Memorandum

MIAMI-DADE COUNTY

(Public Hearing 12-7-10)

Date: November 16, 2010

Agenda Item No. 5(A)

To: Honorable Chairman Dennis C. Moss
and Members, Board of County Commissioners

From: George M. Burgess
County Manager

Subject: Abolishment of the Silver Palm Promenade and Eureka Promenade Street Lighting Special Taxing Districts

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Recommendation

It is recommended that the Board of County Commissioners (Board) abolish the Silver Palm Promenade and the Eureka Promenade Street Lighting Special Taxing Districts. Pursuant to current Public Works Department (PWD) policy, the developers, Manuel C. and Emilia F. Diaz, and South Florida Growers Association, Inc., respectively, have committed to install street lighting along the designated arterial roadways adjacent to these districts. Therefore, there is no longer a need for the street lighting services that these districts were established to provide.

Scope

The Silver Palm Promenade Street Lighting Special Taxing District lies within Commission District Eight (8) and the Eureka Promenade Street Lighting Special Taxing lies within Commission District Nine (9). Street lighting services contemplated under these districts will instead be provided by the developers and, once installed, donated to the County for operation and maintenance repair.

Fiscal Impact/Funding Source

The fiscal impact to PWD is estimated to be $1,200 annually once these districts are abolished and the County assumes ownership and maintenance responsibilities for the ten (10) arterial street lights to be installed and donated by the developers. These maintenance costs will be funded through PWD's General Fund allocation. Additionally, these districts' abolishment will result in a combined annual savings of approximately $5,660 to the affected property owners.

Track Record / Monitoring

Upon Board approval of this ordinance, PWD's Traffic Signals and Signs Division will assume the responsibility of monitoring, operating, and maintaining the arterial roadway street lighting provided by the developer.

Background

It is PWD policy to require developers during the platting process to cause and pay for the installation of street lighting on designated County arterial roadways. Since the only public roadways associated with these special taxing districts are designated arterial roadways, the need for the street lighting services to be provided by these taxing districts no longer exists.

Assistant County Manager

MEMORANDUM

(Revised)

TO: Honorable Chairman Dennis C. Moss and Members, Board of County Commissioners

DATE: December 7, 2010

FROM: R. A. Cuevas, Jr. County Attorney

SUBJECT: Agenda Item No. 5(A)

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**

✓ **Ordinance creating a new board requires detailed County Manager's report for public hearing**

_____ **No committee review**

_____ **Applicable legislation requires more than a majority vote (i.e., 2/3's ____, 3/5's ____, unanimous _____) 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(A)
12-7-10

ORDINANCE NO. _____

ORDINANCE ABOLISHING THE SILVER PALM PROMENADE STREET LIGHTING SPECIAL TAXING DISTRICT AND THE EUREKA PROMENADE STREET LIGHTING SPECIAL TAXING DISTRICT AND PROVIDING AN EFFECTIVE DATE

WHEREAS, pursuant to Ordinance No. 08-75 and Resolution R-719-08 as adopted on July 1, 2008, the Board of County Commissioners of Miami-Dade County (the BOARD) created and established the SILVER PALM PROMENADE STREET LIGHTING SPECIAL TAXING DISTRICT and imposed annual street lighting special assessments; and

WHEREAS, pursuant to Ordinance No. 08-96 and Resolution R-880-08 as adopted on September 2, 2008, the BOARD created and established the EUREKA PROMENADE STREET LIGHTING SPECIAL TAXING DISTRICT and imposed annual street lighting special assessments; and

WHEREAS, the developers have installed, or will install, acceptable arterial roadway street lighting within these districts' on adjacent designated arterial street Rights-of-Way, and have or will donate said street lights to Miami-Dade County for operation and maintenance thus negating the need for these street lighting special taxing districts; and

WHEREAS, with the installation and dedication of the aforementioned arterial street lights there is no longer a need for the residential street lights which were to be installed by the taxing districts; and

WHEREAS, pursuant to Section 1.01(a)(11) of the Miami-Dade County Charter, the BOARD has the authority to discontinue service within and abolish special taxing districts established pursuant to Chapter 18 of the Miami-Dade County Code and rescind any preliminary assessment rolls,

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

Section 1. The Silver Palm Promenade Street Lighting Special Taxing District is hereby abolished, its preliminary assessment roll is hereby rescinded and of no force or effect, and services within the District shall be discontinued.

