
CITY OF HIALEAH, FLORIDA

**INITIAL ASSESSMENT RESOLUTION
FOR THE
N.W. 142ND STREET ASSESSMENT AREA**

Adopted February 27, 2018

TABLE OF CONTENTS

PAGE

ARTICLE I DEFINITIONS AND CONSTRUCTION

SECTION 1.01.	DEFINITIONS.....	1
SECTION 1.02.	INTERPRETATION.....	6
SECTION 1.03.	FINDINGS.....	6

ARTICLE II NOTICE AND PUBLIC HEARING

SECTION 2.01.	ESTIMATED PROJECT COST.....	8
SECTION 2.02.	ASSESSMENT ROLL.....	9
SECTION 2.03.	PUBLIC HEARING.....	9
SECTION 2.04.	NOTICE BY PUBLICATION.....	9
SECTION 2.05.	NOTICE BY MAIL.....	10

ARTICLE III ASSESSMENTS

SECTION 3.01.	DESCRIPTION OF PROPOSED ASSESSMENT AREA.....	10
SECTION 3.02.	IMPOSITION OF ASSESSMENTS.....	10
SECTION 3.03.	APPORTIONMENT METHODOLOGY.....	10
SECTION 3.04.	PREPAYMENT.....	12
SECTION 3.05.	REALLOCATION UPON FUTURE SUBDIVISION.....	14

ARTICLE IV GENERAL PROVISIONS

SECTION 4.01.	METHOD OF COLLECTION.....	14
SECTION 4.02.	SEVERABILITY.....	14
SECTION 4.03.	EFFECTIVE DATE.....	15

APPENDIX A	DESCRIPTION OF N.W. 142ND STREET ASSESSMENT AREA	
APPENDIX A-1	MAP OF N.W. 142ND STREET ASSESSMENT AREA	
APPENDIX B	FORM OF NOTICE TO BE PUBLISHED	
APPENDIX C	FORM OF MAILED NOTICE	

RESOLUTION NO. 2018-021

RESOLUTION OF THE MAYOR AND THE CITY COUNCIL OF THE CITY OF HIALEAH, FLORIDA, RELATING TO THE CONSTRUCTION AND FUNDING OF ROADWAY IMPROVEMENTS; DESCRIBING THE PROPOSED N.W. 142ND STREET ASSESSMENT AREA AND THE ROADWAY IMPROVEMENTS TO BE FUNDED THROUGH IMPOSITION OF SPECIAL ASSESSMENTS IMPOSED THEREIN; ESTIMATING THE COST OF THE ROADWAY IMPROVEMENTS; ESTABLISHING THE METHOD OF ASSESSING THE COSTS OF THE ROADWAY IMPROVEMENTS AGAINST REAL PROPERTY THAT WILL BE SPECIALLY BENEFITED THEREBY; DIRECTING PREPARATION OF PRELIMINARY ASSESSMENT ROLL; ESTABLISHING A PUBLIC HEARING TO CONSIDER IMPOSITION OF THE ASSESSMENTS; DIRECTING THE PROVISION OF NOTICE IN CONNECTION THEREWITH; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

BE IT RESOLVED BY THE MAYOR AND THE CITY COUNCIL OF THE CITY OF HIALEAH, FLORIDA, AS FOLLOWS:

ARTICLE I

DEFINITIONS AND CONSTRUCTION

SECTION 1.01. DEFINITIONS.

This Resolution constitutes an Initial Assessment Resolution within the meaning of the Assessment Ordinance. All capitalized words and terms not otherwise defined herein shall have the meaning set forth in the Assessment Ordinance. As used in this Resolution, the following terms shall have the following meanings, unless the context hereof otherwise requires.

"Assessed Parcels" means Tax Parcels subject to the Assessments contemplated hereunder.

"Assessment" means a special assessment, sometimes characterized as a non-ad valorem assessment, imposed by the City against property located within the N.W. 142nd Street Assessment Area to fund the Roadway Improvements, computed in the manner described in Section 3.03 hereof.

"Assessment Area" or **"N.W. 142nd Street Assessment Area"** means the area within which the Assessments will be imposed to fund the Roadway Improvements.

"Assessment Coordinator" means the Finance Director or designee thereof.

"Assessment Ordinance" means Chapter 86, Article VI, of the Code of Ordinances, City of Hialeah, Florida, as may be amended from time to time, or its successor in function.

"Assessment Roll" means the list of Assessed Parcels subject to the Assessments imposed hereunder. References herein to the term "Assessment Roll" shall include, as the context requires, any electronic spreadsheet or database maintained by the City containing a list of Assessed Parcels, the current principal balance imposed against such parcels, the number of Assessment Units attributed thereto and other related information, as well as the "non-ad valorem assessment roll" contemplated by the Uniform Assessment Collection Act which is certified to the Tax Collector for collection of annual installments of the Assessments in accordance therewith.

"Capital Cost" means all or any portion of the expenses that are properly attributable to the planning, acquisition, design, engineering, construction, installation, reconstruction, renewal or replacement (including demolition, environmental mitigation and relocation) of the Roadway Improvements and the imposition of the Assessments under generally accepted accounting principles; and including reimbursement to the City for any funds advanced for Capital Cost and interest on any interfund or intrafund loan for such purposes.

"City" means the City of Hialeah, Florida.

"City Council" means the City Council of the City.

"Collection Costs" means the estimated costs to be incurred by the City annually in connection with the implementation, administration, collection, and enforcement of the Assessments, including, without limiting the generality of the foregoing, any service charges of the Tax Collector or Property Appraiser pursuant to the Uniform Assessment Collection Act, publication, mailing and administration expenses incurred by the City, a reasonable contingency for payment delinquencies, and amounts necessary to off-set any applicable statutory discounts for the early payment of ad valorem taxes and non-ad valorem assessments. Collection Costs are estimated not to exceed 8% of the principal and interest component of each annual installment of the Assessment.

