

ORDINANCE NO. 82-2

ORDINANCE CREATING AND ESTABLISHING A SPECIAL TAXING DISTRICT IN DADE COUNTY, FLORIDA, KNOWN AND DESCRIBED AS MIAMI LAKES - LOCH LOMOND SECURITY GUARD SPECIAL TAXING DISTRICT IN ACCORDANCE WITH THE PROVISIONS OF CHAPTER 18 OF THE CODE OF METROPOLITAN DADE COUNTY, FLORIDA; AND PROVIDING AN EFFECTIVE DATE

WHEREAS, the Dade County Home Rule Amendment to the Florida Constitution (Article VIII, Section 11) grants to the electors of Dade County power to adopt a home rule charter of government for Dade County, Florida, and provides that such charter may provide a method for establishing special taxing districts and other governmental units in Dade County from time to time; and

WHEREAS, the Home Rule Charter adopted by the electors of Dade County on May 21, 1957, provides that the Board of County Commissioners, as the legislative and the governing body of Dade County, shall have the power to establish special purpose districts within which may be provided essential facilities and services, including police protection services, and that all funds shall be provided by service charges, special assessments, or general tax levies within such districts only, and that the County Commission shall be the governing body of all such districts; and

WHEREAS, pursuant to such provisions of the Florida Constitution and the Home Rule Charter, the Board of County Commissioners duly enacted Chapter 18 of the Code of Metropolitan Dade County, Florida, providing for the creation and establishment of special taxing districts and prescribing the procedures therefor; and

WHEREAS, in accordance with the provisions of Chapter 18 of the Code of Metropolitan Dade County, Florida, a petition for the creation of a special taxing district to be known as the "MIAMI LAKES - LOCH LOMOND SECURITY GUARD SPECIAL TAXING DISTRICT" duly signed by fifty percent of the owners within the proposed district, was filed with the Clerk of the County Commission.

Such petition prayed for the creation and establishment of a special taxing district for the purpose of providing security guard services to be financed solely by means of special assessments levied and collected within the area therein and hereinafter described; and

WHEREAS, upon receipt of such petition the Clerk of the County Commission transmitted a copy thereof to the County Manager who examined it and filed 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 of Metropolitan Dade County, Florida; and

WHEREAS, the County Manager, after making appropriate investigations, surveys, plans and specifications, compiled and filed with the Board of County Commissioners his written report and recommendations setting forth the boundaries of the proposed special taxing district, the location, nature and character of the security guard services to be provided and maintained within the proposed district, an estimate of the cost of establishing and maintaining such project, certifying that the proposed project and proposed district conform to the master plan of development for the County, and setting forth his recommendations concerning the need and desirability for the requested project, the ability of the affected property to bear special assessments for financing the cost of maintaining such project, and expressing his opinion that the property to be specially assessed will be benefited in excess of the special assessments to be levied, an estimate of the amount to be assessed against each thousand dollars (\$1,000) property valuation of the benefited property within the proposed district, and the County Manager attached to such report and recommendations a map or sketch showing the boundaries and location of the proposed district. Such report and recommendations of the County Manager was filed with the Clerk and transmitted to the Mayor; and

WHEREAS, it appearing to the Board of County Commissioners from such report of the County Manager and other investigations

that the project petitioned for would be of special benefit to all property within the proposed district and that the total amount of the special assessments to be levied would not be in excess of such special benefit; the Clerk of the Board certified the place, date and hour for a public hearing on the petition and the report and recommendations of the County Manager was held on Tuesday, January 19, 1982. Copies of said certificate were duly published in newspapers of general circulation published in Dade County, Florida, and copies thereof were posted in more than five (5) public places within the proposed district, and copies thereof were mailed to all owners of taxable real property within the boundaries of the proposed district as their names and addresses appear on the latest Dade County tax assessment roll and to all persons, firms or corporations having any right, title or interest in said property; and

WHEREAS, pursuant to said notice, the Board of County Commissioners on Tuesday, January 19, 1982, held a public hearing in accordance with the provisions of said Clerk's certificate, at which public hearing all interested persons were afforded the opportunity to present their objections, if any, to the creation and establishment of the proposed special taxing district; and

WHEREAS, the Board of County Commissioners, upon review and consideration of the report and recommendations of the County Manager and the views expressed by the property owners within the proposed special taxing district, has determined to create and establish such special taxing district in accordance with the report and recommendations of the County Manager,

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

Section 1. In accordance with the provisions of Chapter 18 of the Code of Metropolitan Dade County, Florida, a special taxing district in the unincorporated areas of Dade County, known and designated as the "MIAMI LAKES - LOCH LOMOND SECURITY GUARD SPECIAL TAXING DISTRICT" is hereby created and established.