Section 2. The Eureka Promenade Street Lighting Special Taxing District is hereby abolished, its preliminary assessment roll is hereby rescinded and of no force or effect, and services within the District shall be discontinued.

Section 3. Upon completion of the transfer of the street lighting systems by the developer, and assumption of street lighting responsibilities by Miami-Dade County, Ordinance No. 08-75 and Ordinance No. 08-96 shall be deemed repealed and of no further force and effect.

Section 4. Upon completion of the transfer of the street lighting systems by the developer, and assumption of street lighting responsibilities by Miami-Dade County, Resolution No. R-719-08 and Resolution No. R-880-08 shall be deemed repealed and of no further force and effect.

Section5. 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.

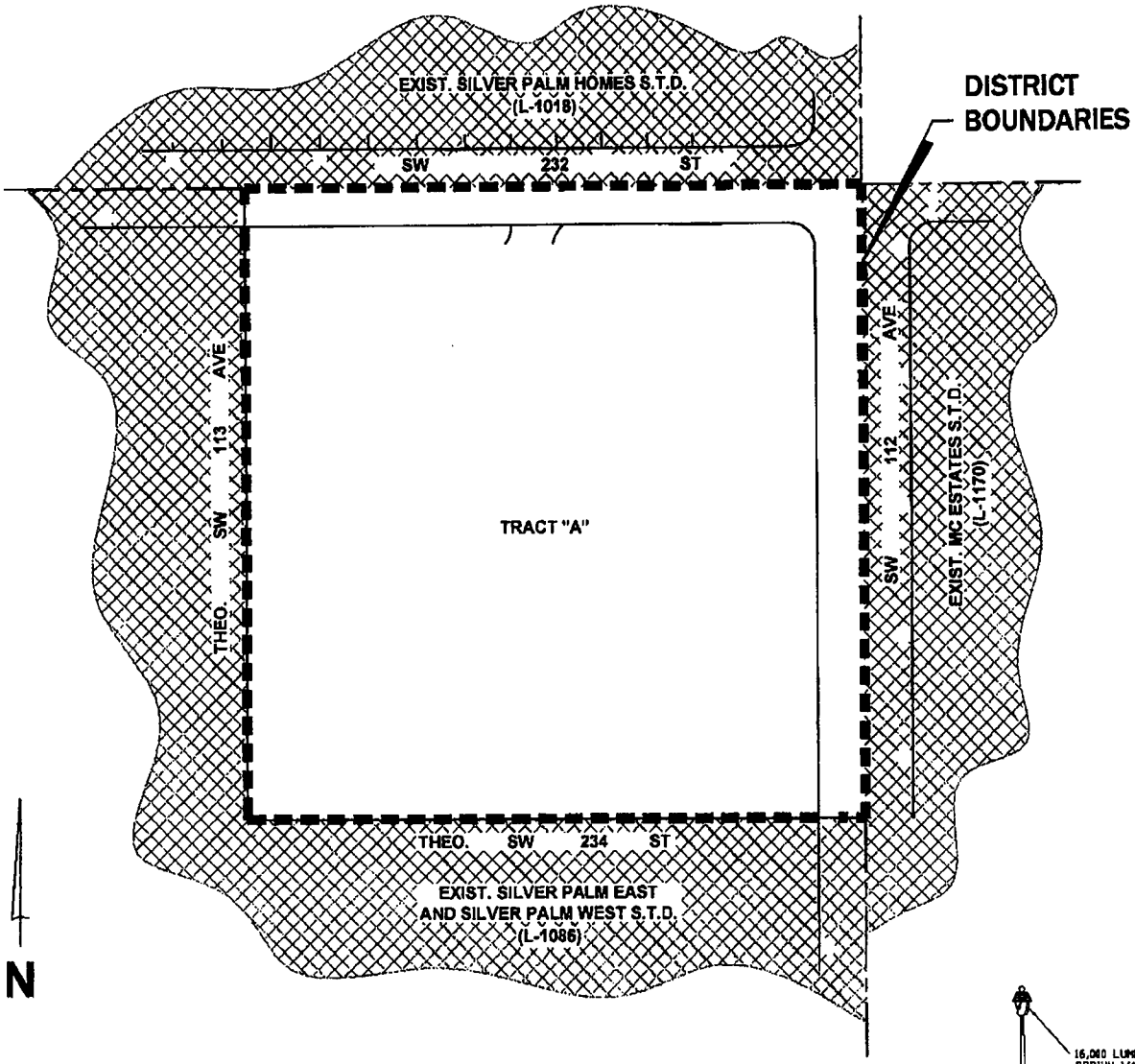
Section 6. The provision of this Ordinance shall become effective ten (10) days after the date of enactment, unless vetoed by the Mayor, and if vetoed, shall become effective only upon an override by this BOARD.