"Executive Summary" means the Executive Summary prepared by Biscayne Engineering which describes the Roadway Improvements, cost estimates, and apportionment of the benefits and costs of the Project based on Front Footage.

"Front Foot" means the Assessment Unit or unit of measurement used to apportion the benefit conveyed to Assessed Parcels by the Roadway Improvements. A Front Foot is equal to twelve (12) linear inches of real property fronting, abutting or adjacent to the Roadway Improvements. The plural form of Front Foot shall be "Front Feet."

"Front Footage" means the number of Front Feet attributed to each Assessed Parcel, or as the context requires, the total number of Front Feet attributable to all Assessed Parcels in the Assessment Area.

"Final Assessment Ordinance" means the ordinance described in the Assessment Ordinance that confirms, modifies, or repeals this Initial Assessment Resolution and which shall be

the final proceedings for the imposition of Assessments within the N.W. 142nd Street Assessment Area.

"Fiscal Year" means the period commencing on October 1 of each year and continuing through the next succeeding September 30, or such other period as may be prescribed by law as the fiscal year for the City.

"Initial Prepayment Date" means the date on or prior to which the owners of Assessed Parcels may prepay the Assessment in whole and thereby avoid incurring a pro rata share of financing costs and annual interest. Unless determined otherwise by supplemental resolution of the City Council, the Initial Prepayment Date shall be August 31, 2018.

"Obligations" means Original Obligations or Refunding Obligations.

"Original Obligations" means a series of bonds or other evidence of indebtedness including but not limited to notes, loan agreements or any other obligations of the City issued or incurred to finance any portion of the Project Cost of the Roadway Improvements and which are secured in whole or in part by proceeds of the Assessments.

"Project" means the planning, design, engineering, permitting, construction and financing of the Roadway Improvements.

"Project Cost" means (A) the Capital Cost of the Roadway Improvements, (B) the Transaction Cost associated with the Obligations attributable to the Roadway Improvements, (C) interest accruing on such Obligations for such period of time as the City deems appropriate, (D) the debt service reserve fund or account, if any, established for the Obligations attributable to the Roadway Improvements, and (E) any other costs or expenses related thereto.

"Property Appraiser" means the Miami-Dade County Property Appraiser.

"Refunding Obligations" means a series of bonds or other evidence of indebtedness including but not limited to notes, loan agreements or any other obligations of the City issued or incurred to refund all or any portion of the Original Obligations or any indebtedness issued to refinance the Original Obligations.

"Roadway Improvements" means capital improvements related to the paving of N.W. 142nd Street between N.W. 97th Avenue and N.W. 107th Avenue, which may include but are not limited to clearing, fill, paving, re-paving, roadway lighting, roadway drainage (both within the right-of-way and separate therefrom), subgrade, curbs, signage, striping, property and right-of-way acquisition, mitigation, ingress, egress, turn-lane and intersection improvements and all related improvements of every nature. Where the context requires, the term may also include land, improvements to land, structures, fixtures and tangible personal property of every kind and description and any estate or interest in any of the foregoing (both within the right-of-way and separate therefrom). Roadway Improvements shall be deemed Capital Improvements within the meaning of the Assessment Ordinance.

"State" means the State of Florida.

"Tax Parcel" means a parcel of property to which the Property Appraiser has assigned a distinct ad valorem property tax identification number.

"Tax Roll" means the real property ad valorem tax assessment roll maintained by the Property Appraiser for the purpose of the levy and collection of ad valorem taxes.

"Transaction Cost" means the costs, fees and expenses incurred by the City in connection with the issuance and sale of any series of Obligations, including but not limited to (A) rating agency and other financing fees; (B) the fees and disbursements of bond counsel or special assessment

counsel; (C) the underwriters' discount; (D) the fees and disbursements of the City's financial advisor; (E) the costs of preparing and printing the Obligations, the preliminary official statement, the final official statement, and all other documentation supporting issuance of the Obligations; (F) the fees payable in respect of any municipal bond insurance policy; (G) administrative, development, credit review, and all other fees associated with any pooled commercial paper or similar interim financing program; and (G) any other costs of a similar nature incurred in connection with issuance of such Obligations.

"Uniform Assessment Collection Act" means Sections 197.3632 and 197.3635, Florida Statutes, or any successor statutes authorizing the collection of non-ad valorem assessments on the same bill as ad valorem taxes, and any applicable regulations promulgated thereunder.

SECTION 1.02. INTERPRETATION.

Unless the context indicates otherwise, words importing the singular number include the plural number, and vice versa; the terms "hereof," "hereby," "herein," "hereto," "hereunder" and similar terms refer to this Resolution; and the term "hereafter" means after, and the term "heretofore" means before, the effective date of this Resolution. Words of any gender include the correlative words of the other gender, unless the sense indicates otherwise.

SECTION 1.03. FINDINGS.

It is hereby ascertained, determined and declared that:

(A) The City is authorized by Article VIII, Section 2 of the State Constitution, Section 166.021, Florida Statutes, the Assessment Ordinance, the Uniform Assessment Collection Act, and other applicable provisions of law to provide for the imposition and collection of charges in the form of special assessments.

(B) Through adoption of this Initial Assessment Resolution, the City is initiating the process set forth in the Assessment Ordinance for creating the N.W. 142nd Street Assessment Area and imposing Assessments against real property therein to fund the Project Cost of the Roadway Improvements.

