1855.14 feet; thence N21deg05min02secW for a distance of 124.33 feet; thence N19deg59min55secW for 117.91 feet; thence N18deg26min59secW for a distance of 159.28 feet; thence N16deg56min29secW for a distance of 181.64 feet; thence N10deg18min52secW for a distance of 147.72 feet to the POINT OF BEGINNING.

TOGETHER WITH:

PARCEL 2:

A parcel of Land being portions of Tracts 1 and 16, Block 3, and Tracts 9 through 13 inclusive of Block 4, of "PLAT OF LANDS BELONGING TO THE MIAMI LAND DEVELOPMENT COMPANY", according to the plat thereof, as recorded in Plat Book 5, at Page 10 of the Public Records of Miami-Dade County, Florida, all in Section 21, Township 57 South, Range 39 East and being more particularly described as follows:

Commence at the Northeast Corner of Tract "A", of "CENTER GATE NO. ONE", according to the plat thereof, as recorded in Plat Book 133, at Page 7 of the Public Records of Dade County, Florida; thence S00deg31min16secE, along the Easterly Line of said Tract "A", for a distance of 14.50 feet to the POINT OF BEGINNING of the hereinafter described parcel of land; thence continue along the last described course for a distance of 647.03 feet; thence N89deg34min54secE for a distance of 865.90 feet to its intersection with the Westerly Right-of-Way line of Kingman Road as described and dedicated in Official Records Book 13410, Page 149 and Official Records Book 13452, Page 2751 of the Public Records of Dade County, Florida, said point also being on a circular curve to the left, concave to the Northwest, a radial line from said point bears N72deg52min39secW; thence Northeasterly along the

arc of said curve, having for its elements a radius of 2545.00 feet, through a central angle of 14deg14min32sec for an arc distance of 632.63 feet to a point of compound curvature of a circular curve to the left, concave to the Southwest; thence Northwesterly along the arc of said curve, having for its elements a radius of 25.00 feet, through a central angle of 93deg17min55sec for an arc distance of 40.71 feet to a point of tangency; thence S89deg34min54secW for a distance of 956.23 feet to the POINT OF BEGINNING.

The Special Taxing District's boundaries and geographical location are shown on the attached map or sketch entitled Keys Gate Residential 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, wetlands, lakes, entrance features, 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 County and recorded in the Public Records. Services will commence following failure of any association or CDD to provide these services, and the City of Homestead request Miami-Dade County to provide services, and upon adoption of the Special Taxing District's multipurpose maintenance preliminary 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 and will provide multipurpose maintenance services as specified above if services were to commence in 2020. 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 \$266,261.66 for the first year, and \$239,882.19 for the second 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 and presented to the Board of County Commissioners (Board) 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                       | \$181,603.93          | \$181,603.93           |
| Engineering and Administrative Costs             | \$38,920.79           | \$36,320.79            |
| Billing, Collecting and Processing Costs         | \$1,360.00            | \$150.00               |
| Contingencies                                    | <u>\$44,376.94</u>    | <u>\$21,807.47</u>     |
| Total Annual Maintenance Services Costs          | \$266,261.66          | \$239,882.19           |
| <br><u>Estimated Annual District Assessments</u> | <br><u>First Year</u> | <br><u>Second Year</u> |
| Per Assessable Square Foot:                      | \$0.1498              | \$0.1350               |
| For a Typical Villa Unit:                        | \$289.94              | \$261.25               |
| For a Typical Townhouse Unit:                    | \$294.62              | \$265.47               |
| For a Typical Single-family Lot:                 | \$643.57              | \$579.96               |

**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 County. 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 Board 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.

Contingent upon adoption of the petitioner's plat and multipurpose maintenance assessment roll by the Board, and prior to assumption of maintenance services by the County, all areas and facilities to be maintained by the Special Taxing District must be inspected and accepted by the County, and all instruments that convey title to, or provide ingress/egress over, any real property to be maintained by the County shall be

submitted to the Special Assessment Districts Division of PROS. Maintenance of any lake, natural preservation area, archeological sites, and mitigation area within the Special Taxing District's boundaries to be maintained by the Special Taxing District will commence upon notice from RER that the developer has complied with any and all maintenance requirements imposed by RER.

Once any applicable provisions expressed above are met, implementation of maintenance services within or abutting the public rights-of-way may begin upon receipt of a written request from the developer no later than January 31<sup>st</sup> for services commencing October 1<sup>st</sup>, the beginning of the County's fiscal year, provided sufficient time to initiate the process of assessment and notice of collection to all property owners within the Special Taxing District.

Services within the private road area may commence upon failure of the developer or any association or CDD to maintain the landscaped areas and ingress/egress easements as defined in a "Grant of Perpetual Non-Exclusive Easement" and made a part herein by reference. Upon assumption of maintenance services by the Special Taxing District, the costs of which are estimated in the Special Taxing District's cost estimate, any increase in future multipurpose maintenance functions within the scope of service for the Special Taxing District may be provided upon recommendation by a majority of the property owners for consideration by the County as administrator, provided that any expansion of the scope of service of the Special Taxing District may require adoption of an amending ordinance. The Special Taxing District shall provide a minimum level of service as determined by PROS and services may not be deleted entirely unless the Special Taxing District is abolished.

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 PROS as administrator of the Special Taxing District.

## **7. RECOMMENDATION**

I recommend that Keys Gate Residential Multipurpose Maintenance Special Taxing District be created pursuant to Section 18-22.1 of the Code. The creation 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 of the Keys Gate Residential 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. Following failure of any association or CDD to provide these services, the Board may adopt the Special Taxing District's Preliminary Assessment Roll resolution to fund the Special Taxing District's services. Adoption of this resolution will enable the Miami-Dade County Tax Collector to collect the funds necessary to administer the Special Taxing District, reimburse affected County Departments involved in the creation and establishment of this Special Taxing District, as well as operate and maintain the Special Taxing District. The ordinance creating 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.

