Memorandum

MIAMI-DADE COUNTY

(Public Hearing 4-20-21)

Date: March 16, 2021

Agenda Item No. 5(L)

To: Honorable Chairman Jose "Pepe" Diaz
and Members, Board of County Commissioners

From: Daniella Levine Cava
Mayor

Daniella Levine Cava

Ordinance No. 21-30

Subject: Ordinance Amending Ordinance No. 95-12 Relating to the Miller's Glen Subdivision Street Lighting Special Taxing District

---

Recommendation

In accordance with Article 1, Chapter 18, of the Code of Miami-Dade County (Code), it is recommended that the Board of County Commissioners (Board) approve the attached amendment to the boundaries of the Miller's Glen Subdivision Street Lighting Special Taxing District (Special Taxing District), created by Ordinance No. 95-12, to include contiguous properties. Inclusion of said properties into the Special Taxing District will meet the subdivision lighting requirement pursuant to Chapter 28 of the Code.

Scope

This Special Taxing District lies within Commission District 10, which is represented by County Commissioner Javier D. Souto, and will provide street lighting services to the contiguous properties.

Fiscal Impact/Funding Source

Expanding the existing Special Taxing District will result in no economic impact to the Miami-Dade County (County) budget, and there will be no increase or decrease in County staffing. The developer, pursuant to section 18-2 of the Code, is required to fund all incidental costs incurred by the County to amend the Special Taxing District's boundaries.

The economic impact on the expanded area's residents will be a perpetual annual special assessment for the cost of street lighting to all property owners within the Special Taxing District. Florida Power and Light (FPL) is the owner of the system and derives revenues from the Special Taxing District. FPL's contractors and subcontractors may increase their staffing levels to provide the service requirements created by expanding this Special Taxing District.

Social Equity Statement

The proposed Ordinance amends 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 expanded area will pay special assessments appropriately apportioned according to the special benefit they receive from the Special Taxing District's service, regardless of their demographics, and that the total estimated amount of the special assessment to be levied would not be in excess of such special benefit. The amendment of the Special Taxing District, which was requested by 100% of the property owners of the properties within the proposed expansion area, will provide for lighting continuity between contiguous Street Lighting Special Taxing Districts on connecting roadways, allow for higher intensity spotlighting at specific locations, and accommodate future County lighting standards.

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/Monitor

The Special Taxing District, as amended, will continue to be managed by the Parks, Recreation and Open Spaces Department (PROS) and overseen by the Chief of the Special Assessment Districts Division (Division), Lorena Guerra-Macias.

Delegation of Authority

This item authorizes the County Mayor or County Mayor's designee to execute lighting agreements, as required by FPL to provide street lighting, following approval by the County Attorney's Office as to legal sufficiency.

Background

The Special Taxing District was created by Ordinance No. 95-12 on January 17, 1995. In accordance with the provisions of Chapter 18 of the Code, a petition to amend the Special Taxing District, duly signed by 100% of the owners of property within the proposed expansion area, was filed with the Clerk of the Board (Clerk). 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 expanded 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 amended to provide a special benefit to all property within the Special Taxing District.

Contingent upon Board approval of the amendment of this Special Taxing District, the street lighting services will continue to be accomplished pursuant to an existing agreement between the County and FPL. The facilities provided will remain the property of FPL. FPL will continue to be responsible for the maintenance, repairs, upgrades, and replacement of the light fixtures, lamps, poles, and all connecting service lines. The Division will continue to administer FPL's agreement, and billing process.

Current District Boundaries:	On the North, SW 56 Street; On the East, SW 97 Avenue; On the South, SW 58 Street; On the West, SW 98 Avenue.
District Boundaries as Amended:	On the North, SW 56 Street; On the East, SW 97 Avenue;

	On the South, theo. SW 58 Lane; On the West, SW 98 Avenue.
Number of Parcels:	1 (Tentative plat proposes 2 single-family lots)
Number of Owners:	1
Number of Owners with Homestead Exemption Signing Petition:	None – The petition was submitted by New Day Miami, LLC., the sole property owner and developer of the proposed expansion area.
Type of Improvements:	It is expected that the Special Taxing District will continue to operate and maintain the existing street lighting system, which consists of fifteen (15) – 47 Watts, 4000K, bracket-arm LED streetlights mounted on concrete poles. At the discretion of the PROS Director, PROS reserves the right to adjust the quantity, style, and luminosity of the street lighting system, for reasons including, but not limited to, changes in field conditions, to address safety concerns, to provide for lighting continuity between contiguous Street Lighting Special Taxing Districts on connecting roadways, to allow higher intensity spotlighting at specific locations, and to accommodate future County lighting standards.
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 amendment 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 amended Special Taxing District as their names and addresses appear on the latest Miami-Dade County Real Property Tax Roll.
Preliminary Public Meeting:	None necessary.
Required Referendum:	The creation of the Special Taxing District will be subject only to the Board's approval; no election will be necessary.