PASSED AND ADOPTED:

Approved by County Attorney as to form and legal sufficiency:

Prepared by:

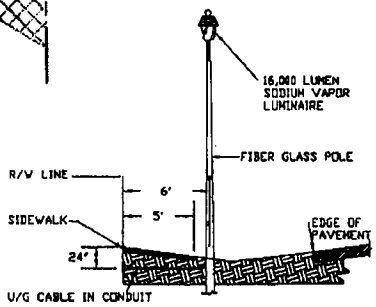
James K. Kracht



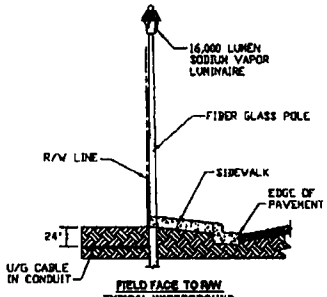
SILVER PALM PROMENADE

STREET LIGHTING SPECIAL TAXING DISTRICT

8 - 16,000 LUMEN SODIUM VAPOR TRADITIONAL POST-TOP STREETLIGHTS MOUNTED ON FIBERGLASS POLES INSTALLED APPROXIMATELY 135 TO 160 FEET APART.



TYPICAL UNDERGROUND INSTALLATION
N.T.S.



FIELD FACE TO R/W
TYPICAL UNDERGROUND INSTALLATION
N.T.S.

L-1258 (COMM. 0008)
SECTIONS: 19 - 56 - 40

EXHIBIT "A"