Keys Gate Residential  
Multipurpose Maintenance Special Taxing District  
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- Attachments: (1) Copy of Petition and Attachments  
(2) Copy of Resolution from the City of Homestead  
(3) Copy of Memo from Department of Regulatory and Economic Resources  
(4) District Boundaries and Geographical Location Sketch (Exhibit A)

**MIAMI-DADE COUNTY ATTORNEY'S OFFICE**  
**MEMORANDUM**

TO: Lorena Guerra-Macias  
Chief, Special Taxing Districts Division

FROM: Ryan Carlin *RC* DATE: October 17, 2019  
Assistant County Attorney

SUBJECT: Keys Gate Residential Multipurpose Maintenance Special Taxing District

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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

MIAMI-DADE  
COUNTY

**Date:** October 16, 2019

**To:** Linda L. Cave, Deputy Clerk  
Office of the Clerk of the Board  
Attn: Shania Momplaisir

**From:** Lorena Guerra-Macias, Chief *LG*  
Special Assessment Districts Division  
Parks, Recreation, and Open Spaces Department

**Subject:** Keys Gate Residential Multipurpose Maintenance Special Taxing District

In reference to the subject petition, we hereby certify that, in compliance with Sections 18-2 and 18-22.1 of the Miami-Dade County Code, this Department has verified the attached name against the records of the Office of the Property Appraiser, and has concluded that said petition relates to real property in a new subdivision and the signator is 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<br>(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<br>in an official capacity      | <u>1</u>    |
| 6. | Percentage of owners or representatives signing the petition<br>in their official capacity     | <u>100%</u> |

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

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

Attachment

c: Ryan Carlin

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

PAGE 1 OF 5

8/16/19  
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 owner(s), 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 unincorporated area of Miami-Dade County more fully described on the attached Exhibit A.

Tentative Plat(s) Name(s): KEYS GATE RESIDENTIAL T-24280

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 |
|--------------------------------|-------------------|-------------------------------|------------------|
| Lennar Homes, LLC              | 730 NW 107 Avenue | MORE FULLY DESCRIBED ON       | 10-7921-001-0230 |
|                                | Suite 300         | THE ATTACHED "EXHIBIT A"      | 10-7921-001-0233 |
| By: _____                      | Miami, FL 33172   |                               | 10-7921-001-0050 |
| Greg McPherson, Vice President |                   |                               | 10-7921-001-0182 |
|                                |                   |                               |                  |

STATE OF FLORIDA )

COUNTY OF MIAMI-DADE )

I HEREBY CERTIFY that on this day, before me, an officer duly qualified to take acknowledgments, personally appeared Greg McPherson, the VP respectively of Lennar Homes, LLC, a limited liability company, personally known to me, or who produced identification in the form of \_\_\_\_\_, and who executed the foregoing resolution and acknowledged before me that \_\_\_\_\_ executed the same for the purposes herein expressed.

WITNESS my hand and official seal in the County and State last aforesaid, this 16th day of August, 2019.



16th  
Notary Public, State of Florida  
My Commission expires (DATE)

DEPARTMENTAL ACCEPTANCE DATE  
(GOVERNMENT USE ONLY)**EXHIBIT "A"**

EXHIBIT A TO THE PETITION FOR THE PLAT(S)

KNOWN AS **KEYS GATE RESIDENTIAL T-24280,**DATED 8/16/19 FOR THE CREATION OF  
SPECIAL TAXING DISTRICT(S).**PARCEL 1:**

A parcel of land being portion of Tracts 12, through 18 inclusive of Block 1, Tracts 1 through 3 inclusive, Tracts 13 through 16 inclusive of Block 2, and portion of Tract 1 of Block 3 of "PLAT OF LANDS BELONGING TO THE MIAMI LAND DEVELOPMENT COMPANY", according to the plat thereof, as recorded in Plat Book 5, at Page 10 of the Public Records of Miami-Dade County, Florida, all in Section 21, Township 57 South, Range 39 East and being more particularly described as follows:

Commence at the Southeast Corner of Tract V-1 of "KEYS GATE NO. ONE", according to the plat thereof, as recorded in Plat Book 133, at Page 3 of the Public Records of Miami-Dade County Florida; thence S00deg22min57secE along the Southerly projection of the Easterly line of said Tract V-1 for 50.00 feet to an intersection with the Southerly Right-of-Way line of South Canal Drive as described and dedicated in Official Records Book 13507, Page 559 of the Public Records of Miami-Dade County, Florida; thence N89deg02min58secE along said Southerly Right-of-Way line for 99.18 feet to the POINT OF BEGINNING of the hereinafter described parcel of land; thence along said Southerly Right-of-Way line for the following three (3) courses; (1) N89deg02min58secE for 422.25 feet to a point of curvature of a circular curve to the left concave to the Northwest; (2) thence Northeasterly along the arc of said curve having a radius of 2390.00 feet through a central angle of 16deg16min15sec for an arc distance of 678.71 feet to a point of reverse curvature of a circular curve to the right, concave to the Southwest; (3) thence Southeasterly along the arc of said curve having a radius of 25.00 feet through a central angle of 92deg07min58sec for an arc distance of 40.20 feet to its intersection with the Westerly Right-of-Way line of Kingman Road as described and dedicated in Official Records Book 13410, Page 149 and Official Records Book 13452, Page 2751 of the Public Records of Miami-Dade County, Florida, said point also being a point of reverse curvature of a circular curve to the left, concave to the Northeast, the following three (3) courses being along said westerly Right-of-Way line; (1) thence Southeasterly along the arc of said curve having a radius of 2610.93 feet through a central angle of 10deg23min06sec for an arc distance of 473.24 feet to the point of tangency; (2) thence

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DEPARTMENTAL ACCEPTANCE DATE  
(GOVERNMENT USE ONLY)

S25deg28min26secE for 1050.34 feet to a point of curvature of a circular curve to the right concave to the Southwest; (3) thence Southeasterly along the arc of said curve having a radius of 2545.00 feet through a central angle of 24deg29min14sec for an arc distance of 1087.69 feet to a point of compound curvature to a circular curve to the right, concave to the Northwest; thence Southerly and Southwesterly along the arc of said curve, having for its elements a radius of 25.00 feet, through a central angle of 90deg34min06sec for an arc distance of 39.52 feet to a point of tangency; thence S89deg34min54secW for a distance of 960.49 feet; thence N25deg00min30secW for 1855.14 feet; thence N21deg05min02secW for a distance of 124.33 feet; thence N19deg59min55secW for 117.91 feet; thence N18deg26min59secW for a distance of 159.28 feet; thence N16deg56min29secW for a distance of 181.64 feet; thence N10deg18min52secW for a distance of 147.72 feet to the POINT OF BEGINNING.

