

Memorandum



Date: November 15, 2016

To: Honorable Chairman Jean Monestime
and Members, Board of County Commissioners

Agenda Item No. 5(D)

From: Carlos A. Gimenez
Mayor

Subject: Liberty Homes Street Lighting Improvement Special Taxing District Upgrade and Revised Assessment Roll Resolution

Recommendation

It is recommended that the Board of County Commissioners (Board) adopt the attached revised assessment roll resolution to fund the upgrade of streetlights in the Liberty Homes Street Lighting Improvement Special Taxing District (District) to increase their intensity from 6,300 to 16,000 lumens, per Ordinance No. 02-12. This ordinance, which was adopted by the Board on January 29, 2002, established a procedure to increase streetlight intensity in specified existing special taxing districts to meet current County standards. The revised assessment roll resolution is submitted for consideration and adoption in accordance with the provisions of Section 18-14 of the Code of Miami-Dade County (Code).

Scope

This Special Taxing District lies within Commission District 1, which is represented by Commissioner Barbara J. Jordan.

Fiscal Impact/Funding Source

The combined capital and first year's rate increase costs to upgrade the District's 103 streetlights and advertise the revised assessment roll hearing are estimated to be \$26,386.48 and will be paid from the District's future assessments. The current annual assessment rate is \$0.5189 per front foot and will increase to \$1.1287 for the first year due to the proposed streetlight upgrade. Subsequent annual assessments will be adjusted each year thereafter based on actual costs. The proposed upgrade of the streetlights will provide special benefits to properties within the District's boundaries exceeding the amount of revised special assessments to be levied.

ESTIMATED ANNUAL COSTS

Estimated Annual Assessments:	Current	First Year
Per Assessable Front Foot:	\$0.5189	\$1.1287
For a Typical 75-foot Interior Lot:	\$38.92	\$84.65
For a Typical 117-foot Corner Lot:	\$60.71	\$132.06

Social Equity Statement

The proposed resolution revises the assessment roll which provides annual assessments against properties located within the boundaries of the Liberty Homes Street Lighting Improvement Special Taxing District, pursuant to Section 18-14 of the Code.

If approved, property owners within said District will pay revised special assessments appropriately apportioned according to the special benefit they receive from the District's services regardless of their demographics or income levels. The street lighting upgrade of this District is in accordance with Ordinance 02-12.

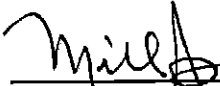
Track Record/Monitor

Contingent upon the Board's approval of this District's revised assessment roll resolution, the Special Taxing Districts Division (Division) will monitor the Florida Power and Light's (FPL) agreement, installation, and billing process. It is expected that FPL will complete the engineering and replacement of the street lighting facilities by the spring of 2017. Since the initial assessment increase for the proposed upgrade exceeds the 15 percent ceiling specified in Ordinance No. 02-12, public hearing notices will be mailed to the approximately 507 affected property owners in the Liberty Homes Street Lighting Improvement Special Taxing District.

Background

The Liberty Homes Street Lighting Improvement Special Taxing District was created on October 16, 1973, by Resolution No. R-1235-73. Over the years, the facility of the District's streetlights was increased from 4,500 lumen mercury vapor to 6,300 lumen sodium vapor. This change allowed for a higher level of light intensity and represented savings for the District since sodium vapor streetlights consume less energy.

The Division performed a cost and feasibility study on upgrading the existing streetlights to 16,000 lumens, in response to the District residents' requests and in accordance with Resolution No. R-290-16, adopted by the Board on April 5, 2016. Based on the District's configuration and spacing of the streetlights, the proposed upgrade will result in acceptable lighting levels without the addition of new streetlights. All owners in the District were informed of the proposed upgrade and invited to attend an informational meeting on September 1, 2016.