Revised Assessment Roll:	Submitted on the same agenda as a separate agenda item for consideration and adoption by the Board and contingent upon the approval of this Special Taxing District's amending Ordinance. The implementation of the revised assessment roll will be in accordance with the procedures defined in Chapter 18 of the Code.
Estimated Completion:	Winter 2022
Estimated Initial Billing:	November 2023. Assessment billed annually as an itemized portion of the Real Property tax bill.
Estimated Costs of Amendment Paid by Petitioner for the Additional Properties:	$7,226.25
Estimated Total Annual Cost to Entire District:	$6,264.72
Estimated Annual Cost to Properties in the Amended District:	
Per Assessable Front Foot:	$1.5752
For a Typical Interior Lot:	$162.25
For a Typical Corner Lot:	$229.98

The above annual costs and assessment information are based on the expected lighting services to be provided by the Special Taxing District, as amended, and are subject to change in the event that the Special Taxing District's services are adjusted by the PROS Director as provided herein. Each subsequent year will be calculated based on actual cost.

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

Each Street Lighting Special Taxing District is unique due to its geographical boundaries, affected property owners, and level of service to be provided. Amendment of this Special Taxing District to provide this service is the best and most cost-effective method to achieve this benefit.

In accordance with the requirements of Chapter 28 of the Code to provide street lighting in new subdivisions through the creation of Street Lighting Special Taxing Districts, and in compliance with the provisions of sections 18-3(c) and 18-16(i) of the Code, I have reviewed the facts submitted by 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 amended. Also, I recommend the provisions of Resolution No. R-130-06 be waived because adoption of this amending Ordinance is a precursor to the future execution of said agreement, which will not occur until development within the expanded area of the Special Taxing District occurs.

Jimmy Morales
Chief Operations Officer

REPORT AND RECOMMENDATIONS
ON THE AMENDMENT OF MILLER'S GLEN SUBDIVISION
STREET LIGHTING 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 amendment to a Special Taxing District, the following facts are submitted by the Miami-Dade County Parks, Recreation and Open Spaces Department (PROS) Director concerning the amendment of Miller's Glen Subdivision Street Lighting Special Taxing District's (Special Taxing District) boundaries to include contiguous properties.

1. <u>BOUNDARIES OF THIS DISTRICT</u>

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

A portion of Section 29, Township 54 South, Range 40 East of Miami-Dade County, Florida; being more particularly described as follows:

All of Tracts 1 and 2 of "Dade County Development Company Subdivision" according to the Plat thereof, as recorded in Plat Book 1, at Page 97;

AND

Tract 3, less the South ½ of the West ½ of "Miller Drive Estates 1st Addition" according to the Plat thereof, as recorded in Plat Book 48, at Page 16;

AND

The North ¼ of Tract 31 of said Section 29 of the "Tallahassee Meridian", according to the Plat thereof, as recorded in Plat Book 1, at Page 97;

Also known as:

The North ¼ of Tract 31 of "Dade County Development Subdivision", according to the Plat thereof, as recorded in Plat Book 1, at Page 97.

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

The Special Taxing District's boundaries and geographical location are shown on the attached sketch entitled Miller's Glen Subdivision Street Lighting Special Taxing District (Amendment) and hereinafter referred to as Exhibit A.

2. LOCATION OF THE INSTALLATIONS TO BE CONSTRUCTED

Services to be provided under the amended Special Taxing District will consist of public street lighting services to the contiguous properties. The streetlights are already present; no additional lights will be installed as a result of this amendment.

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

The cost of the streetlights in this Special Taxing District, shown below, is continual and is based on an estimate using Rate Schedule No. LT-1 prepared by Florida Power and Light (FPL) and approved by the Florida Public Service Commission, copies of which are attached. FPL installed the lights, poles, and service lines at its expense and the facilities are the property of FPL. FPL is responsible for the maintenance, repairs, upgrades, and replacement of the light standards, fixtures, lamps, and all connecting service lines.

