

RESOLUTION NO. 2025-_____

A RESOLUTION OF THE VILLAGE COUNCIL OF MIAMI SHORES VILLAGE, FLORIDA RELATING TO THE VILLAGE'S SEPTIC TO SEWER PROGRAM; DECLARING THE IMPOSITION OF NON-AD VALOREM ASSESSMENTS FOR WASTEWATER COLLECTION WITHIN THE SHORES ESTATES RESIDENTIAL SUBDIVISION LOCATED WITHIN THE BOUNDARIES OF MIAMI SHORES VILLAGE, FLORIDA; ESTABLISHING THE METHOD BY WHICH THE NON-AD VALOREM ASSESSMENTS SHALL BE CALCULATED; ESTIMATING THE REVENUE REQUIREMENTS FOR PROVIDING FOR THE PLANNING AND CONSTRUCTION OF THE WASTEWATER COLLECTION SYSTEM; PROVIDING FOR THE CALCULATION OF THE NON-AD VALOREM ASSESSMENTS FOR WASTEWATER COLLECTION; PROVIDING FOR THE METHODOLOGY AND APPORTIONMENT OF THE NON-AD VALOREM ASSESSMENTS TO THE BENEFITTED PARCELS; DIRECTING THE PREPARATION OF A PRELIMINARY ASSESSMENT ROLL; ESTABLISHING A PUBLIC HEARING TO CONSIDER THE IMPOSITION OF AND APPORTIONMENT OF THE NON-AD VALOREM ASSESSMENT AND THE METHOD OF COLLECTION; DIRECTING THE PROVISION OF NOTICE THEREOF; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, much of Miami Shores Village (the "Village") currently utilizes private septic systems for wastewater treatment, including all the Shore Estates neighborhood; and

WHEREAS, the Village has studied, planned, and desires to convert the neighborhood from private septic systems to a centralized sewer system; and

WHEREAS, the Village has determined that private septic systems are prone to failure, especially as they age; and

WHEREAS, the Shore Estates neighborhood is proximate to water features that ultimately connect to the delicate Biscayne Bay ecosystem; and

WHEREAS, the Village has determined to plan and construct the installation of a new local linear wastewater collection system and its various components, including manholes, a pump station, and roadway restoration (the “Project”); and

WHEREAS, the Project would transition all of the parcels located in the Shores Estates neighborhood to centralized sewer service via a local collection system and tie into the North Miami Utility wastewater system for treatment; and

WHEREAS, the Village Council determined that it was in need of a study to evaluate the cost of the Project, the rate of Non-Ad Valorem Assessments and the method of apportionment of the cost of the Project; and

WHEREAS, the Village Council retained Stantec Consulting Services Inc. (“Stantec”) to provide the Septic to Sewer Assessment Technical Memorandum, which is attached hereto and incorporated here in as Exhibit “A” (the “Study”); and

WHEREAS, the Study states the particular special benefits provided to each of the parcels located in the Shores Estates neighborhood (the “Benefitted Parcels”) from the construction of the Project and provides for the apportionment of the cost of the Project based on the Miami-Dade County codified requirement of 210 gallons per day or GPD for single family homes, accordingly, the Study recommends that 210 GPD is used as the equivalent benefit unit or EBU as described herein; and

WHEREAS, the Village adopted Resolution No. 2021-03 on February 16, 2021, providing that the Non-Ad Valorem Assessments for the Project will be collected on using the uniform method of collection on the tax bill pursuant to Section 197.3632, Florida Statutes (the “Uniform Method of Collection”); and

WHEREAS, in order to provide for the Non-Ad Valorem Assessments for the Project, the Council desires to adopt the findings, determinations, apportionment and methodology that is set forth in the Study; and

WHEREAS, the Council desires to adopt a preliminary assessment roll providing for the Non-Ad Valorem Assessments to be levied against real property within Shores Estates neighborhood for the purpose of providing for the cost of the Project for the fiscal year ending September 30, 2026 (“FY 2026”); and

WHEREAS, the Village Council finds that this Resolution is in the best interest and welfare of the citizens of the Village.

NOW, THEREFORE, BE IT RESOLVED BY THE VILLAGE COUNCIL OF MIAMI SHORES VILLAGE, FLORIDA, AS FOLLOWS:

Section 1. Recitals Adopted. That each of the above stated recitals are hereby adopted, confirmed and incorporated herein.