TOGETHER WITH:

PARCEL 2:

A parcel of Land being portions of Tracts 1 and 16, Block 3, and Tracts 9 through 13 inclusive of Block 4, of "PLAT OF LANDS BELONGING TO THE MIAMI LAND DEVELOPMENT COMPANY", according to the plat thereof, as recorded in Plat Book 5, at Page 10 of the Public Records of Miami-Dade County, Florida, all in Section 21, Township 57 South, Range 39 East and being more particularly described as follows:

Commence at the Northeast Corner of Tract "A", of "CENTER GATE No. ONE", according to the plat thereof, as recorded in Plat Book 133, at Page 7 of the Public Records of Dade County, Florida; thence S00deg31min16secE, along the Easterly Line of said Tract "A", for a distance of 14.50 feet to the POINT OF BEGINNING of the hereinafter described parcel of land; thence continue along the last described course for a distance of 647.03 feet; thence N89deg34min54secE for a distance of 865.90 feet to its intersection with the Westerly Right-of-Way line of Kingman Road as described and dedicated in Official Records Book 13410, Page 149 and Official Records Book 13452, Page 2751 of the Public Records of Dade County, Florida, said point also being on a circular curve to the left, concave to the Northwest, a radial line from said point bears N72deg52min39secW; thence Northeasterly along the arc of said curve, having for its elements a radius of 2545.00 feet, through a central angle of 14deg14min32sec for an arc distance of 632.63 feet to a point of compound curvature of a circular curve to the left, concave to the Southwest; thence Northwesterly along the arc of said curve, having for its elements a radius of 25.00 feet, through a central angle of 93deg17min55sec for an arc distance of 40.71 feet to a point of tangency; thence S89deg34min54secW for a distance of 956.23 feet to the POINT OF BEGINNING.

Folios:

10-7921-001-0230, 10-7921-001-0233, 10-7921-001-0050, 10-7921-001-0182



## **EXHIBIT B**

EXHIBIT B TO THE PETITION FOR THE SUBDIVISION KNOWN AS **KEYS GATE**  
**RESIDENTIAL T-24280,**

DATED 8/16/19, FOR THE CREATION OF A MULTIPURPOSE MAINTENANCE  
SPECIAL TAXING DISTRICT.

### **AREAS TO BE MAINTAINED:**

LAKE, COMMON AREAS, ROADWAYS, PERIMETER WALL, ENTRANCE FEATURES, AND  
LANDSCAPING.

### **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) TRIM, 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)
- D.) LAKE MAINTENANCE TO INCLUDE, BUT NOT LIMITED TO, REMOVAL OF DEBRIS, AQUATIC WEEDS, PLANTS AND ALGAE BY CHEMICAL AND/OR MECHANICAL MEANS AS NEEDED
  - 1) LAKE BANK MAINTENANCE ALONG PUBLIC SWALES AND PUBLIC UN-BUILDABLE LOTS

### **IMPROVEMENTS BY DEVELOPER FOR EACH LAKE:**

- A.) A 2 SPACE PARKING AREA ADJACENT TO THE RIGHT-OF-WAY
- B.) 12' WIDE IMPROVED BOAT RAMP TO EXTEND INTO THE WATER SUFFICIENT TO ALLOW A 3' LAUNCHING DEPTH AT MEDIAN LAKE WATER LEVEL
- C.) A LOCKING SWINGING GATE, 12 FT. WIDE WITH REMOVABLE GUARDRAIL

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

- LAKE
- COMMON AREAS
- ROADWAYS
- PERIMETER WALL
- ENTRANCE FEATURES
- LANDSCAPING

**CITY OF HOMESTEAD, FLORIDA**

**RESOLUTION NO. R2019-04-38**

**A RESOLUTION OF THE CITY OF HOMESTEAD, FLORIDA, EXPRESSING SUPPORT FOR THE ESTABLISHMENT OF THE KINGMAN GATE RESIDENTIAL SPECIAL TAXING DISTRICT (STD), AGGREGATELY ENCOMPASSING APPROXIMATELY 84.96 ACRES, MORE OR LESS, HAVING EXTERNAL BOUNDARIES AS DEPICTED AND LEGALLY DESCRIBED IN EXHIBIT "A;" APPROVING SUCH ACTION BY MIAMI-DADE COUNTY BOARD OF COUNTY COMMISSIONERS; PROVIDING INSTRUCTIONS TO THE CITY CLERK; PROVIDING FOR THE ADOPTION OF REPRESENTATIONS; 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 and establishment of Special Taxing Districts within incorporated areas for the purpose of acquiring, constructing, reconstructing and installing public improvements or to provide special services; and

**WHEREAS**, Article I of Chapter 18 of the County Code sets forth the procedure for creating Special Taxing Districts; 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**, the multipurpose maintenance and street lightning service charges, special assessments, or general tax levies will cover the costs associated with essential facilities and services, including landscape improvement and maintenance programs and street lighting.

**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 the foregoing Recitals are true and correct and are incorporated herein by this reference.