Estimated Total Annual District Cost	Amendment Costs	Ongoing Costs
15- 47 Watts, 4000K LED Luminaires	$0.00	$1,450.80
15- Concrete Poles	$0.00	$1,288.80
2,006 Ft - Underground Wiring	$0.00	$2,382.41
Annual Fuel Adjustments (Based on 2,880 KWh)	$0.00	$71.71
Franchise Cost	$0.00	$322.27
Total Street Lighting Service Costs	$0.00	$5,515.99
Engineering & Administrative Costs	$6,019.20	$231.46
Billing, Collecting, & Processing Costs	$1,207.05	$0.00
FPL Restoration Costs	$0.00	$0.00
Contingencies	$0.00	$517.27
Total Costs Covered by Petitioner for the Additional properties	$7,226.25	
Total Annual Costs to Overall District		$6,264.72

Estimated Total Annual District Assessments	Amendment Costs	Ongoing Costs
Per Assessable Front Foot:	Costs to Be	$1.5752
For a Typical Interior Lot:	Paid by	$162.25
For a Typical Corner Lot:	Petitioner	$229.98

The annual costs and assessment information are based on the expected lighting services provided by the Special Taxing District, as amended, and are subject to change in the event the Special Taxing District's services are adjusted by the Department Director. Total costs and assessments will be adjusted, if necessary, to meet actual costs.

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

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

5. RECOMMENDATION CONCERNING THE DESIRABILITY OF THIS DISTRICT

The need for street lighting in the County is apparent. Residents and property owners of the County continue to demonstrate their desire for street lighting through numerous petitions and personal requests. The ability of the affected properties to pay special assessments is evident since the costs of the 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 amended boundaries (including homesteads) as shown by the last preceding assessment roll of the County. In my opinion, the streetlights installed pursuant to the creation of this Special Taxing District provide special benefits to all properties, including the expanded area, within the Special Taxing District's amended boundaries exceeding the amount of special assessments to be levied.

6. PROCEDURE

As provided for under Chapter 18 of the Code, the property owners and the developers of the added properties within the amended Special Taxing District shall guarantee payment of all costs and expenses incidental to the amendment of the Special Taxing District. Based on front footage, each property owner within the amended Special Taxing District will pay the County, through a special assessment, a proportionate share of the total annual costs of the street lighting services.

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

Following the amendment of the Special Taxing District by the Board, the petitioner's plat shall not be placed on a Commission agenda for approval prior to receipt of the payment from the developers for the costs incidental to the amendment. Upon adoption of the petitioner's plat by the Board, the County will continue to administer FPL's agreement and billing process, wherein the County will continue to pay to FPL all costs associated with the ongoing costs of service.

7. RECOMMENDATION

It is recommended that Miller's Glen Subdivision Street Lighting Special Taxing District be amended. The amendment of this Special Taxing District will be subject to Board approval only; no election will be necessary. I also recommend that the County Attorney cause to be prepared an amending ordinance authorizing the amendment of the Miller's Glen Subdivision Street Lighting 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 amending ordinance. Following adoption of the amending ordinance, it is further recommended that the Board adopt the Special Taxing District's Revised Assessment Roll resolution to continue 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 amending the Special Taxing District, as well as provide funds for payment of the Special Taxing District's monthly power bills. The ordinance amending the Special Taxing District shall take effect 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 Taxing District. We further recommend that the County Mayor or County Mayor's designee forward the attached report to the Board after review and concurrence with our findings.

Attachments:
(1) Copy of Petition and Attachments
(2) Copies of FPL Rate Schedule No. SL-1
(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
M E M O R A N D U M

TO: Lorena Guerra-Macias
Chief, Special Taxing Districts

FROM: Ryan Carlin RC
Assistant County Attorney

DATE: October 27, 2020

SUBJECT: New Day Subdivision Street Lighting Special Taxing District

==

Please be advised that I have reviewed the above-referenced petition and find it to be legally sufficient for street lighting purposes only.