Section 2. The area or boundaries of this special taxing district are as follows:

Portions of Section 14, Township 52 South, Range 40 East, Dade County, Florida; more particularly described as follows:

All of "Miami Lakes-Loch Lomond Section" according to the plat thereof recorded in Plat Book 76 at Page 91 of the Public Records of Dade County, Florida;

AND

All of "Miami Lakes-Loch Lomond Estates" according to the plat thereof recorded in Plat Book 87 at Page 77 of the Public Records of Dade County, Florida;

AND

Portions of "Miami Lakes-Loch Lomond East" according to the plat thereof recorded in Plat Book 93 at Page 44 of the Public Records of Dade County, Florida; more particularly described as follows:

Lot 21, Block 1
Lot 1, Block 2

The area and location of this proposed special taxing district are shown on the map or sketch which is made a part hereof by reference.

Section 3. The services to be provided within this proposed special taxing district will consist of the following:

A visible safety and passive security program, initially to consist of two unarmed security guards, 24 hours a day, 7 days a week, 365 days a year. One guard to be located at the entrance of Loch Lomond in the guardhouse. The other security guard will operate from a mobile patrol unit.

Section 4. The estimated net cost to the property owners for the security guard services including engineering and administrative, and billing, collecting and processing for the first year is \$158,379 and \$149,798 for each year thereafter. The County will advance funds for this program, which sum shall be reimbursed by special assessments. Assessments may be paid at the office of the finance director within thirty (30) days after the date of the recording of the assessment roll, without interest. Thereafter all assessments shall be payable in accordance with Section 18-14(7) of the Code of Metropolitan Dade County, Florida. 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 Section 18-14(8) of the Code of Metropolitan Dade County, Florida. It is estimated that the cost per one thousand dollars (\$1,000) valuation of real property within the proposed district for the first year is \$4.67 and \$4.50 for the second and succeeding years.

Section 5. It is hereby declared that said project will be a special benefit to all property within the proposed 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 Manager is hereby authorized and directed to take all necessary steps to solicit and receive competitive bids in accordance with established County procedures, for providing security guard services within the district.

Section 7. The County Manager is directed to cause to be prepared and filed with the Clerk of the County Commission a Preliminary Assessment Roll in accordance with the provisions of Section 18-14 of the Code of Metropolitan Dade County, Florida.

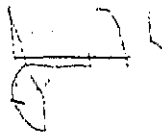
Section 8. A duly certified copy of this Ordinance shall be filed in the Office of the Clerk of the Circuit Court of Dade County, Florida, and recorded in the appropriate book of records.

Section 9. This district shall not become operable until fiscal year 1982-83.

Section 10. The provisions of this ordinance shall take effect if the levy of an annual tax for security guard services not to exceed seven (7) mills on each dollar of the assessed valuation of all real property located within the boundaries of the district is approved at an election to be formally called by this Board and noticed and conducted as this Board shall determine by resolution.

PASSED AND ADOPTED: January 19, 1982

Approved by County Attorney as
to form and legal sufficiency.



MEMORANDUM

107.07-17A

TO M. R. Stierheim
County Manager
Attn: Dennis I. Carter
Assistant County Manager

DATE September 8, 1981

FROM *William M. Powell*
William M. Powell
Director
Public Works Department

SUBJECT Miami Lakes-Loch Lomond Security
Guard Special Taxing District

A petition has been submitted to Dade County in accordance with Chapter 18 of the Code, requesting the creation and establishment of a security guard special taxing district.

Pursuant to Chapter 18 of the Code of Metropolitan Dade County, the County Manager is required to submit a report and recommendation for the creation and establishment of special taxing districts. Under this section of the Code, the Manager is required to cause to be made under his supervision and direction such investigation, surveys, plans and specifications as may be necessary to enable him to compile and file with the Board a written report concerning such districts.