**Section 2. Approval.** In accordance with County Code Section 18-2, the City of Homestead, Florida hereby expresses its support for the creation of the Kingman Gate Residential Special Taxing District, comprising of 84.96 acres, more or less, having external boundaries as depicted and legally described in Exhibit "A," attached hereto and incorporated herein, for consideration by Miami-Dade County.

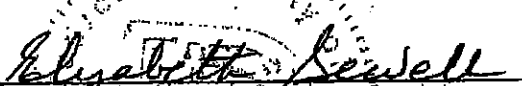
**Section 3. Instructions to the Clerk.** The City Clerk is hereby directed to provide a certified copy of this Resolution to the Miami-Dade County Board of County Commissioners.

**Section 4. Effective Date.** This resolution shall take effect immediately on its adoption.

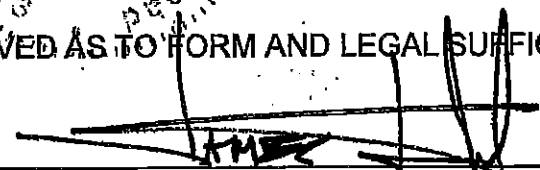
PASSED AND ADOPTED THIS 17<sup>th</sup> day of April, 2019.

  
STEPHEN R. SHELLEY,  
Mayor

ATTEST:

  
ELIZABETH SEWELL, MPA, MMC  
City Clerk

APPROVED AS TO FORM AND LEGAL SUFFICIENCY:

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

Moved by:  
Seconded by:  
Council Vote:

Councilwoman Jenifer N. Bailey  
Councilman Elvis R. Maldonado  
7-0

**FINAL VOTE AT ADOPTION**

Mayor Stephen Shelley  
Vice Mayor Jon Burgess  
Councilwoman Jenifer N. Bailey  
Councilwoman Patricia Fairclough  
Councilman Julio Guzman  
Councilman Elvis Maldonado  
Councilman Larry Roth

YES

YES

YES

YES

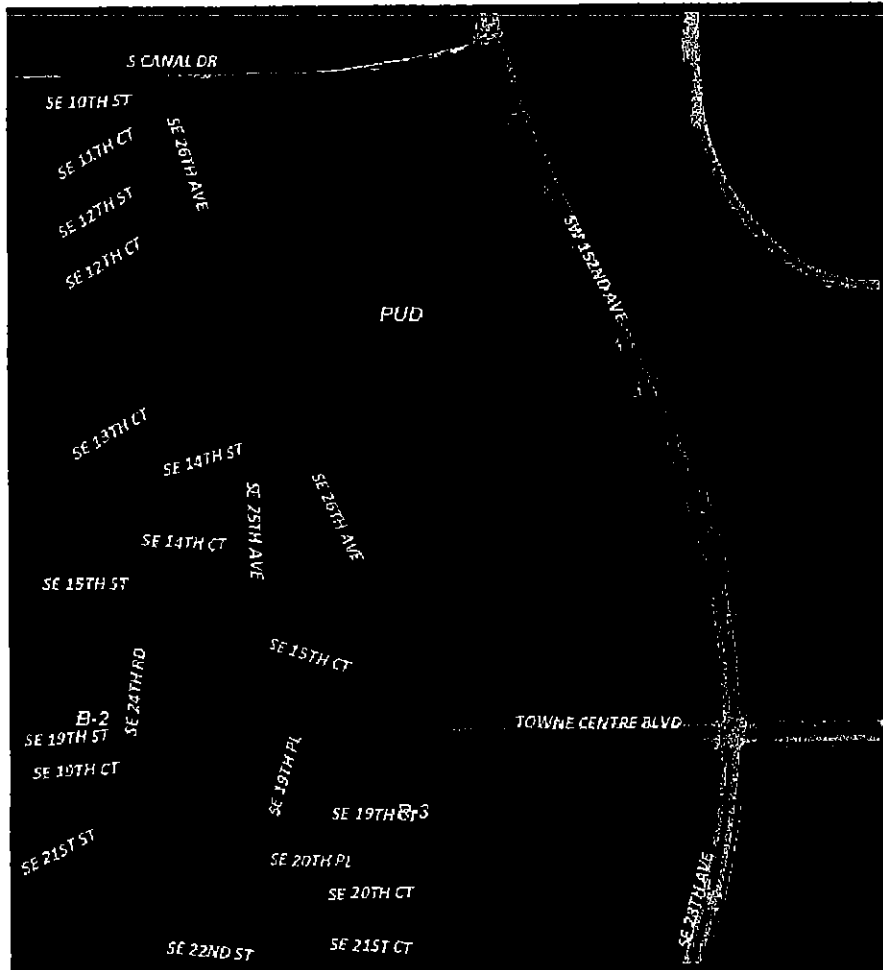
YES

YES

YES

**EXHIBIT "A"**

**KINGMAN GATE RESIDENTIAL SPECIAL TAXING DISTRICT BOUNDARIES**



**PARCEL 1:**

A PARCEL OF LAND BEING PORTION OF TRACTS 12, THROUGH 18 INCLUSIVE OF BLOCK 1, TRACTS 1 THROUGH 3 INCLUSIVE, TRACTS 13 THROUGH 16 INCLUSIVE OF BLOCK 2, AND PORTION OF TRACT 1 OF BLOCK 3 OF "PLAT OF LANDS BELONGING TO THE MIAMI LAND DEVELOPMENT COMPANY", ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 5, AT PAGE 10 OF THE PUBLIC RECORDS OF MIAMI-DADE COUNTY, FLORIDA, ALL IN SECTION 21, TOWNSHIP 57 SOUTH, RANGE 39 EAST AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE SOUTHEAST CORNER OF TRACT V-1 OF "KEYS GATE NO. ONE", ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 133, AT PAGE 3 OF THE PUBLIC RECORDS OF MIAMI-DADE COUNTY FLORIDA; THENCE