Memorandum

Date: October 27, 2020

To: Melissa Adames, Deputy Clerk
Office of the Clerk of the Board
Attn: Shania Momplaisir

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

Subject: New Day Subdivision
Street Lighting Special Taxing District

In reference to the subject petition, we hereby certify that, in compliance with Section 18-2 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	1
2.	Total number of owners of property within district boundaries	1
3.	Total number of resident owners within district boundaries (this is a new subdivision area)	0
4.	Total number of signatures on the petition	1
5.	Total number of owners or representatives signing the petition in an official capacity	1
6.	Percentage of owners or representatives signing the petition in their official capacity	100%

Pursuant to Section 18-2 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

April 7th, 2020
Document Preparation Date

____
Departmental Acceptance Date (Government Use Only)

PETITION FOR STREET LIGHTING 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, to amend Ordinance No. 95-12 pursuant to Chapter 18 of the Code of Miami-Dade County, Florida, expanding the boundaries of the "Miller's Glen Subdivision Street Lighting Special Taxing District," to include and provide special taxing district services to those properties lying generally between SW 58 Street and theoretical SW 58 Terrace and theoretical SW 97 Court and theoretical SW 98 Court for any or all of the following: installation, operation and maintenance of sodium vapor street lights or LED of an intensity of 16,000 up to 50,000 lumens, mounted on concrete, fiber glass or existing poles. 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) **NEW DAY SUBDIVISION**

It is understood and agreed that the boundaries of this district and the type and level of services to be provided by this district will be reviewed by the appropriate County authorities. It is also understood that the street lights 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
NEW DAY MIAMI LLC **A Florida Limited Liabily Company**	**135 San Lorenzo Ave** **Suite 150** **Coral Gables, FL. 33146**		**30-4029-001-0110**
		MORE FULLY	
		DESCRIBED ON	
		THE ATTACHED	
		"EXHIBIT A"	
By			
Roland St. Louis, manager			

PLACE NOTARY STATEMENT AND STAMP HERE:

PLACE NOTARY STATEMENT AND STAMP HERE:

I HEREBY CERTIFY that on this day, before me, an officer duly qualified to take acknowledgments, personally appeared **Roland St. Louis,** the **manager** of **New Day Miami, LLC,** a **Florida Limited Liabily Company** ( )personally known to me, or(___)who produced identification in the form of ______________________, and who executed the foregoing resolution and acknowledged before me that **Roland St. Louis** executed the same for the purposes herein expressed.

WITNESS my hand and official seal in the County and State last aforesaid, this **7th** day of **April,** 2020.

Jenifer L. Longa

Notary Public, State of Florida
My commission expires __________

(SEAL)

JENIFER L. LONGA
MY COMMISSION # GG 088652
EXPIRES: July 29, 2021
Bonded Thru Notary Public Underwriters

DEPARTMENTAL ACCEPTANCE DATE
(GOVERNMENT USE ONLY)

EXHIBIT "A"

EXHIBIT A TO THE PETITION DATED APRIL 7th, 2020 TO AMEND THE MILLER'S GLEN SUBDIVISION STREET LIGHTING SPECIAL TAXING DISTRICT CREATED PURSUANT TO ORDINANCE NO. 95-12 FOR THE EXPANSION OF THE BOUNDARIES BETWEEN SW 58 ST AND THEORETICAL SW 58 TERRACE AND THEORETICAL SW 97 COURT AND THEORETICAL SW 98 COURT.

Legal Description:

The North ¼ of Tract 31 of Section 29, Township 54 South, Range 40 East of the Tallahassee Meridian, according to the plat thereof, as recorded in Plat Book 1, at Page 97, of the Public Records of Miami-Dade County, Florida.

Also known as:

The North ¼ of Tract 31 of Dade County Development Subdivision, according to the plat thereof, as recorded in Plat Book 1, at Page 97, of the Public Records of Miami-Dade County, Florida.

Folio No.: 30-4029-001-0110

LED LIGHTING PILOT

RATE SCHEDULE: LT-1

AVAILABLE:

In specific territories served, upon request of the entity that has jurisdiction over the area being lighted. Contact FPL for available installation territories.

APPLICATION:

For the purpose of lighting streets whether public or private, roadways, and common areas, other than individual residential locations. This includes but is not limited to parking lots, homeowners association common areas, or parks.

TYPE OF INSTALLATION:

FPL-owned fixtures normally will be mounted on poles of FPL's existing distribution system and served from overhead wires. On request of the Customer, FPL will provide special poles or underground wires at the charges specified below. FPL, at its discretion, may offer the customer the option of FPL-owned fixtures attached to poles owned by the customer.