(C) The special benefits conveyed by the Roadway Improvements to Assessed Parcels include, but are not limited to, the delivery of an adequate roadway which conforms to sound and generally accepted land development practices and principles and which promotes sound transportation management, access to a publicly owned and maintained roadway system providing improved conditions for ingress and egress to Assessed Parcels, an increase in market valuation, enhanced development and redevelopment potential, enhanced value, use, enjoyment, and marketability of Assessed Parcels.

(D) The benefits conveyed also include improved stormwater and drainage facilities which will reduce flooding and responsibly manage the burden of stormwater.

(E) Such benefits are reasonably anticipated to exceed the amount of the Assessments contemplated herein.

(F) The Executive Summary, a copy of which is on file with the City Clerk and incorporated herein by reference, has been considered by the City Council in adopting this Resolution.

(G) In accordance therewith, the Assessment for each property within the Assessment Area shall be based upon the Front Footage of each property adjacent to the Roadway Improvements. Apportionment in this manner fairly and reasonably allocates the Project Cost among Assessed Parcels by approximating the relative demand and usage of the Roadway Improvements created by,

and the special benefit conveyed to, such parcels.

(H) Such methodology relies in part upon readily available and verifiable front footage data and is therefore cost-efficient and capable of being fairly implemented without wasteful or extraordinary consumption of resources which could better be expended to accomplish the Roadway Improvements.

(I) The apportionment methodology described in the Executive Summary and based upon Front Footage is equitable and bears a reasonable relationship to the use and enjoyment of the Roadway Improvements by owners of real property.

(J) The City intends to install water and sewer infrastructure in conjunction with constructing the Road Improvements. The costs associated with such water and sewer infrastructure shall be paid for by other legally available revenues of the City and not through the Assessments imposed hereunder.

(K) The City Council hereby finds and determines that the Assessments to be imposed in accordance with this Resolution provide an equitable method of funding the Roadway Improvements by fairly and reasonably allocating the benefits and costs associated therewith among Assessed Parcels based upon the relative degree of benefit attributable to each parcel.

ARTICLE II

NOTICE AND PUBLIC HEARING

SECTION 2.01. ESTIMATED PROJECT COST.

The estimated Project Cost for the Roadway Improvements is \$4,258,000.00. The Project Cost identified herein will be funded through the imposition of Assessments against Assessed

Parcels located in the N.W. 142nd Street Assessment Area in the manner set forth in Article III hereof.

SECTION 2.02. ASSESSMENT ROLL.

(A) The Assessment Coordinator is hereby directed to prepare a preliminary Assessment Roll for the Roadway Improvements in the manner provided in the Assessment Ordinance.

(B) The Assessment Coordinator shall compute and allocate the Assessments for Roadway Improvements among the parcels of real property within the N.W. 142nd Street Assessment Area as reflected on the Tax Roll in conformity with Article III hereof.

(C) The Assessment Roll shall be maintained on file in the offices of the City Clerk and open to public inspection. The foregoing shall not be construed to require that the Assessment Roll be in printed form if the amount of the Assessment for each Tax Parcel can be determined by use of a computer terminal or internet access available to the public.

SECTION 2.03. PUBLIC HEARING.

A public hearing will be conducted by the City Council at 7:00 p.m. on April 24, 2018 and at 7:00 p.m. on May 8, 2018, at City Chambers, City Hall, 501 Palm Avenue, 3rd Floor, Hialeah, Florida, to consider adoption of a Final Assessment Ordinance providing for (A) creation of the N.W. 142nd Street Assessment proposed hereunder, (B) imposition of the Assessments, and (C) collection of the Assessments pursuant to the Uniform Assessment Collection Act.

SECTION 2.04. NOTICE BY PUBLICATION.

Upon completion of the preliminary Assessment Roll, the Assessment Coordinator shall, at the time and in the manner specified in the Assessment Ordinance, publish a notice of the public

hearing authorized by Section 2.03 hereof. Such notice shall be in substantially the form attached hereto as Appendix B.

SECTION 2.05. NOTICE BY MAIL.

Upon completion of the preliminary Assessment Roll, the Assessment Coordinator shall, at the time and in the manner specified in the Assessment Ordinance, provide first class mailed notice of the public hearing authorized by Section 2.03 hereof to each property owner proposed to be assessed at the address indicated on the Tax Roll. Such notice shall be in substantially the form attached hereto as Appendix C.

**ARTICLE III
ASSESSMENTS**

SECTION 3.01. DESCRIPTION OF PROPOSED ASSESSMENT AREA.

The proposed N.W. 142nd Street Assessment Area shall include the Tax Parcels described in Appendix A and Appendix A-1 attached hereto.

SECTION 3.02. IMPOSITION OF ASSESSMENTS.

Assessments shall be imposed against real property located within the N.W. 142nd Street Assessment Area, the annual amount and term of which shall be computed for each Tax Parcel in accordance with this Article III. When imposed, the Assessment for each Fiscal Year shall constitute a lien against Assessed Parcels in accordance with the Assessment Ordinance.

SECTION 3.03. APPORTIONMENT METHODOLOGY.

(A) The apportionment methodology based upon Front Footage as summarized in the Executive Summary is hereby adopted as the methodology for apportioning the costs and benefits

associated with the Project among Assessed Parcels. Such methodology, as described below, shall be applied by the Assessment Coordinator in preparing the Assessment Roll.

(B) The Front Footage of each parcel shall be determined through Property Appraiser records, GIS resources, aerial images, visual inspection or other data sources deemed reliable by the City or its consultants. The Assessment Coordinator may correct the Front Footage assigned to each Assessed Parcel after verification, field research, and/or the presentation of competent, substantial evidence by an affected property owner.

(C) The Front Footage of any intersection or City property intended for use as a future City sanitary sewer pump station shall be excluded from the calculation of total Front Footage.