As Public Works Director, responsible for the detailed investigation of such districts, the following facts are hereby submitted concerning the creation of the "Miami Lakes-Loch Lomond Security Guard Special Taxing District."

1. BOUNDARIES OF THIS DISTRICT

The proposed district is located entirely within a portion of unincorporated Dade County, and the boundaries, as set forth in the petition are:

All of "Miami Lakes-Loch Lomond Section" according to the plat thereof recorded in Plat Book 76 at Page 91 of the Public Records of Dade County, Florida;

Upon review by the Public Works Department, the boundaries have been extended to include property fronting Kings Moor Way adjacent to Gleneagle Drive, as these properties will receive benefit from the planned improvement. A preliminary public meeting was held on August 11, 1981 at the Palm Springs North Elementary School, at which time the residents agreed upon the boundaries, and a vast majority were in favor of the planned security program.

Therefore, the boundaries of the "Miami Lakes-Loch Lomond Security Guard Improvement District" recommended herein are as follows:

Portions of Section 14, Township 52 South, Range 40 East, Dade County, Florida; more particularly described as follows:

All of 'Miami Lakes-Loch Lomond Section' according to the plat thereof recorded in Plat Book 76 at Page 91 of the Public Records of Dade County, Florida;

AND

All of 'Miami Lakes-Loch Lomond Estates' according to the plat thereof recorded in Plat Book 87 at Page 77 of the Public Records of Dade County, Florida;

AND

Portions of 'Miami Lakes-Loch Lomond East' according to the plat thereof recorded in Plat Book 93 at Page 44 of the Public Records of Dade County, Florida; more particularly described as follows:

Lot 21, Block 1
Lot 1, Block 2

2. LOCATION OF THE SERVICE TO BE PROVIDED

The service as specified by the petition will be a visible safety and passive security program, initially to consist of two unarmed security guards in constant communication. One to be located at the entrance of Loch Lomond in the guardhouse. The other unarmed security guard will operate from a mobile patrol unit. Service will be provided 24 hours per day, 365 days a year. Service level to be reviewed with the community prior to renewal or reletting of a service contract.

This service is to be supplied by a duly licensed and bonded, State of Florida approved security service company, on a low-competitive hourly rate basis. The service, as administered by the Dade County Public Works Department, will commence at the earliest practicable time following the creation and establishment of the district by the Dade County Board of County Commissioners and said creation ratified by the electorate at the required subsequent referendum.

3. ESTIMATED COST FOR THIS IMPROVEMENT

The request made by the petitioners is for continual unarmed security service as indicated in Item Number 2.

Cost estimates were secured from the private sector by the Dade County Public Works Department. For its report, a mean hourly rate was calculated and multiplied by the annual number of hours of service for annual service cost of \$147,304.

In addition to the cost for the security service, it will be necessary for the County to recover the engineering and administrative costs involved in establishing and maintaining the district as provided by Chapter 18 of the Code. This is estimated to be \$2,065 the first year and \$348 annually thereafter. Also, it will be necessary for the County to charge the district a fee for handling the billing, collecting the assessments, and processing the monthly invoices to the security service company. This cost is estimated to be \$2,010 the first year and \$146 annually thereafter.

<u>Item</u>	<u>ESTIMATED ANNUAL COSTS</u>	
	<u>First Year</u>	<u>Second Year</u>
Annual Cost of Service	\$147,304.00	\$147,304.00
Engineering & Administrative Cost	2,065.00	348.00
Billing, Collecting & Processing Costs	2,010.00	146.00
Construction Security Guardhouse	5,000.00	-0-
Utilities & Miscellaneous Expenses	<u>2,000.00</u>	<u>2,000.00</u>
Estimated Total District Cost	\$158,379.00	\$149,798.00

3a. PROCEDURE

Dade County enters into a contractual agreement with the low competitive hourly rate bidder, wherein it is agreed that Dade County will pay to the security service company, in equal monthly payments, one twelfth of the annual cost now estimated to be \$147,304 or approximately \$12,275 per month.

Each property owner in the district will pay the County by a special assessment a proportionate share of the total annual cost.

4. CONFORMITY TO THE MASTER PLAN OF DADE COUNTY

The proposed improvement conforms to and in no way conflicts with the master plan of development for Dade County. (Memorandum from Planning Department is attached.)