SERVICE:

Service includes energy from dusk each day until dawn the following day and maintenance of FPL-owned Lighting Systems. Maintenance includes replacement or repair of any circuit component to assure the facilities are operational and safe.

LIMITATION OF SERVICE:

Stand-by or resale service is not permitted hereunder.

CUSTOMER CONTRIBUTIONS:

A Contribution-in-Aid-of-Construction (CIAC) will be required for:

a) the differential cost between employing rapid construction techniques in trenching, backfilling and pole installation work where no obstructions exist, and the added cost to overcome obstructions such as sprinkler systems, paved surfaces (such as sidewalks, curbs, gutters, and roadways), landscaping, sodding and other obstructions encountered along the Lighting System installation route, including repair and replacement. If the Customer elects to perform work such as trenching and restoration, they will be reimbursed by FPL with a credit (not to exceed the total CIAC cost) for the value of this work as determined by FPL;

b) the installation cost of any new overhead distribution facilities and/or the cost of alterations to existing distribution facilities which are required in order to serve the Lighting System less four (4) times the additional annual non-fuel energy revenue generated by the installation or alteration of the Lighting System, plus where underground facilities are installed, the differential installation cost between underground and overhead distribution facilities.

These costs shall be paid by the Customer prior to the initiation of any construction work by FPL. The Customer shall also pay any additional costs associated with design modifications requested after the original estimate has been made.

(Continued on Sheet No. 8.736)

(Continued from Sheet No. 8.735)

REMOVAL OF FACILITIES:

If FPL owned Lighting facilities are removed either by Customer request or termination or breach of the agreement, the customer will pay the fixture, pole, and conductor charges for the period remaining on the currently active term of service plus the cost to remove the facilities. **These charges do not apply to street light conversions from FPL owned facilities covered under SL-1 to FPL owned LED facilities under this tariff.** In all cases, should the Customer request termination of the agreement, such termination will require written notice 90 days prior to the date of termination.

Conversion of FPL Owned Streetlights (SL-1 facilities) to LED:

For customers converting Street Lights as per FPL's SL-1 Street Lighting Tariff paying the LED Conversion Recovery charge, there will be no charges for the fixtures being removed. Any other charges for relocation or replacement of FPL owned facilities would still apply.

CHANGE IN FIXTURE SIZE OR TYPE:

At the Customer's request, the Company will upgrade to a higher level of illumination when the changes are consistent with good engineering practices. The customer will pay the original installed cost of the removed fixtures, less any salvage value and depreciation, plus removal costs and will receive a credit for 4 years additional revenue generated by the larger fixtures. If changes are required to the distribution system to support the larger lights, standard CIAC charges as described on sheet 8.735 will also apply. The Customer will pay the Company the net costs incurred in making other fixture changes. Customers converting HPSV fixtures to LED and paying the LED Conversion Recovery Charge will not be charged for the fixtures being removed, as noted in the preceding paragraph. In all cases where luminaires are replaced, the Customer will sign a new service agreement. Billing on the rate for the new luminaire or lamp size will begin as of the next regular billing date. A luminaire may be relocated at the Customer's request upon payment by the Customer of the full cost of removal and reinstallation.

MONTHLY RATES for LED Fixtures*:

		Fixture Tier									
Energy Tier	Charge	1	2	3	4	5	6	7	8	9	10
A	$ -	1.50	4.50	7.50	10.50	13.50	16.50	19.50	22.50	25.50	28.50
B	$ 0.20	1.70	4.70	7.70	10.70	13.70	16.70	19.70	22.70	25.70	28.70
C	$ 0.40	1.90	4.90	7.90	10.90	13.90	16.90	19.90	22.90	25.90	28.90
D	$ 0.60	2.10	5.10	8.10	11.10	14.10	17.10	20.10	23.10	26.10	29.10
E	$ 0.80	2.30	5.30	8.30	11.30	14.30	17.30	20.30	23.30	26.30	29.30
F	$ 1.00	2.50	5.50	8.50	11.50	14.50	17.50	20.50	23.50	26.50	29.50
G	$ 1.20	2.70	5.70	8.70	11.70	14.70	17.70	20.70	23.70	26.70	29.70
H	$ 1.40	2.90	5.90	8.90	11.90	14.90	17.90	20.90	23.90	26.90	29.90
I	$ 1.60	3.10	6.10	9.10	12.10	15.10	18.10	21.10	24.10	27.10	30.10
J	$ 1.80	3.30	6.30	9.30	12.30	15.30	18.30	21.30	24.30	27.30	30.30
K	$ 2.00	3.50	6.50	9.50	12.50	15.50	18.50	21.50	24.50	27.50	30.50
L	$ 2.20	3.70	6.70	9.70	12.70	15.70	18.70	21.70	24.70	27.70	30.70
M	$ 2.40	3.90	6.90	9.90	12.90	15.90	18.90	21.90	24.90	27.90	30.90
N	$ 2.60	4.10	7.10	10.10	13.10	16.10	19.10	22.10	25.10	28.10	31.10
O	$ 2.80	4.30	7.30	10.30	13.30	16.30	19.30	22.30	25.30	28.30	31.30
P	$ 3.00	4.50	7.50	10.50	13.50	16.50	19.50	22.50	25.50	28.50	31.50
Q	$ 3.20	4.70	7.70	10.70	13.70	16.70	19.70	22.70	25.70	28.70	31.70
R	$ 3.40	4.90	7.90	10.90	13.90	16.90	19.90	22.90	25.90	28.90	31.90
S	$ 3.60	5.10	8.10	11.10	14.10	17.10	20.10	23.10	26.10	29.10	32.10
T	$ 3.80	5.30	8.30	11.30	14.30	17.30	20.30	23.30	26.30	29.30	32.30

* Catalog of available fixtures and the assigned billing tier for each can be viewed at www.FPL.com/partner/builders/lighting.html

(Continued on Sheet No. 8.737)

(Continued from Sheet No. 8.736)

Maintenance per Fixture (FPL Owned Fixture and Pole)	$1.82
Maintenance per Fixture for FPL Fixtures on Customer Pole	$1.27
LED Conversion Recovery	$1.03

Notes:

The non-fuel energy charge is 3.042¢ per kWh.
Bills rendered based on "Total" charge. Unbundling of charges is not permitted.

Charges for other FPL-owned facilities:

Wood pole used only for the street lighting system	$5.20
Standard Concrete pole used only for the street lighting system	$7.11
Round Fiberglass pole used only for the street lighting system	$8.42
Decorative Tall Fiberglass pole used only for the street lighting system	$17.77
Decorative Concrete pole used only for the street lighting system	$14.43
Underground conductors	4.026 ¢ per foot

SPECIAL PROVISIONS:

Where the Company provides poles other than those listed above, the monthly charges, as applicable shall be computed as follows:

Facilities Charge: 1.63% of the Company's average installed cost of the pole.

BILLING

During the initial installation period:
Facilities in service for 15 days or less will not be billed;
Facilities in service for 16 days or more will be billed for a full month.

WILLFUL DAMAGE:

Upon the second occurrence of willful damage to any FPL-owned facilities, the Customer will be responsible for the cost incurred for repair or replacement. If the lighting fixture is damaged, based on prior written instructions from the Customer, FPL will:

a) If a commercially available and FPL approved device exists, install a protective shield. The Customer shall pay $280.00 for the shield plus all associated costs. However, if the Customer chooses to have the shield installed before the second occurrence, the Customer shall only pay the cost of the shield; or

b) Replace with a like unshielded fixture. For this, and each subsequent occurrence, the Customer shall pay the estimated costs of the replacement fixture; or

c) Terminate service to the fixture. In this case, the lighting facilities will be removed from the field and from billing; the customer will pay the lighting facilities charges for the remaining period of the currently active term of service plus the cost to remove the facilities.

Option selection shall be made by the Customer in writing and apply to all fixtures which FPL has installed on the Customer's behalf on the same account. Selection changes may be made by the Customer at any time and will become effective ninety (90) days after written notice is received.

(Continued on Sheet No. 8.738)

(Continued from Sheet No. 8.737)

OTHER CHARGES

Conservation Charge	See Sheet No. 8.030.1
Capacity Payment Charge	See Sheet No. 8.030.1
Environmental Charge	See Sheet No. 8.030.1
Fuel Charge	See Sheet No. 8.030.1
Storm Charge	See Sheet No. 8.040
Franchise Fee	See Sheet No. 8.031
Tax Clause	See Sheet No. 8.031

SPECIAL CONDITIONS:

Customers whose lights are turned off during sea turtle nesting season will receive a credit equal to the fuel charges associated with the fixtures that are turned off.