Michael Spring
Office of the Mayor



MEMORANDUM
(Revised)

TO: Honorable Chairman Jean Monestime
and Members, Board of County Commissioners

DATE: November 15, 2016

FROM: Abigail Price-Williams
County Attorney

SUBJECT: Agenda Item No. 5(D)

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 ____, 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(D)
11-15-16

RESOLUTION NO. _____

RESOLUTION PROVIDING FOR THE UPGRADE OF STREET LIGHTING SERVICES AT A COMBINED ESTIMATED CAPITAL AND FIRST YEAR RATE INCREASE COST OF \$26,386.48 AND ADOPTING A REVISED ASSESSMENT ROLL PROVIDING FOR ANNUAL ASSESSMENTS AGAINST REAL PROPERTY LOCATED WITHIN BOUNDARIES OF A SPECIAL TAXING DISTRICT KNOWN AS LIBERTY HOMES STREET LIGHTING IMPROVEMENT SPECIAL TAXING DISTRICT IN ACCORDANCE WITH PROVISIONS OF CHAPTER 18 OF THE CODE OF MIAMI-DADE COUNTY, FLORIDA, ORDINANCE NO. 02-12 AND RESOLUTION NO. R-1235-73

WHEREAS, the Liberty Homes Street Lighting Improvement Special Taxing District, created by Resolution No. R-1235-73, currently provides street lighting services which may be upgraded to meet current County standards; and

WHEREAS, with the adoption of Ordinance No. 02-12 the Board of County Commissioners established a procedure for upgrading the level of street lighting services within existing special taxing districts in Miami-Dade County, Florida; and

WHEREAS, pursuant to Resolution No. R-290-16, the Board of County Commissioners directed the County Mayor or County Mayor's designee to perform a study to determine the cost to upgrade the existing 6,300 lumen sodium vapor streetlights to higher intensity levels; and

WHEREAS, the County Mayor or County Mayor's designee, after making appropriate investigations, surveys, plans and specifications, compiled and filed with the Board of County Commissioners his written report and recommendations setting forth a description of the upgraded street lighting services to be provided and maintained within the district, an estimate of the cost of implementing and maintaining such improvements, an estimate of the annual expense of maintaining and operating such improvements, and setting forth his recommendations concerning the need for and desirability of the requested upgraded services, the ability of the affected properties to bear special assessments for financing the cost of maintaining such project, and an estimate of the amount to be assessed against each front foot of the benefited properties within the district, and expressing his opinion that the properties to be specially assessed will be benefited in excess of the revised special assessments to be levied; and

WHEREAS, it appears to the Board of County Commissioners from such report of the County Mayor or County Mayor's designee and other investigations that the upgraded streetlight services will be of special benefit to all properties within the district; and

WHEREAS, pursuant to Ordinance No. 02-12, the County Mayor or County Mayor's designee caused a revised assessment roll reflecting the increased costs associated with installation of 16,000 lumen sodium vapor streetlights to be prepared and filed with the Clerk of the County Commission and pursuant to notice published and posted within the special taxing district, the County Commission held a public hearing on this date upon the revised assessment roll submitted by the County Mayor or County Mayor's designee, and all interested persons were afforded the opportunity to present their objections, if any, with respect to their assessments on such revised assessment roll; and

WHEREAS, after due consideration, the County Commission found and determined that the assessments shown on the revised assessment roll were generally in direct proportion to the special benefits accruing to the respective parcels of real property appearing on said revised assessment roll; and

WHEREAS, when finally approved and confirmed pursuant to Ordinance No. 02-12 and Chapter 18 of the Code of Miami-Dade County, as was done with the prior special assessments of this district, the increased special assessments will be placed on the November 2017, and subsequent real property tax bills and that, if these special assessments are not paid when due, the properties on which the special assessments are levied will be respectively subject to the same collection procedures as for ad valorem taxes, including possible loss of title,

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

Section 1. The upgraded improvements and services to be provided within this special taxing district will consist of the following:

Replacement of the current 6,300 lumen sodium vapor bracket-arm streetlights to 16,000 lumen sodium vapor mounted on existing poles located within the street rights-of-way.

The installation of the upgraded improvements and services will be accomplished pursuant to an agreement between Miami-Dade County and the Florida Power and Light Company.