Section 2. Authority. This Resolution is adopted pursuant to the provisions of Article VIII, Section 2(b) of the Florida Constitution, Sections 166.021 and 166.041, Florida Statutes, Section 197.3632, Florida Statutes, (the “Uniform Method of Collection Act”) and other applicable provisions of law.

Section 3. Purpose and Definitions. This Resolution provides for the adoption of the determination of special benefit and the fair and reasonable apportionment of the cost of the Project to the Benefitted Parcels, as provided in the Study, the adoption of a preliminary assessment roll, the setting of a public hearing and for notice thereof all in accordance with the Uniform Method of Collection. All capitalized words and terms not otherwise defined herein shall have the meanings set forth in the Study.

Section 4. Findings. This has been ascertained and determined by the Village Council such legislative determinations, as set forth in the Study, are hereby incorporated herein by reference. Specifically, it has been determined that:

A. The construction of the Project would transition all the parcels in the Shores Estates neighborhood, consisting of 99 residential parcels and one vacant parcel, to centralized sewer service via a local collection system and tie into the North Miami Utility wastewater system for treatment and therefore would benefit all of the parcels in the Shores Estates neighborhood.

B. The transition from septic-to-sewer service ensures a more reliable and efficient wastewater management system, eliminating the risks and inherent limitations associated with private septic systems, including system failures, overflows, and the need for frequent maintenance.

C. Connecting to a central sewer system mitigates health and environmental risks by providing a sanitary and sustainable method for wastewater disposal, thereby promoting the health of parcel inhabitants and protecting the local ecosystems where they reside.

D. The switch to central sewer service reduces ongoing maintenance costs associated with septic systems for parcel owners and supports the long-term usability of the parcel by installing modern infrastructure and improving long-term reliability.

E. Using wastewater flow as the metric for apportionment of benefit is fair and reasonable since Miami-Dade County has codified a requirement of 210 gallons per day or GPD for single family homes per County Code (Chapter 24, Environment & Pollution Control) under Section 24-43.1(5) and the Village's engineer on the Project also utilized these estimates for sizing the infrastructure of the Project.

F. Accordingly, the measurement of 210 GPD as the equivalent benefit unit or EBU would mean that each single-family residence is assigned one EBU.

G. The single vacant parcel is larger than an average single-family home and currently undeveloped. While this parcel will not contribute wastewater to the system in its current development status, it is expected that the parcel will benefit from the Project, which will enhance its ability to develop.

H. In order to apportion EBUs to the vacant parcel this or any future vacant parcel that might enter the Assessment Area it is best to convert to potential EBUs. As set forth in the Study, the minimum lot size in the Village is 7,500 SQFT for a single-family home which is equivalent to one EBU. The current vacant parcel in the Assessment Area is 47,254 square feet (SQFT) or if it is divided by the 7,500 SQFT. minimum, should be assigned 6.30 EBUs.

I. Once any vacant parcel is developed, actual wastewater flows should be considered and used as the basis for assigning EBU's to the property for determining the apportionment.

Section 5. Description of the Assessment Area. The Village hereby designates the area which is composed of the Shores Estates neighborhood subdivision, that contains 99 single family homes, and one vacant property is hereby designated as the “Assessment Area,” as described in Exhibit “B” attached hereto and made a part hereof. The Village has created the Assessment Area for the purpose of imposing Non-Ad Valorem Assessments relating to the Project.

Section 6. Non-Ad Valorem Assessments relating to the Project. The Village has determined it is in the best interest of the citizens of the Assessment Area to plan and construct the Project.

A. **Cost of the Project.** The estimate of the construction cost for the Project has been determined by the Village’s engineer Kimley-Horn, which totaled approximately \$2.9 million, which is set forth in the Study.

B. **Assessable Costs.** In addition to the Cost of the Project, the Village expects to incur additional costs beyond construction for engineering, inspection, and contingency, bringing the total cost to \$3.4 million. The Village has attained a grant for \$2.3 million, which will be used to offset a portion of the Project’s cost. After the application of the grant, \$1.1 million in costs remains to be funded by the Village. Other assessable costs include the cost of financing the remaining costs of the Project, including principal and interest on any debt incurred. According to the Study, it is estimated based on the principal repayment schedule that assessments will remain in place for a term of 20 years, at a 5% assumed interest rate the principal and interest payment for FY 2026 is expected to be \$116,700.00 (the “Assessable Cost”).

C. **Collection Cost.** Since the Village intends to use the Uniform Method of Collection for the proposed Non-Ad Valorem Assessments, a Statutory Discount Rate of 4% and a Property Appraiser’s fee of 1% (the “Collection Cost”) will be added to the Assessable Cost for a total Non-Ad Valorem Assessment Cost of \$122,535.50, for FY 2026.