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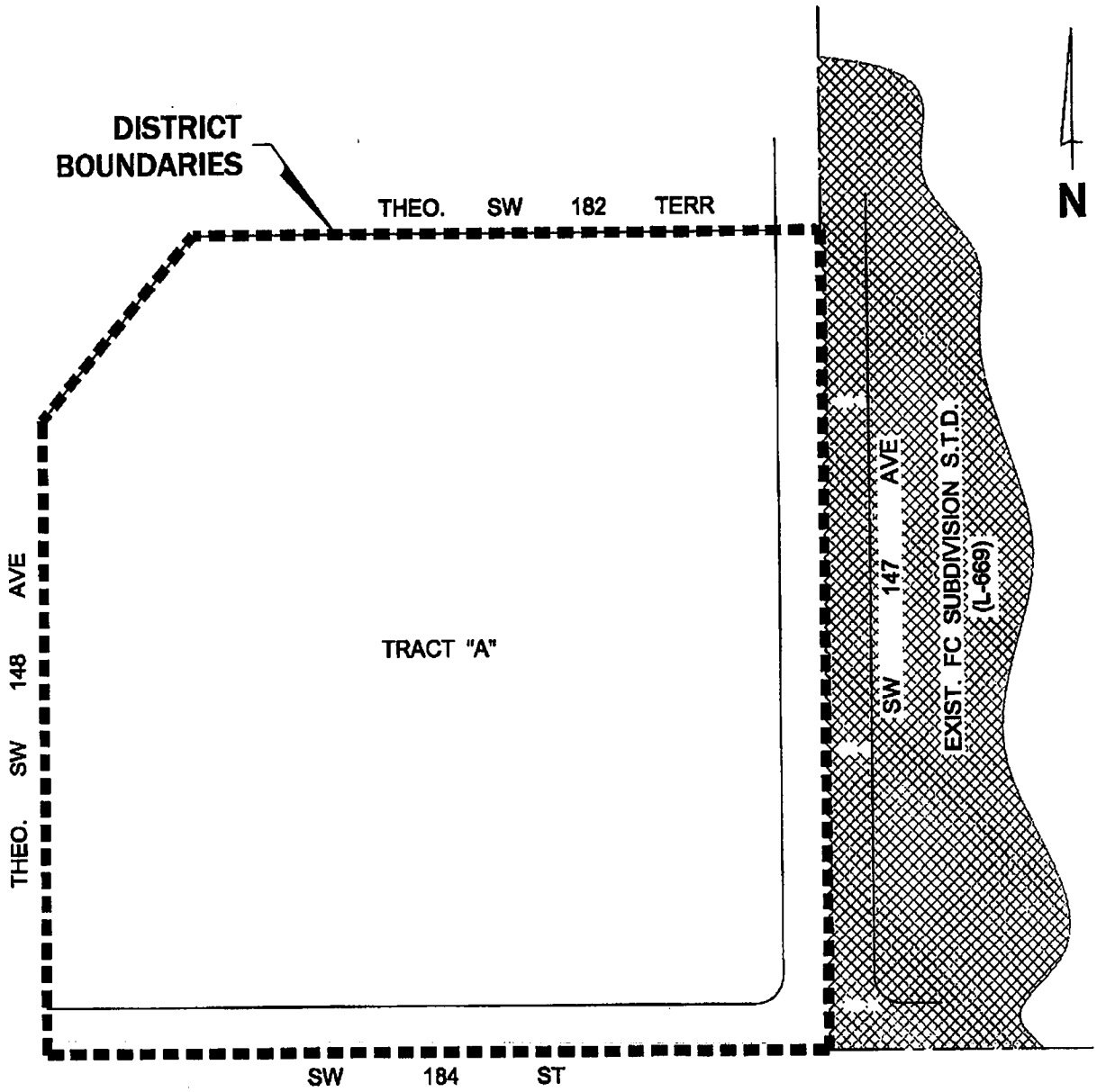
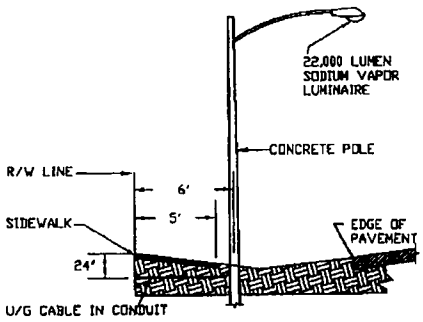


EUREKA PROMENADE

STREET LIGHTING SPECIAL TAXING DISTRICT

10 - 22,000 LUMEN SODIUM VAPOR BRACKET-ARM STREETLIGHTS MOUNTED ON CONCRETE POLES APPROXIMATELY 100 TO 140 FEET APART.



TYPICAL UNDERGROUND INSTALLATION
N.T.S.

L-1253 (COMM. 0009)
SECTION: 33 - 55 - 39

EXHIBIT "A"