TERM OF SERVICE:

Initial term of ten (10) years with automatic, successive five (5) year extensions unless terminated in writing by either FPL or the Customer at least ninety (90) days prior to the current term's expiration. Term of service begins upon execution of the LED Lighting Agreement.

RULES AND REGULATIONS:

Service under this schedule is subject to orders of governmental bodies having jurisdiction and to the currently effective "General Rules and Regulations for Electric Service" on file with the Florida Public Service Commission. In case of conflict between any provision of this schedule and said "General Rules and Regulations for Electric Service", the provision of this schedule shall apply.

Memorandum

Date: September 16, 2020

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

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

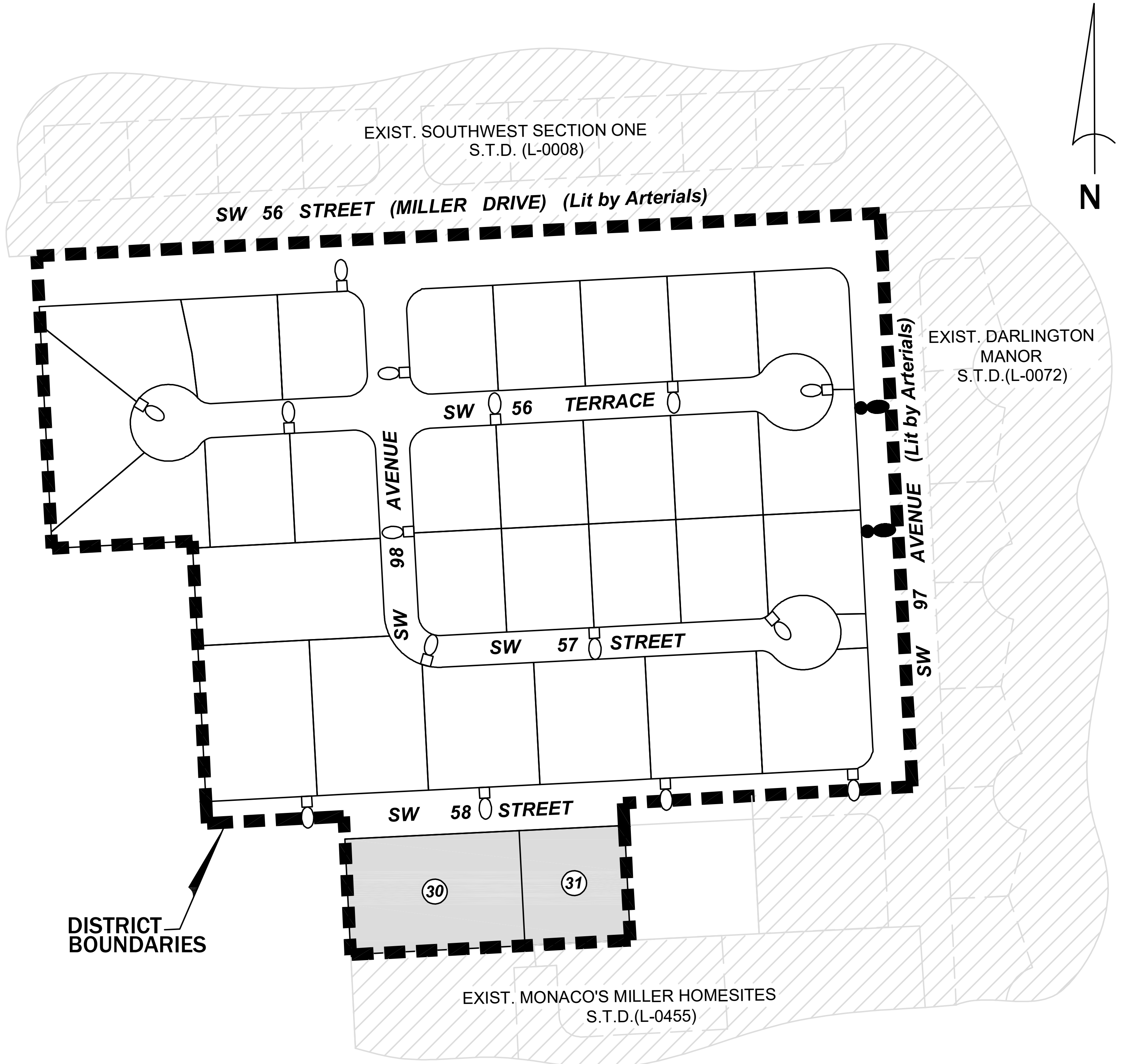
Subject: Street lighting, Maintenance of Landscape, Walls Adjacent to Double Frontage Lots, Entrance Features and Lakes – Special Taxing Districts