(D) Based on such determinations, there are approximately 10,075 Front Feet attributable to the Assessed Parcels comprising the Assessment Area.

(E) The principal amount of the Assessment for each parcel shall be calculated by multiplying the Front Footage of the parcel by the rate of assessment. The rate of Assessment shall be determined by dividing the Project Cost by the total Front Footage in the Assessment Area, as follows:

$$\frac{\text{Project Cost}}{\text{Total Front Footage}} = \text{Principal Rate per Front Foot}$$
$$\Rightarrow \frac{\$4,258,000}{10,075 \text{ Front Feet}} = \$422.63027 \text{ per Front Foot}$$

(F) The total amount of the Assessment imposed against each parcel may be prepaid at the option of the owner of the parcel in accordance with Section 3.04 hereof. Assessments which are not prepaid shall be collected in not more than five (5) annual installments pursuant to the Uniform Assessment Collection Act. In addition to the Assessment rate set forth above, each annual

installment of the Assessment shall include interest on the Obligations issued to finance the Project and a pro rata share of Collection Costs.

(G) The apportionment method approved and adopted herein bears a reasonable relationship to the cost of providing the Roadway Improvements comprising the Project, and the Assessments to be imposed in accordance with this Resolution provide an equitable method of funding the Project by fairly and reasonably allocating the costs associated therewith among specially benefited property.

SECTION 3.04. PREPAYMENT.

(A) The Assessments imposed hereunder shall be subject to prepayment at the option of the property owner, as follows:

(1) Initial Prepayment Option. Prior to the Initial Prepayment Date, the Assessment Coordinator shall provide first class mailed notice to the owner of each Assessed Parcel of the owner's option to prepay the Assessment and thereby avoid a pro rata share of Transaction Costs, Collection Costs and annual interest payments associated with the Obligations. On or prior to the Initial Prepayment Date specified in such notice or such later date as the City Council may allow in its sole discretion, the owner of each Assessed Parcel shall be entitled to prepay the total Assessment obligation. The amount of any prepayment made pursuant to this Section 3.04(A)(1) shall be calculated based upon the Tax Parcel's pro rata share of the Project Cost calculated in accordance with Section 3.03 above with a discount reflecting avoidance of Transaction Costs equal to two percent (2%) of the amount of the Assessment imposed against the Tax Parcel. The Assessment Coordinator shall mail the notices at least fifteen (15) days prior to the Initial Prepayment Date.

(2) Prepayment Following Initial Prepayment Date. Following the Initial Prepayment Date, or such later date as the City Council may allow in its sole discretion, the owner of each Assessed Parcel shall be entitled to prepay the total remaining Assessment upon payment of an amount equal to the sum of (a) such parcel's pro rata share of the principal amount of Obligations then outstanding (or for which issuance is pending), (b) the premium associated with redemption of such parcel's share of the principal amount of Obligations then outstanding, if any, and (c) interest on such parcel's share of the principal amount of Obligations then outstanding plus one full percentage point, from the most recent date to which interest has been paid to the next date following such prepayment on which the City can redeem Obligations after providing all notices required by the ordinance or resolution authorizing issuance of such Obligations; provided however, that during any period commencing on the date the annual Assessment Roll is certified for collection pursuant to the Uniform Assessment Collection Act and ending on the next date on which unpaid ad valorem taxes become delinquent, the City may reduce the amount required to prepay the Assessment imposed against any parcel of property by the amount of the Assessment certified for collection with respect to such parcel. The amount of any prepayment made pursuant to this Section 3.04(A)(2) shall be calculated based upon the Assessed Parcel's pro rata share of the Project Cost calculated pursuant to Section 3.03 above, reduced to reflect any principal payments actually received by the City through the date of the prepayment. The proceeds of any prepayments received by the City pursuant to this Section 3.04(A)(2) shall be applied to payment of the Obligations or to otherwise retire the Project Cost.

(B) At the City's election, the Assessment imposed against any parcel of property may be subject to acceleration and mandatory prepayment if at any time a tax certificate has been issued and

remains outstanding with respect to such property. In such event, the amount required for mandatory prepayment shall be the same as that required for an optional prepayment authorized by Section 3.04(A)(2) hereof.

(C) The amount of all prepayments computed in accordance with this Section 3.04 shall be final. The City shall not be required to refund any portion of a prepayment if (1) the Project Cost is less than the amount upon which such prepayment was computed, or (2) annual Assessments will not be imposed for the full number of years anticipated at the time of such prepayment.

SECTION 3.05. REALLOCATION UPON FUTURE SUBDIVISION. Upon subdivision of any Assessed Parcel which results in a reduction in Front Footage of the parcel, the remaining Assessment imposed against such parcel shall be reallocated among the Assessed Parcel and the newly formed Tax Parcel(s) resulting from the subdivision in accordance with the Front Footage allocation method adopted hereunder, without further notice to the owners thereof.

ARTICLE IV GENERAL PROVISIONS

SECTION 4.01. METHOD OF COLLECTION.

Any Assessments which are not prepaid at the option of the owners of Assessed Parcels as provided in Section 3.04 hereof shall be collected in not more than five (5) annual installments pursuant to the Uniform Assessment Collection Act.

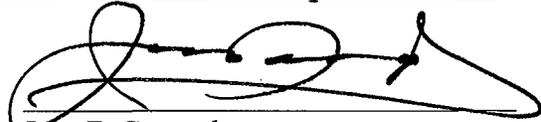
SECTION 4.02. SEVERABILITY.

If any clause, section or provision of this Resolution shall be declared unconstitutional or invalid for any reason or cause, the remaining portion of said Resolution shall be in full force and effect and be valid as if such invalid portion thereof had not been incorporated herein.

SECTION 4.03. EFFECTIVE DATE.