*22*

S00DEG22MIN57SECE ALONG THE SOUTHERLY PROJECTION OF THE EASTERLY LINE OF SAID TRACT V-1 FOR 50.00 FEET TO AN INTERSECTION WITH THE SOUTHERLY RIGHT-OF-WAY LINE OF SOUTH CANAL DRIVE AS DESCRIBED AND DEDICATED IN OFFICIAL RECORDS BOOK 13507, PAGE 559 OF THE PUBLIC RECORDS OF MIAMI-DADE COUNTY, FLORIDA; THENCE N89DEG02MIN58SECE ALONG SAID SOUTHERLY RIGHT-OF-WAY LINE FOR 99.18 FEET TO THE POINT OF BEGINNING OF THE HEREINAFTER DESCRIBED PARCEL OF LAND; THENCE ALONG SAID SOUTHERLY RIGHT-OF-WAY LINE FOR THE FOLLOWING THREE (3) COURSES; (1) N89DEG02MIN58SECE FOR 422.25 FEET TO A POINT OF CURVATURE OF A CIRCULAR CURVE TO THE LEFT CONCAVE TO THE NORTHWEST; (2) THENCE NORTHEASTERLY ALONG THE ARC OF SAID CURVE HAVING A RADIUS OF 2390.00 FEET THROUGH A CENTRAL ANGLE OF 16DEG16MIN15SEC FOR AN ARC DISTANCE OF 678.71 FEET TO A POINT OF REVERSE CURVATURE OF A CIRCULAR CURVE TO THE RIGHT, CONCAVE TO THE SOUTHWEST; (3) THENCE SOUTHEASTERLY ALONG THE ARC OF SAID CURVE HAVING A RADIUS OF 25.00 FEET THROUGH A CENTRAL ANGLE OF 92DEG07MIN58SEC FOR AN ARC DISTANCE OF 40.20 FEET TO ITS INTERSECTION WITH THE WESTERLY RIGHT-OF-WAY LINE OF KINGMAN ROAD AS DESCRIBED AND DEDICATED IN OFFICIAL RECORDS BOOK 13410, PAGE 149 AND OFFICIAL RECORDS BOOK 13452, PAGE 2751 OF THE PUBLIC RECORDS OF MIAMI-DADE COUNTY, FLORIDA, SAID POINT ALSO BEING A POINT OF REVERSE CURVATURE OF A CIRCULAR CURVE TO THE LEFT, CONCAVE TO THE NORTHEAST, THE FOLLOWING THREE (3) COURSES BEING ALONG SAID WESTERLY RIGHT-OF-WAY LINE; (1) THENCE SOUTHEASTERLY ALONG THE ARC OF SAID CURVE HAVING A RADIUS OF 2610.93 FEET THROUGH A CENTRAL ANGLE OF 10DEG23MIN06SEC FOR AN ARC DISTANCE OF 473.24 FEET TO THE POINT OF TANGENCY; (2) THENCE S25DEG28MIN26SECE FOR 1050.34 FEET TO A POINT OF CURVATURE OF A CIRCULAR CURVE TO THE RIGHT CONCAVE TO THE SOUTHWEST; (3) THENCE SOUTHEASTERLY ALONG THE ARC OF SAID CURVE HAVING A RADIUS OF 2545.00 FEET THROUGH A CENTRAL ANGLE OF 24DEG29MIN14SEC FOR AN ARC DISTANCE OF 1087.69 FEET TO A POINT OF COMPOUND CURVATURE TO A CIRCULAR CURVE TO THE RIGHT, CONCAVE TO THE NORTHWEST; THENCE SOUTHERLY AND SOUTHWESTERLY ALONG THE ARC OF SAID CURVE, HAVING FOR ITS ELEMENTS A RADIUS OF 25.00 FEET, THROUGH A CENTRAL ANGLE OF 90DEG34MIN06SEC FOR AN ARC DISTANCE OF 39.52 FEET TO A POINT OF TANGENCY; THENCE S89DEG34MIN54SECW FOR A DISTANCE OF 960.49 FEET; THENCE N25DEG00MIN30SECW FOR 1855.14 FEET; THENCE N21DEG05MIN02SECW FOR A DISTANCE OF 124.33 FEET; THENCE N19DEG59MIN55SECW FOR 117.91 FEET; THENCE N18DEG26MIN59SECW FOR A DISTANCE OF 159.28 FEET; THENCE N16DEG56MIN29SECW FOR A DISTANCE OF 181.64 FEET; THENCE N10DEG18MIN52SECW FOR A DISTANCE OF 147.72 FEET TO THE POINT OF BEGINNING.

TOGETHER WITH:

PARCEL 2:

A PARCEL OF LAND BEING PORTIONS OF TRACTS 1 AND 16, BLOCK 3, AND TRACTS 9 THROUGH 13 INCLUSIVE OF BLOCK 4, OF "PLAT OF LANDS BELONGING TO THE MIAMI LAND DEVELOPMENT COMPANY", ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 5, AT PAGE 10 OF THE PUBLIC RECORDS OF MIAMI-DADE COUNTY, FLORIDA, ALL IN SECTION 21, TOWNSHIP 57 SOUTH, RANGE 39 EAST AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE NORTHEAST CORNER OF TRACT "A", OF "CENTER GATE NO. ONE", ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 133, AT PAGE 7 OF THE PUBLIC RECORDS OF DADE COUNTY, FLORIDA; THENCE S00DEG31MIN16SECE, ALONG THE EASTERLY LINE OF SAID TRACT "A", FOR A DISTANCE OF 15.00 FEET TO THE POINT OF BEGINNING OF THE HEREINAFTER DESCRIBED PARCEL OF LAND; THENCE CONTINUE ALONG THE LAST DESCRIBED COURSE FOR A DISTANCE OF 647.03 FEET; THENCE N89DEG34MIN54SECE FOR A DISTANCE OF 865.90 FEET TO ITS INTERSECTION WITH THE WESTERLY RIGHT-OF-WAY LINE OF KINGMAN ROAD AS DESCRIBED AND DEDICATED IN OFFICIAL RECORDS BOOK 13410, PAGE 149 AND OFFICIAL RECORDS BOOK 13452, PAGE 2751 OF THE PUBLIC RECORDS OF DADE COUNTY, FLORIDA, SAID POINT ALSO BEING ON A CIRCULAR CURVE TO THE LEFT, CONCAVE TO THE NORTHWEST, A RADIAL LINE FROM SAID POINT BEARS N72DEG52MIN39SECW; THENCE NORTHEASTERLY ALONG THE ARC OF SAID CURVE, HAVING FOR ITS ELEMENTS A RADIUS OF 2545.00 FEET, THROUGH A CENTRAL ANGLE OF 14DEG14MIN32SEC FOR AN ARC DISTANCE OF 632.63 FEET TO A POINT OF COMPOUND CURVATURE OF A CIRCULAR CURVE TO THE LEFT, CONCAVE TO THE SOUTHWEST; THENCE NORTHWESTERLY ALONG THE ARC OF SAID CURVE, HAVING FOR ITS ELEMENTS A RADIUS OF 25.00 FEET, THROUGH A CENTRAL ANGLE OF 93DEG17MIN55SEC FOR AN ARC DISTANCE OF 40.71 FEET TO A POINT OF TANGENCY; THENCE S89DEG34MIN54SECW FOR A DISTANCE OF 956.23 FEET TO THE POINT OF BEGINNING.



# Memorandum



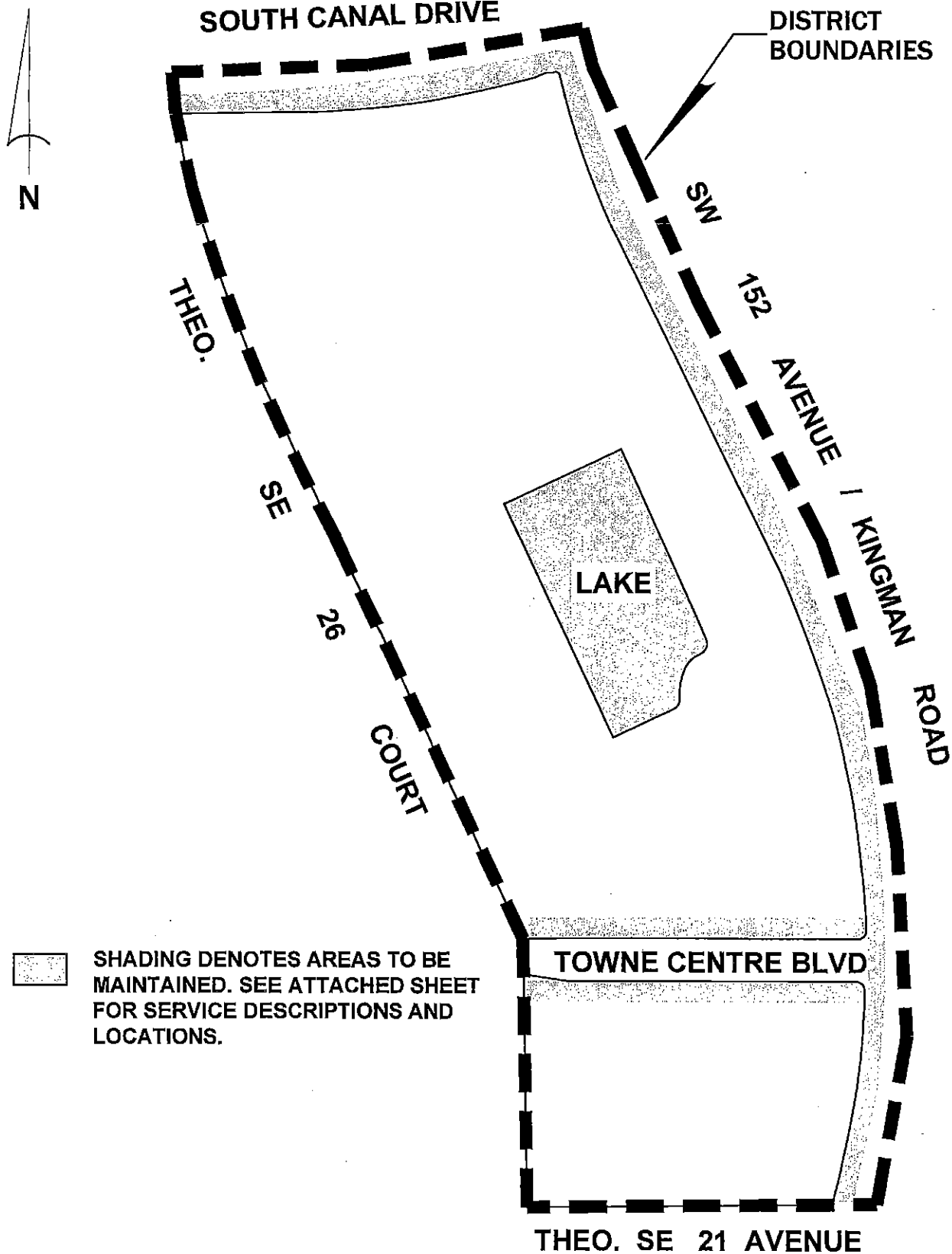
**Date:** February 12, 2019  
**To:** Maria Nardi, Director  
Department of Parks, Recreation and Open Spaces  
**From:** Jack Osterholt, Deputy Mayor/Director  
Department of Regulatory and Economic Resources  
**Subject:** Street lighting, Maintenance of Landscape, Walls Adjacent to Double Frontage Lots, Entrance Features and Lakes – Special Taxing Districts

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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, 2020, 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 September 2018, 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:VS



# KEYS GATE RESIDENTIAL

MULTIPURPOSE MAINTENANCE  
SPECIAL TAXING DISTRICT

EXHIBIT "A"

(Boundaries and Geographical Location Sketch)

**ATTACHMENT TO EXHIBIT "A"**

**KEYS GATE RESIDENTIAL**  
**MULTIPURPOSE MAINTENANCE SPECIAL TAXING DISTRICT**

**AREAS TO BE MAINTAINED:**

SWALES, WALLS, LAKE, ENTRANCE FEATURES, LANDSCAPING, ROADWAYS, AND COMMON AREAS.