D. **Imposition of the Non-Ad Valorem Assessments.** The Non-Ad Valorem Assessment Cost shall be imposed against all Benefitted Property

located within the Assessment Area For FY 2026 based upon the number of EBU's determined for each Benefitted Property. When imposed, the Non-Ad Valorem Assessment for each Fiscal Year shall constitute a lien upon the Benefitted Properties located in the Assessment Area, pursuant to the Uniform Method of Collection.

E. Computation of the Non-Ad Valorem Assessments. The annual Non-Ad Valorem Assessments shall be computed for each Benefitted Parcel located in the Assessment Area by adding the annual Assessable Cost together with the Collection Cost. This sum is then divided by the total number EBU's within the Assessment Area. Each Benefitted Property will be assigned a total number of EBU's per parcel, as provided in the Study. The Assessment Area contains a total of 105.3 EBU's. The result is the portion of the Assessable Costs, plus Collection Cost attributable to each Benefitted Parcel. Based on the Assessable Cost and Collection Cost for FY 2026, the Non-Ad Valorem Assessment rate per EBU is \$1,163.00. The above calculations shall be computed on an annual basis since actual costs of the Project may change and key assumptions change, including but not limited to actual principal and interest cost of financing the Project and development of current vacant parcels, may change the amount of EBU's assigned to such parcels.

Section 7. Preliminary Non-Ad Valorem Assessment Roll.

A. The Village Manager has prepared or caused to be prepared, a preliminary non-ad valorem assessment roll for FY 2026, in the manner provided by the Uniform Method of Collection (the "Preliminary Assessment Roll"), attached hereto as Exhibit "C".

B. A copy of this Resolution and the Preliminary Assessment Roll shall be maintained on file in the office of the Village Clerk and open to public inspection. The foregoing shall not be construed to require that the Preliminary Assessment Roll be in printed form if the amount of the Non-Ad Valorem Assessment for each parcel of property can be determined by the use of a computer terminal available to the public.

Section 8. Public Hearing. There is hereby established a public hearing to be held at 6:30 p.m. on September 3, 2025, in at Miami Shores Village Hall, Council Chambers, 10050 Northeast 2nd Avenue, Miami Shores, Florida 33138, to consider (A) imposition of the Non-Ad Valorem Assessment, (B) the methodology for apportionment and calculation of the Non-Ad Valorem Assessment for each Benefitted Parcel, and (c) collection of the Non-Ad Valorem Assessment using the Uniform Method of Collection.

Section 9. Notice By Publication. The Village Manager shall publish a notice of the public hearing authorized by Section 8 in the time and manner set forth in Section 197.3632, Florida Statutes. The notice shall be published no later than 20 days prior to the date of the public hearing, in the form provided in Section 197.3632, Florida Statutes.

Section 10. Notice By Mail.

A. The Village Manager shall provide notice by first class mail to the owner of each Benefitted Parcel as shown on the tax roll, in the form provided in Section 197.3632, Florida Statutes. Such notices shall be mailed no later than 20 days prior to the date of the public hearing set forth above.

B. For Benefitted Parcels with exempt “home addresses,” pursuant to Section 119.071(4), Florida Statutes, the Village Manager shall work with the Property Appraiser and Tax Collector for provision of notice.

Section 11. Method of Collection. The Non-Ad Valorem Assessments shall be collected using the Uniform Method of Collection, as provided in Section 197.3632, Florida Statutes.

Section 10. Severability. If any clause, section, other part or application of this resolution is held invalid by any court of competent jurisdiction to be unconstitutional or invalid, in part or application, it shall not affect the validity of the remaining portions or applications of this Resolution.

Section 11. Effective Date. This Resolution shall take effect immediately upon the adoption hereof.

PASSED AND ADOPTED this ____ day of _____, 2025.



Mayor Jerome Charles

ATTEST:

Ysabely Rodriguez, CMC Village Clerk

APPROVED AS TO FORM AND LEGAL SUFFICIENCY:

Village Attorney
Weiss Serota Helfman Cole & Bierman P.L.

Exhibit A

MIAMI SHORES VILLAGE SEPTIC-TO-
SEWER ASSESSMENT DRAFT TECHNICAL
MEMORANDUM

EXHIBIT B
LEGAL DESCRIPTION OF SHORES ESTATES
NEIGHBORHOOD SUB-DIVISION

EXHIBIT C

PRELIMINARY ASSESSMENT ROLL