This resolution shall become effective upon signature of the Mayor of the City of Hialeah, Florida or at the next regularly scheduled City Council meeting, if the Mayor's signature is withheld or if the City Council overrides the Mayor's veto.

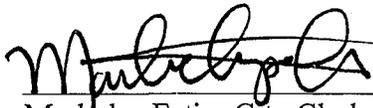
PASSED AND ADOPTED this 27 day of February, 2018.



Jose F. Caragol
Council Vice-President

Attest:

Approved on this 28 day of February, 2018.

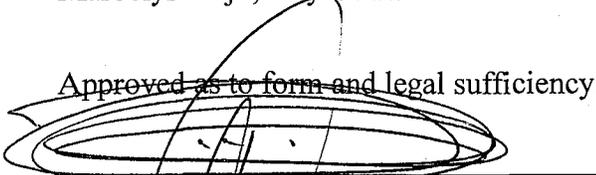


Marbelys Fatjo, City Clerk



Mayor Carlos Hernandez

Approved as to form and legal sufficiency:



Lorena E. Bravo, City Attorney

Resolution was adopted by a 5-0-2 vote with Councilmembers, Caragol, Zogby, Lozano, Cue-Fuente, and Hernandez voting 'Yes' and Casáls-Munoz and Garcia-Martinez being absent.

APPENDIX A

DESCRIPTION OF N.W. 142ND STREET ASSESSMENT AREA

The N.W. 142nd Street Assessment Area is comprised of the following Tax Parcels:

Parcel Identification/Folio Number	Parcel Identification/Folio Number
04-2020-001-0073	04-2020-001-0100
04-2020-002-0015	04-2020-001-0110
04-2020-002-0040	04-2020-001-0130
04-2020-001-0041	04-2020-001-0060
04-2020-002-0040	04-2020-001-0061
04-2020-002-0015	04-2020-001-0050
04-2020-001-0080	04-2020-001-0150

APPENDIX A-1

MAP OF N.W. 142ND STREET ASSESSMENT AREA

The N.W. 142nd Street Assessment Area is geographically depicted in the map following this page.

Assessment Area for NW 142nd Street Roadway Improvement Hialeah, Florida

Map Key

-  Denotes Assessment Area
-  Denotes Parcel ID
-  Future Right-of-Way

Graphic Scale

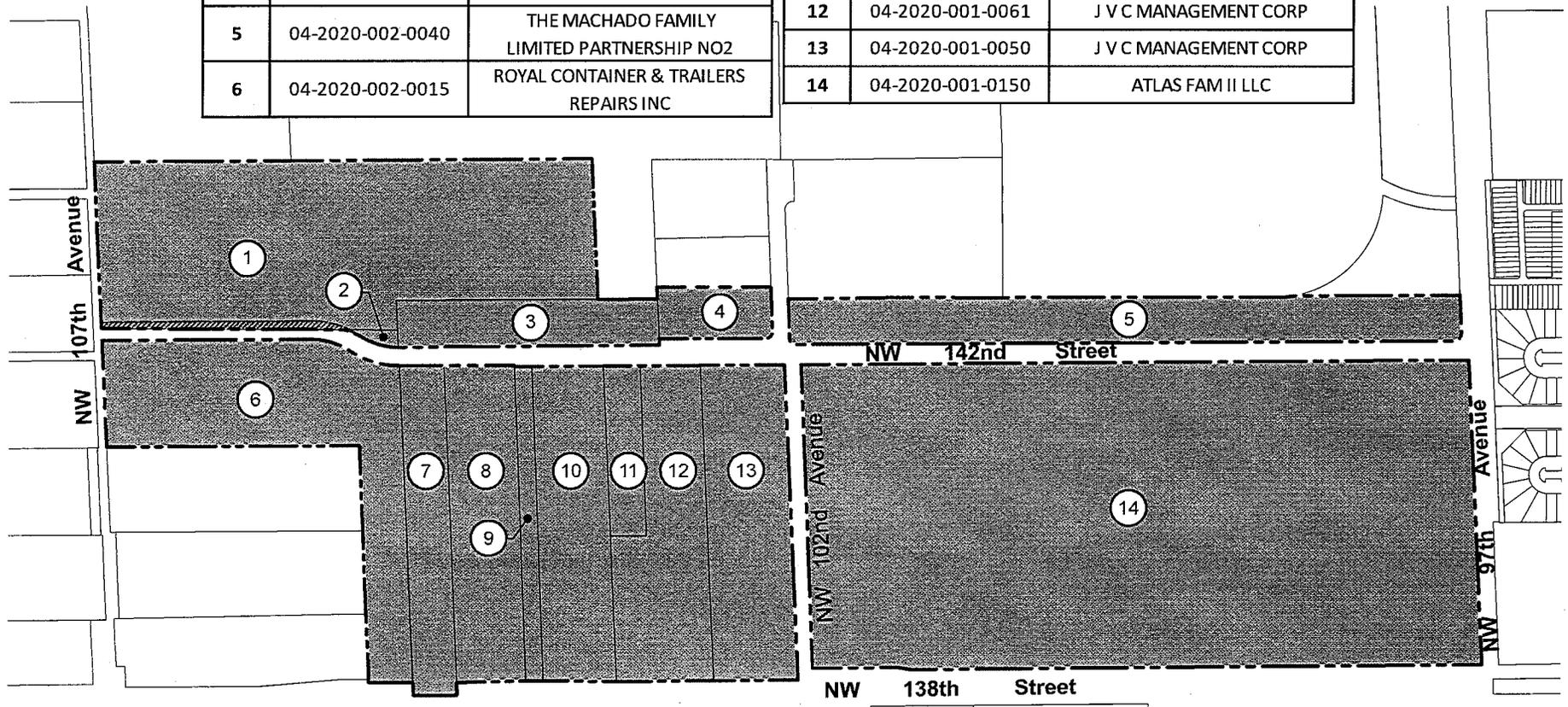


Scale: 1" = 600'