**MAINTENANCE SCHEDULE:**

- A) LAWN/GRASS
  - 1) CUT BIMONTHLY 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) TRIM, FERTILIZE AND TREAT FOR PESTS AS NEEDED
  - 2) REPLACE AS REQUIRED.
- C) WALL MAINTENANCE
  - 1) MAINTENANCE AND REPAIR OF THE EXTERIOR OF DECORATIVE MASONRY WALLS AND THE REMOVAL OF GRAFFITI AS NEEDED.
  - 2) WALL COLUMN PAINTING (EVERY FOUR YEARS)
- D) LAKE MAINTENANCE
  - 1) TO INCLUDE, BUT NOT LIMITED TO, REMOVAL OF DEBRIS, AQUATIC WEED, PLANTS AND ALGAE BY CHEMICAL AND/OR MECHANICAL MEANS AS NEEDED.
  - 2) LAKE BANK MAINTENANCE ALONG PUBLIC SWALES AND PUBLIC UNBUILDABLE LOTS.

**IMPROVEMENTS BY DEVELOPER FOR EACH LAKE:**

- A) A 2-SPACE PARKING AREA ADJACENT TO THE RIGHTS-OF-WAY.
- B) A 12-FOOT WIDE IMPROVED BOAT RAMP TO EXTEND INTO THE WATER SUFFICIENT TO ALLOW A 3-FOOT LAUNCHING DEPTH AT MEDIAN LAKE WATER LEVEL.
- C) A 12-FOOT WIDE LOCKING SWINGING GATE WITH REMOVAL GUARDRAIL.

**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:

LAKE, COMMON AREAS, ROADWAYS, PERIMETER WALL, ENTREANCE FEATURES AND LANDCAPING.

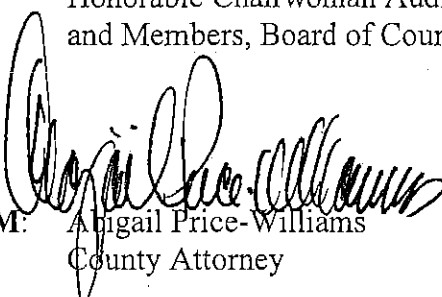


# MEMORANDUM

(Revised)

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

DATE: January 22, 2020

FROM:   
Abigail Price-Williams  
County Attorney

SUBJECT: Agenda Item No. 5(H)

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(H)  
1-22-20

ORDINANCE NO. \_\_\_\_\_ 20-6

ORDINANCE CREATING AND ESTABLISHING A SPECIAL TAXING DISTRICT IN MIAMI-DADE COUNTY, FLORIDA, GENERALLY BOUNDED ON THE NORTH BY SOUTH CANAL DRIVE, ON THE EAST BY SW 152 AVENUE (KINGMAN ROAD), ON THE SOUTH BY THEORETICAL SE 21 AVENUE, AND ON THE WEST BY THEORETICAL SE 26 COURT, KNOWN AND DESCRIBED AS KEYS GATE RESIDENTIAL MULTIPURPOSE MAINTENANCE SPECIAL TAXING DISTRICT; IDENTIFYING SERVICES TO BE PROVIDED; AUTHORIZING AND DIRECTING THE MAYOR OR DESIGNEE TO CAUSE TO BE MAINTAINED AND OPERATED VARIOUS PUBLIC IMPROVEMENTS; AND PROVIDING FOR EXCLUSION FROM THE CODE AND AN EFFECTIVE DATE

**WHEREAS**, this Board desires to accomplish the purposes outline in the accompanying memorandum, a copy of which is incorporated herein by reference; and

**WHEREAS**, the public hearing was held during the meeting of this on January 22, 2020 beginning at 9:30 a.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.** In accordance with the provisions of Chapter 18 of the Code, a special taxing district to be known and designated as the Keys Gate Residential Multipurpose Maintenance Special Taxing District in Miami-Dade County, Florida, is hereby created and established 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 this Special Taxing District.

**Section 2.** The area or boundaries of this Special Taxing District, generally bounded on the north by South Canal Drive, on the east by SW 152 Avenue (Kingman Road), on the south by theoretical SE 21 Avenue, and on the west by theoretical SE 26 Court, and located entirely within District 9, are as follows:

A portion of Section 21, Township 57 South, Range 39 East, Miami-Dade County, Florida (a.k.a. Keys Gate Residential, Tentative Plat # T-24280); being more particularly described as follows:

**PARCEL 1:**

A parcel of land being portion of Tracts 12, through 18 inclusive of Block 1, Tracts 1 through 3 inclusive, Tracts 13 through 16 inclusive of Block 2, and portion of Tract 1 of Block 3 of "PLAT OF LANDS BELONGING TO THE MIAMI LAND DEVELOPMENT COMPANY", according to the plat thereof, as recorded in Plat Book 5, at Page 10 of the Public Records of Miami-Dade County, Florida, all in Section 21, Township 57 South, Range 39 East and being more particularly described as follows:

Commence at the Southeast Corner of Tract V-1 of "KEYS GATE NO. ONE", according to the plat thereof, as recorded in Plat Book 133, at Page 3 of the Public Records of Miami-Dade County Florida; thence S00deg22min57secE along the Southerly projection of the Easterly line of said Tract V-1 for 50.00 feet to an intersection with the Southerly Right-of-Way line of South Canal Drive as described and dedicated in Official Records Book 13507, Page 559 of the Public Records of Miami-Dade County, Florida; thence N89deg02min58secE along said Southerly Right-of-Way line for 99.18 feet to the POINT OF BEGINNING of the hereinafter described parcel of land; thence along said Southerly Right-of-Way line for the following three (3) courses; (1) N89deg02min58secE for 422.25 feet to a point of curvature of a circular curve to the left concave to the Northwest; (2) thence Northeasterly along the arc of said curve having a radius of 2390.00 feet through a central angle of 16deg16min15sec for an arc distance of 678.71 feet to a point of reverse curvature of a circular curve to the right, concave to the Southwest; (3) thence Southeasterly along the arc of said curve having a radius of 25.00 feet through a central angle of 92deg07min58sec for an arc distance of 40.20 feet to its intersection with the Westerly Right-of-Way line of Kingman Road as described and dedicated in Official Records Book 13410, Page 149 and

Official Records Book 13452, Page 2751 of the Public Records of Miami-Dade County, Florida, said point also being a point of reverse curvature of a circular curve to the left, concave to the Northeast, the following three (3) courses being along said westerly Right-of-Way line; (1) thence Southeasterly along the arc of said curve having a radius of 2610.93 feet through a central angle of 10deg23min06sec for an arc distance of 473.24 feet to the point of tangency; (2) thence S25deg28min26secE for 1050.34 feet to a point of curvature of a circular curve to the right concave to the Southwest; (3) thence Southeasterly along the arc of said curve having a radius of 2545.00 feet through a central angle of 24deg29min14sec for an arc distance of 1087.69 feet to a point of compound curvature to a circular curve to the right, concave to the Northwest; thence Southerly and Southwesterly along the arc of said curve, having for its elements a radius of 25.00 feet, through a central angle of 90deg34min06sec for an arc distance of 39.52 feet to a point of tangency; thence S89deg34min54secW for a distance of 960.49 feet; thence N25deg00min30secW for 1855.14 feet; thence N21deg05min02secW for a distance of 124.33 feet; thence N19deg59min55secW for 117.91 feet; thence N18deg26min59secW for a distance of 159.28 feet; thence N16deg56min29secW for a distance of 181.64 feet; thence N10deg18min52secW for a distance of 147.72 feet to the POINT OF BEGINNING.

TOGETHER WITH:

PARCEL 2:

A parcel of Land being portions of Tracts 1 and 16, Block 3, and Tracts 9 through 13 inclusive of Block 4, of "PLAT OF LANDS BELONGING TO THE MIAMI LAND DEVELOPMENT COMPANY", according to the plat thereof, as recorded in Plat Book 5, at Page 10 of the Public Records of Miami-Dade County, Florida, all in Section 21, Township 57 South, Range 39 East and being more particularly described as follows:

Commence at the Northeast Corner of Tract "A", of "CENTER GATE NO. ONE", according to the plat thereof, as recorded in Plat Book 133, at Page 7 of the Public Records of Dade County, Florida; thence S00deg31min16secE, along the Easterly Line of said Tract "A", for a distance of 14.50 feet to the POINT OF BEGINNING of the hereinafter described parcel of land; thence continue along the last described course for a distance of 647.03 feet; thence N89deg34min54secE for a distance of 865.90 feet to its intersection

with the Westerly Right-of-Way line of Kingman Road as described and dedicated in Official Records Book 13410, Page 149 and Official Records Book 13452, Page 2751 of the Public Records of Dade County, Florida, said point also being on a circular curve to the left, concave to the Northwest, a radial line from said point bears N72deg52min39secW; thence Northeasterly along the arc of said curve, having for its elements a radius of 2545.00 feet, through a central angle of 14deg14min32sec for an arc distance of 632.63 feet to a point of compound curvature of a circular curve to the left, concave to the Southwest; thence Northwesterly along the arc of said curve, having for its elements a radius of 25.00 feet, through a central angle of 93deg17min55sec for an arc distance of 40.71 feet to a point of tangency; thence S89deg34min54secW for a distance of 956.23 feet to the POINT OF BEGINNING.

The areas and geographical locations of this Special Taxing District are shown on the map or sketch, labeled "Exhibit A" to the Report and made a part herein by reference.

**Section 3.** 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, wetlands, lakes, entrance features, 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 County and recorded in the Public Records. Services will commence following failure of any association or CDD to provide these services, and upon request from the City of Homestead to provide services, and upon adoption of the Special Taxing District's multipurpose maintenance preliminary assessment roll. Other maintenance services may be provided in the future as specified in the Special Taxing District's ordinance and amendments thereto.

**Section 4.** The estimated cost to the property owners for the multipurpose maintenance services and operations by the Special Taxing District, including engineering, administration, billing, collecting and processing for the first year will be \$266,261.66 and \$239,882.19 for the



second year. It is estimated that the cost per assessable square foot of real property within the Special Taxing District for the multipurpose maintenance programs for the first year will be \$0.1498, and \$0.1350 for the second year. The succeeding years' assessments will be adjusted based on actual costs.

**Section 5.** 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 6.** Miami-Dade County, as administrator of this Special Taxing District's maintenance programs, is directed to provide service by the most effective and efficient means available on a yearly basis, as detailed in the Report, which is made a part hereof by reference. If there is a proposed significant change to the level of service to be provided, the Parks, Recreation and Open Spaces Department shall conduct a meeting in the community, inviting all affected Special Taxing District property owners for the purpose of reviewing the Special Taxing District's budget and level of service.

**Section 7.** The County Mayor or County Mayor's designee is authorized and directed to cause to be made the maintenance and operation of various public improvements to be installed within the Special Taxing District in accordance with the provisions of this Ordinance.

**Section 8.** In the event that the Special Taxing District is activated, 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 in accordance with the provisions of Section 18-14 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 special 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 the 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 its enactment, unless vetoed by the Mayor, and if vetoed, shall become effective only upon an override by this Board.

PASSED AND ADOPTED:

January 22, 2020

Approved by County Attorney as  
to form and legal sufficiency:

APW

Prepared by:

DPL

Daija Page Lifshitz