5. RECOMMENDATION CONCERNING DESIRABILITY OF THIS IMPROVEMENT

The proposed security program is desirable as evidenced by the property owners petition. The 1980 net property valuation of \$33,942,275, based on the 1980 Dade County Real Estate Property Cards, is a good indication that the affected property is able to support such assessments as may be required. In my opinion, the proposed improvement will provide special benefits to property within the district exceeding the amount of special assessments to be levied.

6. ESTIMATE OF ASSESSMENT AGAINST BENEFITTED PROPERTY

The combined cost for the security service and administrative expenses as estimated and indicated in Item Number 3 is \$158,379. The cost is to be paid for by special assessment against benefitted properties and is to be apportioned to individual properties within the boundaries of the district on the basis of net property valuation.

The cost per \$1,000 valuation to be assessed for this service is estimated as follows:

<u>Item</u>	<u>First Year</u>	<u>Second Year</u>
Total Cost to District	\$158,379.00	\$149,798.00
Estimated Net Property Valuation Within the District Limits	\$33,942,275	\$33,262,275
Cost Per \$1,000 Property Valuation	\$4.67	\$4.50

SAMPLE ASSESSMENT

<u>Item</u>	<u>First Year</u>	<u>Second Year</u>
Cost Per \$1,000 Property Valuation	\$ 4.67	\$ 4.50
Cost Per Year for a Typical Residence Appraised at \$200,000	\$840.60	\$787.50

These costs are based on a preliminary estimate of \$33,942,275 net property valuation and will be adjusted from actual experience.

7. RECOMMENDATION OF REFERENDUM REQUIREMENT

It is my recommendation that the referendum required by Chapter 18 of the Code be conducted by the Dade County Elections Department using a mailed ballot. Upon approval by the County Commission of this referendum, the Elections Department will send a summary of the report, a copy of which is attached, on this district to each registered voter living within the district. My office will also be available to answer any questions from the public or from your office in regards to the financial and/or engineering facts of this district.

We further recommend that the County Manager sign the attached report to the Board of County Commissioners; after you have reviewed this report and concur with our findings.

- Attachments:
1. Plan of Proposed Improvement (Exhibit "A")
 2. Copy of Memo from Planning Department
 3. Copy of Summary of Report and Exhibit "B"