Section 2. That the said revised assessment roll (a copy of which is made a part hereof by reference) is approved, adopted, and confirmed pursuant to the provisions of Ordinance No. 02-12 and Chapter 18 of the Code of Miami-Dade County, Florida.

Section 3. The Clerk of the Board of County Commissioners is directed to deliver to the Finance Director, within thirty (30) days from the effective date of this resolution, a copy of the revised assessment roll, and to cause a duly certified copy of this resolution, together with the revised assessment roll, to be filed and recorded in the Office of the Clerk of the Circuit Court of Miami-Dade County, Florida.

Section 4. All assessments made upon said revised assessment roll shall constitute a special assessment lien upon the real property so assessed from the date of the confirmation of such assessments, in accordance with the provisions of Section 18-14(8) of the Code of Miami-Dade County, Florida.

Section 5. All assessments shall be payable in accordance with Section 18-14(7) of the Code of Miami-Dade County, Florida. As authorized by Section 197.3632, Florida Statutes, all special assessments levied and imposed under the provisions of Resolution No. R-1235-73, and this Resolution, 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/or Section 18-14(8) of the Code of Miami-Dade County, Florida.

The foregoing resolution was offered by Commissioner
who moved its adoption. The motion was seconded by Commissioner
and upon being put to a vote, the vote was as follows:

Jean Monestime, Chairman	
Esteban L. Bovo, Jr., Vice Chairman	
Bruno A. Barreiro	Daniella Levine Cava
Jose "Pepe" Diaz	Audrey M. Edmonson
Sally A. Heyman	Barbara J. Jordan
Dennis C. Moss	Rebeca Sosa
Sen. Javier D. Souto	Xavier L. Suarez
Juan C. Zapata	

The Chairperson thereupon declared the resolution duly passed and adopted this 15th day of November, 2016. This resolution shall become effective upon the earlier of (1) 10 days after the date of its adoption unless vetoed by the County Mayor, and if vetoed, shall become effective only upon an override by this Board, or (2) approval by the County Mayor of this Resolution and the filing of this approval with the Clerk of the Board.

MIAMI-DADE COUNTY, FLORIDA
BY ITS BOARD OF
COUNTY COMMISSIONERS

HARVEY RUVIN, CLERK

By: _____
Deputy Clerk

Approved by County Attorney as
to form and legal sufficiency.



Daija Page Lifshitz

SUMMARY OF THE REPORT ON THE UPGRADE OF LIBERTY HOMES
STREET LIGHTING IMPROVEMENT SPECIAL TAXING DISTRICT
MIAMI-DADE COUNTY, FLORIDA

In accordance with the requirements of Ordinance 02-12, providing a procedure for upgrading street lighting facilities and services within specified existing street lighting special taxing districts, a resolution to upgrade the existing street lighting facilities in the Liberty Homes Street Lighting Improvement Special Taxing District, whose boundaries lie in the City of Miami-Gardens, Miami-Dade County, Florida, and are shown on the attached Exhibit A map, was presented in accordance with the provisions of Sec. 18-14 of the Code of Miami-Dade County (Code).

District Services - The requested improvement is to upgrade the existing street lighting facilities from 6,300 to 16,000 lumen sodium vapor. The streetlights will remain mounted on existing poles. The lighting upgrade will be provided by Florida Power and Light (FPL) and is expected to be completed by May 2017. The facilities will remain the property of FPL, and FPL will continue to be responsible for the maintenance, repair, and the replacement of the light standards, fixtures, lamps, poles and all connecting wires. The district will continue to pay FPL a rental on each installation.

Method of Apportionment - The annual costs of the district services shall be apportioned on a lot or parcel front footage basis.

<u>ESTIMATED ASSESSMENTS</u>	<u>First Year</u>
Per Assessable Front Foot	\$1.1287
For a Typical 75-foot Interior Lot	\$84.65
For a Typical 117-foot Corner Lot	\$132.06

The upgrade of the district will be subject to Commission approval only.

Attachment: Exhibit A