---

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

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

JO:LG:NK:JB:GR



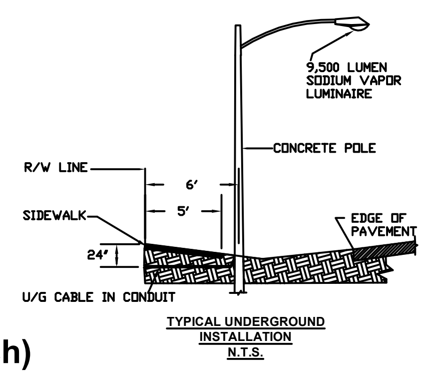
MILLER'S GLEN SUBDIVISION

STREET LIGHTING SPECIAL TAXING DISTRICT

15 - 9,500 LUMEN SODIUM VAPOR BRACKET-ARM STREETLIGHTS MOUNTED ON CONCRETE POLES.

EXISTING STREETLIGHTS SHOWN.

AREA TO BE ANNEXED.



TYPICAL UNDERGROUND INSTALLATION
N.T.S.

EXHIBIT "A"
(Boundaries and Geographical Location Sketch)

L-0392 (COMM. 0010)
SECTION: 29-54-40

MEMORANDUM
(Revised)

TO:	Honorable Chairman Jose "Pepe" Diaz and Members, Board of County Commissioners	**DATE:**	April 20, 2021
FROM:	Geri Bonzon-Keenan County Attorney	**SUBJECT:**	Agenda Item No. 5(L)

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(L)
4-20-21

ORDINANCE NO. 21-30

ORDINANCE AMENDING ORDINANCE NO. 95-12, EXPANDING THE BOUNDARIES OF MILLER'S GLEN SUBDIVISION STREET LIGHTING SPECIAL TAXING DISTRICT TO ADD CONTIGUOUS PROPERTIES, AND TO BE GENERALLY BOUNDED, AS AMENDED, ON THE NORTH BY SW 56 STREET, ON THE EAST BY SW 97 AVENUE, ON THE SOUTH BY THEORETICAL SW 58 LANE, AND ON THE WEST BY SW 98 AVENUE; IDENTIFYING SERVICES TO BE PROVIDED; PROVIDING FOR EXCLUSION FROM THE CODE AND AN EFFECTIVE DATE

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

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

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

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

Section 2. Section 2 of Ordinance No. 95-12 is hereby amended to read as follows:[1]

> Section 2. The area or boundaries of the >>amended<< Special Taxing District >>generally bounded on the north by SW 56 Street, on the east by SW 97 Avenue, on the south by theoretical SW 58 Lane, and on the west by SW 98 Avenue, and located entirely within District 10<< are as follows:

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

A portion of Section 29, Township 54 South, Range 40 East of >>Miami-<< Dade County, Florida; being more particularly described as follows:

All of Tracts 1 and 2 of "Dade County Development Company Subdivision" according to the Plat thereof, as recorded in Plat Book 1 at Page 97;

And

Tract 3, less the S ½ of the W ½ of "Miller Drive Estates 1st Addition" according to the Plat thereof, as recorded in Plat Book 48 at Page 16;

>>And<<

>>The North ¼ of Tract 31 of said Section 29 of the "Tallahassee Meridian", according to the Plat thereof, as recorded in Plat Book 1, at Page 97;

Also known as:

The North ¼ of Tract 31 of "Dade County Development Subdivision", according to the Plat thereof, as recorded in Plat Book 1, at Page 97.<<

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

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

Section 3. Improvements and/or services to be provided in this Special Taxing District will consist of street lighting services within public rights-of-way, as described in the Report.

Section 4. The expected cost to expand the boundaries of the Special Taxing District are provided by the petitioner and is estimated to be $7,226.25.

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 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. 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 street lighting services, 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 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 7. 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 8. 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 9. The provisions of this Ordinance shall become effective 10 days after the date of enactment, unless vetoed by the Mayor, and if vetoed, shall become effective only upon an override by this Board.

PASSED AND ADOPTED: April 20, 2021

Approved by County Attorney as to form and legal sufficiency: GBK

Prepared by:

Jorge Martinez-Esteve