Assessed Property		
Parcel ID	Folio	Owner
1	04-2020-001-0073	DMG PROPERTIES LLLP
2	04-2020-002-0015	ROYAL CONTAINER & TRAILERS REPAIRS INC
3	04-2020-002-0040	THE MACHADO FAMILY LIMITED PARTNERSHIP NO2
4	04-2020-001-0041	JOE N & JAMES N WARREN & ETALS
5	04-2020-002-0040	THE MACHADO FAMILY LIMITED PARTNERSHIP NO2
6	04-2020-002-0015	ROYAL CONTAINER & TRAILERS REPAIRS INC

Assessed Property		
Parcel ID	Folio	Owner
7	04-2020-001-0080	CORNER LAND LLC
8	04-2020-001-0100	CORNER LAND LLC
9	04-2020-001-0110	ANNEX INDUSTRIAL PARK LLC
10	04-2020-001-0130	ANNEX INDUSTRIAL PARK LLC
11	04-2020-001-0060	J V C MANAGEMENT CORP
12	04-2020-001-0061	J V C MANAGEMENT CORP
13	04-2020-001-0050	J V C MANAGEMENT CORP
14	04-2020-001-0150	ATLAS FAM II LLC



APPENDIX B

FORM OF NOTICE TO BE PUBLISHED

NOTICE OF HEARING TO IMPOSE AND PROVIDE FOR COLLECTION OF SPECIAL ASSESSMENTS TO FUND ROADWAY IMPROVEMENTS TO N.W. 142ND STREET

[Insert Map of Assessment Area]

Notice is hereby given that the Mayor and City Council of the City of Hialeah will conduct a public hearing to consider adopting a final assessment ordinance imposing special assessments, sometimes referred to as non-ad valorem assessments, against the real property comprising the N.W. 142nd Street Roadway Assessment Area (the "Assessment Area") as depicted in the map above, to fund the design, acquisition, construction, and installation of roadway improvements on N.W. 142nd Street, from N.W. 97 Avenue to N.W. 107 Avenue. The ordinance will provide for collection of the assessments in annual installments pursuant to the uniform collection method described in section 197.3632, Florida Statutes, which authorizes collection of special assessments on the annual property tax bill mailed each November by the Miami-Dade County Tax Collector, commencing in November, 2018

The Mayor and City Council will conduct the hearing and first reading of the ordinance at 7:00 p.m., on April 24, 2018, in the City Chambers, City Hall, 501 Palm Avenue, 3rd Floor, Hialeah, Florida, for the purpose of receiving public comment on the roadway project, the proposed Assessment Area, the special assessments and their collection on the ad valorem tax bill. The public hearing will be continued for second reading and enactment of the ordinance to 7:00 p.m., on May 8, 2018, in the City Chambers, City Hall, 501 Palm Avenue, 3rd Floor, Hialeah, Florida. All affected property owners have a right to appear at the April 24 and May 8 City Council meetings and to file written objections with the City Clerk within 20 days of this notice.

In the event any person decides to appeal any decision by the City with respect to any matter relating to the consideration of the resolution at the above-referenced public hearing, a record of the proceeding may be needed and in such an event, such person may need to ensure that a verbatim record of the public hearing is made, which record includes the testimony and evidence on which the appeal is to be based.

Any person with a disability requiring communication assistance (such as a sign language interpreter or other auxiliary aide or service) in order to attend or participate in the meeting should contact the City Clerk's Office (E-mail: adacoordinator@hialeahfl.gov; (Telephone: 305-883-5820. TTY/TDD: 305-442-1600), at least three (3) business days before the meeting.

The assessment will be imposed against each parcel of real property adjacent to the roadway improvements to be constructed. The assessment for each parcel will be calculated based on amount of the parcel's front footage adjacent to the roadway improvements based on the rate of \$422.63027 per front foot, and will include a pro rata share of annual financing and collection costs incurred by the City in administering the assessment program. A more specific description of the improvements and the method of computing the assessment for each parcel of property are set forth in the Initial Assessment Resolution adopted by the City Council on _____, 2018. Copies of the Initial Assessment Resolution (Resolution No. 2018-____), the preliminary assessment roll listing the properties subject to the assessment and the amount imposed against each, and the City's Assessment

Procedure Ordinance (Ordinance No. 2018-____) are available for inspection at the office of the City Clerk, located at 501 Palm Avenue, 3rd Floor, Hialeah, Florida.

Owners of real property subject to the assessments will have the option of paying the entire amount in full and thereby avoiding annual financing and collection costs. Assessments which are not paid in full will be collected in five (5) annual installments, commencing with the ad valorem tax bill to be mailed in November 2018. Florida law provides that failure to pay the assessments will cause a tax certificate to be issued against the property which may result in a loss of title.

If you have any questions, please contact the Finance Director's office at (305) 883-5856, Monday through Friday between 8:30 a.m. and 5:00 p.m.