MEMORANDUM

7-17A

TO . Mr. Donald P. Duncan, Head
Special Taxing Section
Public Works Department

DATE

August 12, 1981

SUBJECT

Miami Lakes-Loch Lomond
Security Guard Special
Taxing District

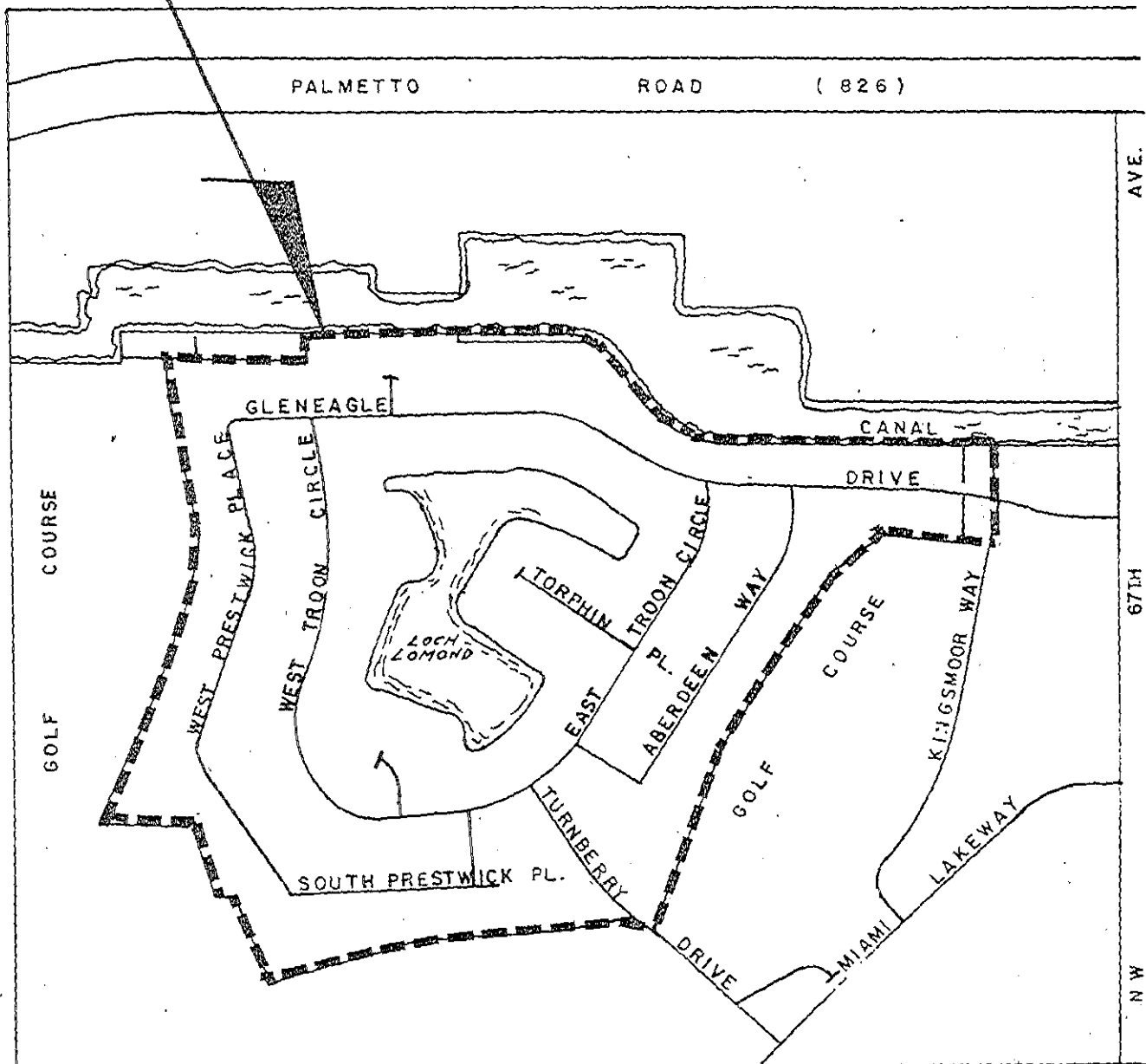
FROM Reginald R. Walters, Director
Planning Department

RRW
Allen Bly

We have reviewed the proposal to establish a Special Taxing District at Miami Lakes-Loch Lomond for the purpose of providing Security Guards. We find the proposal to be consistent with the goals, objectives, and policies contained in Dade County's Comprehensive Development Master Plan.

RRW:SRR:ee

PROPOSED DISTRICT BOUNDARIES



MIAMI LAKES - LOCH LOMOND SECURITY GUARD SPECIAL TAXING DISTRICT

SECTION: 14-52-40

Exhibit "B"

STATE OF FLORIDA)
COUNTY OF DADE)

I, RICHARD P. BRINKER, Clerk of the Circuit Court in and for Dade County, Florida, and Ex-Officio Clerk of the Board of County Commissioners of said County, DO HEREBY CERTIFY that the above and foregoing is a true and correct copy of ORDINANCE OR SECTION (s) of CODE of Dade County, Florida, as appears of record.

1. ORDINANCE NO. 82-2, adopted by the said Board of County Commissioners at its meeting held on January 19, 1982.

The effective date of this ORDINANCE is:

approved at an election to be formally called by this Board and noticed and conducted as this Board shall determine by Resolution.

2. SECTION (s) of CODE of Dade County, Florida.

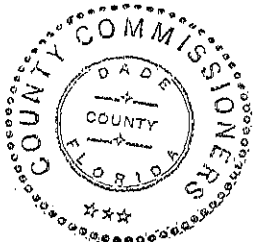
SAID SECTION (s) are/were in full force and effect as of:

IN WITNESS WHEREOF, I have hereunto set my hand and official seal on this 29th day of January A.D. 1982.

RICHARD P. BRINKER, Ex-Officio Clerk
Board of County Commissioners
Dade County, Florida

By Elizabeth D. Elkin
Deputy Clerk

SEAL



BOARD OF COUNTY COMMISSIONERS
DADE COUNTY, FLORIDA