APPENDIX C

FORM OF MAILED NOTICE

[City Letterhead]

[Mailing Date]

[Name of Property Owner]

[Mailing Address]

Assessed Parcel Folio Number:

Assessed Parcel Address:

Re: Public Hearing to Consider Adoption of Ordinance Imposing Special Assessments to Fund Roadway Improvements on N.W. 142nd Street

Dear Property Owner:

Notice is hereby given that the Mayor and City Council of the City of Hialeah will conduct a public hearing to consider adopting a final assessment ordinance imposing special assessments, sometimes referred to as non-ad valorem assessments, against the real property comprising the N.W. 142nd Street Roadway Assessment Area (the "Assessment Area"), including the parcel identified above, to fund the design, acquisition, construction, and installation of roadway improvements on N.W. 142nd Street, from N.W. 97 Avenue to N.W. 107 Avenue. The ordinance will provide for collection of the assessments in annual installments pursuant to the uniform collection method described in section 197.3632, Florida Statutes, which authorizes collection of special assessments on the annual property tax bill mailed each November by the Miami-Dade County Tax Collector, commencing in November, 2018

The Mayor and City Council will conduct the hearing and first reading of the ordinance at 7:00 p.m., on April 24, 2018, in the City Chambers, City Hall, 501 Palm Avenue, 3rd Floor, Hialeah, Florida, for the purpose of receiving public comment on the roadway project, the proposed Assessment Area, the special assessments and their collection on the ad valorem tax bill. The public hearing will be continued for second reading and enactment of the ordinance to 7:00 p.m., on May 8, 2018, in the City Chambers, City Hall, 501 Palm Avenue, 3rd Floor, Hialeah, Florida. All affected property owners have a right to appear at the April 24 and May 8 City Council meetings and to file written objections with the City Clerk within 20 days of this notice.

In the event any person decides to appeal any decision by the City with respect to any matter relating to the consideration of the resolution at the above-referenced public hearing, a record of the proceeding may be needed and in such an event, such person may need to ensure that a verbatim record of the public hearing is made, which record includes the testimony and evidence on which the appeal is to be based.

Any person with a disability requiring communication assistance (such as a sign language interpreter or other auxiliary aide or service) in order to attend or participate in the meeting should contact the City Clerk's Office (E-mail: adacoordinator@hialeahfl.gov; (Telephone: 305-883-5820. TTY/TDD: 305-442-1600), at least three (3) business days before the meeting.

The assessment will be imposed against each parcel of real property adjacent to the roadway improvements to be constructed. The assessment for each parcel will be calculated based on amount of the parcel's front footage adjacent to the roadway improvements based on the rate of \$422.63027 per front foot, and will include a pro rata share of annual financing and collection costs incurred by the City in administering the assessment program. The total revenue the City expects to collect by the assessment is \$4,258,000.00. A

more specific description of the improvements and the method of computing the assessment for each parcel of property are set forth in the Initial Assessment Resolution adopted by the City Council on _____, 2018. Copies of the Initial Assessment Resolution (Resolution No. 2018- _____), the preliminary assessment roll listing the properties subject to the assessment and the amount imposed against each, and the City's Assessment Procedure Ordinance (Ordinance No. 2018- _____) are available for inspection at the office of the City Clerk, located at 501 Palm Avenue, 3rd Floor, Hialeah, Florida.

Owners of real property subject to the assessments will have the option of paying the entire amount in full and thereby avoiding annual financing and collection costs. Assessments which are not paid in full will be collected in five (5) annual installments, commencing with the ad valorem tax bill to be mailed in November 2018. If City Council approves the assessments, you will receive a separate notice providing information on the due dates, amounts and place for payment remittance. Florida law provides that failure to pay the assessments will cause a tax certificate to be issued against the property which may result in a loss of title.

Unless proper steps are initiated in a court of competent jurisdiction to secure relief within 20 days from the date of City Council action at the above hearing (including the method of apportionment, the rate of assessment and the imposition of assessments), such action shall be the final adjudication of the issues presented.

Information regarding the assessment for your specific property is provided below.

If there is a mistake on this notice, it will be corrected. If you have any questions regarding your assessment, please contact the City Finance Director's Office at (305) 883-5856, Monday through Friday between 8:30 a.m. and 5:00 p.m.

CITY OF HIALEAH, FLORIDA

***** SEND NO MONEY NOW. THIS IS NOT AN INVOICE *****

[Property Owner Name]
[Parcel Identification Number:]

Total amount of property Front Footage:	[Insert Number]
Initial prepayment amount (excludes financing costs):	[Insert Amount]
Adjusted prepayment amount (includes financing costs):	[Insert Amount]
Number of annual payments:	Not to exceed 5
Maximum annual assessment amount:*	[Insert Amount]

* Maximum annual assessment amount includes principal, annual interest at an estimated rate of __%, plus collection and administration costs incurred by the City each year.

***** SEND NO MONEY NOW. THIS IS NOT AN INVOICE *****

CITY OF HIALEAH, FLORIDA

EXECUTIVE SUMMARY
(ExecutiveReport2018-02-26a.pdf)

FOR THE
N.W. 142ND STREET ASSESSMENT AREA

Dated February 26, 2018

Prepared By:

Albert R. Dettbarn, P.E.
Vice President

Biscayne Engineering Company, Inc.
Consulting Engineers • Surveyors • Planners
529 West Flagler Street Miami, FL 33130
Tel 305.324.7671 • Fax 305.324.1700



Visit us: www.BiscayneEngineering.com

Executive Summary

NW 142nd Street Tax Assessment Non-Ad Valorem Special Assessment

When the properties, which are benefitting from this project, were annexed to the City of Hialeah, there was a limited roadway network. And what roadways did exist were narrow, substandard and in a deteriorated condition. NW 138th Street was a two-lane road, heavily traveled by vehicles, and particularly truck traffic, between Okeechobee Road and the I-75 interchange at Hialeah Gardens Boulevard. Because of the drainage canal between this roadway and the benefitting properties, few properties had access to this roadway.

Access to these properties was from NW 97th Avenue, NW 102nd Avenue or NW 107th Avenue. Both NW 97th Avenue and 102nd Avenue were paved, but were narrow, were in poor condition and were poorly maintained and functionally acted as one-way roadways due to the heavy vegetation overgrowth encroaching into the roadway. A short portion of NW 142nd Street had been paved, but that only served the properties immediately adjacent to NW 102nd Avenue.

Since the annexation, the City has acquired the right-of-way and constructed a new four lane divided roadway along NW 138th Street. This improved the functionality and safety of that corridor.

To complete the acquisition of the necessary right-of-way and the construction of a roadway network to serve the benefitting properties, right-of-way along NW 97th Avenue, NW 107th Avenue and NW 142nd Street needed to be acquired. NW 97th Avenue and NW 102nd Avenue needs to be reconstructed, and a new road needs to be constructed along NW 142nd Street except for a short portion of NW 142nd Avenue near 102nd Avenue which needs to be reconstructed. The resulting corridor will not only provide roadway access to the benefitting properties but will allow the extension of water and sanitary sewer service to the properties. The water service to the properties will also provide fire protection service to the properties.

The construction of NW 142nd Street is the subject of the assessment. The roadway will pass through an area designated as wetlands by regulatory agencies and a Class IV permit has been obtained from Miami-Dade County for the roadway. The roadway will consist of three lanes – one thru lane in either direction and a center, bi-directional left turn lane. The roadway will be an urban section crowned roadway, i.e. a roadway with curb and gutter with catch basins at periodic intervals along the roadway for the collection and disposal of rain water. The primary means of storm water disposal will be through the use of French drains (underground seepage trenches) which is typically used for the disposal of storm water for roadways in Miami-Dade County. Stormwater disposal will be supplemented using dry retention swales along each side of the roadway and a dry retention basin on the north side of NW 142nd Avenue, west of NW 102nd Avenue.

The cost of the roadway improvements is to be financed through a Non-Ad Valorem special assessment to be assessed against the properties that will directly benefit from the project – those properties that

front on NW 142nd Street. The assessment for those properties will be proportional to the front footage of each property, measured based on the centerline of the roadway. The frontage of the City property to be used for a future City of Hialeah sanitary sewer pump station will be excluded from the calculation of front footage. The assessment will cover the direct costs associated with the construction of the roadway including construction cost, design cost, construction engineering and inspection cost, permitting costs, mitigation costs and direct administrative costs.

When a property is developed, those developments are typically required to make roadway improvements along the frontage of the property, whether they consist of correcting deficiencies in an existing roadway or construction of a new roadway. In the latter case, the result can be a patchwork of segments of the roadway with differing roadway characteristics along each segment. It also means that the roadway won't be completed until all properties along the roadway corridor are completed.

With the City constructing NW 142nd Avenue, there will be a unified design for the corridor and all segments of the corridor can be constructed simultaneously. Not only is there a functional benefit to constructing the corridor as one project, but there are also economic benefits. For example, there will be one set of environmental permits for the project whereas there will be multiple sets of environmental permits if segments of the roadway were to be constructed by individual property owners.

The contribution to the assessment will be based on the same concept as requiring developer to construct or upgrade improvements along the frontage of their property. Just as developers are typically required to construct and pay for the roadway improvements along the frontage of the property, the assessment will be based on the total project cost distributed based on the linear foot frontage of their property.

The estimated direct costs associated with the construction of NW 142nd Street are as follows.

Analysis of Direct Costs

Description	Amount
Construction	\$ 3,548,341.85
Additional Construction Cost	
Design, CEI and Permitting	
Roadway Design	166,700.00
Supplemental	3,470.00
Supplemental	2,526.00
Supplemental	9,871.60
CEI Consultant	180,000.00
Provision, CEI testing	25,000.00
Permits	16,417.50
Mitigation Fee	103,835.63
Administrative Costs	
Assessment/Collection Services (Miami Dade County)	NIC
Discount Costs – Early Payment Clause	NIC

Printing	1,000.00
Advertisements	12,000.00
Legal Services	12,000.00
Engineering Services	12,000.00
Postage	1,000.00
Bank Loan Interest at 2.5%	NIC
Loan Issuance Cost	68,326.71
Total:	\$ 4,258,000.00

The total front footage subject to this assessment is 10,075 linear feet. Thus, the rate of assessment is \$422.63027 per linear foot.

The assessment distribution of the benefitting properties is summarized below.

Assessment Distribution

Parcel ID	Folio	Owner	Frontage (ft)	Percent Interest	Contribution (\$)
1	04-2020-001-0073	DMG Properties LLLP	912	9.05%	385,438.81
2	04-2020-002-0015	Royal Container & Trailers Repairs Inc.	0	0.00%	0.00
3	04-2020-002-0040	The Machado Family Limited Partnership No. 2	985	9.78%	416,290.82
4	04-2020-001-0041	Joe N & James N Warren & Et.al.	440	4.37%	185,957.32
5	04-2020-002-0040	The Machado Family Limited Partnership No. 2	2,561	25.42%	1,082,356.13
6	04-2020-002-0015	Royal Container & Trailers Repairs Inc.	1,154	11.45%	487,715.33
7	04-2020-001-0080	Corner Land LLC	164	1.63%	69,311.36
8	04-2020-001-0100	Corner Land LLC	269	2.67%	113,687.54
9	04-2020-001-0110	Annex Industrial Park LLC	66	0.66%	27,893.60
10	04-2020-001-0130	Annex Industrial Park LLC	275	2.73%	116,223.33
11	04-2020-001-0060	JVC Management Corp	139	1.38%	58,745.61
12	04-2020-001-0061	JVC Management Corp	233	2.31%	98,472.85
13	04-2020-001-0050	JVC Management Corp	329	3.27%	139,045.36
14	04-2020-001-0150	Atlas Mam I LLC	2,548	25.29%	1,076,861.94
Distribution Totals:			10,075	100.00%	4,258,000.00