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CLERK OF THE BOARD
OF COUNTY COMMISSIONERS
MIAMI-DADE COUNTY, FLORIDA

Memorandum

MIAMI-DADE COUNTY

Date: December 15, 2009

Agenda Item No. 5(C)

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

Resolution No. R-1423-09

From: George M. Burgess
County Manager

Subject: Scott Lake Manor Street Lighting Improvement District Upgrade Report and Assessment Roll Resolution

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Recommendation

It is recommended that the Board of County Commissioners (BCC) adopt the attached assessment roll resolution to fund upgraded streetlights in the Scott Lake Manor Street Lighting Improvement District, which will be increased in intensity from 6,300 to 16,000 lumen sodium vapor (LSV).

Scope

This special taxing district lies within Commission District One (1) and will upgrade the existing street lighting facilities to 16,000 LSV.

Fiscal Impact/ Funding Source

The Scott Lake Manor Street Lighting Improvement District was created on April 3, 1962, by Resolution No. 7470. Over the years, the intensity of the District's streetlights has increased from 2,500 lumen incandescent and 4,500 lumen mercury vapor to 6,300 LSV streetlights. This change allowed for a higher level of light intensity, and at the same time represented savings for the District since sodium vapor streetlights use less energy to operate.

Staff performed a cost and feasibility study for upgrading the existing streetlights to 16,000 LSV. In staff's opinion, and based on the present District configuration and spacing of poles, this upgrade will result in acceptable lighting levels without the addition of new light poles. The upgraded streetlights will provide benefits to all property within the District in excess of the total amount of special assessments to be levied.

The combined capital and first year rate increase cost to upgrade the District's 231 eligible streetlights and advertise the assessment roll hearing is estimated to be $19,667 and will be paid from the District's cash reserves. The annual rate per front foot following implementation of the streetlight upgrade will be $0.5779 for the first year. This increase in assessment is approximately 49.64% above the present assessment rate of $0.3862 per front foot. Typical estimated annual assessments following the upgrade will be $43.34 for an interior lot and $69.35 for a corner lot, an increase of $14.37 from $28.97 and $23.01 from $46.34 respectively.

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This assessment roll resolution is submitted for consideration in accordance with the provisions of Ordinance No. 02-12 adopted by the Board on January 29, 2002. The ordinance established a procedure to increase streetlight intensity in existing special taxing districts to meet today's street lighting special taxing district standards. On July 21, 2009, in response to District residents' requests, Barbara J. Jordan, District 1 Commissioner, requested that the feasibility of upgrading the Scott Lake Manor Street Lighting Improvement District be reviewed and the Board approved Resolution No. R-968-09 to that effect.

Track Record/Monitoring

Contingent upon BCC approval of this District, the Public Works Department's Special Taxing Districts Division will monitor the Florida Power and Light Company's agreement, installation and billing process. It is expected that the Florida Power and Light Company will complete the engineering and replacement of the street lighting fixtures by December 2010. Since the initial assessment increase for the upgrade exceeds the 15% ceiling specified in Ordinance No. 02-12, public hearing notices will be mailed to the approximately 1,366 affected property owners in the Scott Lake Manor Street Lighting Improvement District.

Assistant County Manager

MEMORANDUM

(Revised)

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

DATE: December 15, 2009

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

SUBJECT: Agenda Item No. 5(C)

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(C)
12-15-09

RESOLUTION NO. **R-1423-09**

RESOLUTION PROVIDING FOR THE UPGRADING OF STREET LIGHTING SERVICES AT A COMBINED ESTIMATED CAPITAL AND FIRST YEAR RATE INCREASE COST OF $19,667 AND ADOPTING A REVISED ASSESSMENT ROLL PROVIDING FOR ANNUAL ASSESSMENTS AGAINST REAL PROPERTY LOCATED WITHIN BOUNDARIES OF A SPECIAL TAXING DISTRICT KNOWN AS SCOTT LAKE MANOR STREET LIGHTING IMPROVEMENT DISTRICT IN ACCORDANCE WITH PROVISIONS OF CHAPTER 18 OF THE CODE OF MIAMI-DADE COUNTY, FLORIDA, ORDINANCE NO. 02-12, AND RESOLUTION NO. 7470

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, the Scott Lake Manor Street Lighting Improvement District created by Resolution No. 7470 currently provides street lighting services which may be upgraded to meet current County standards; and

WHEREAS, pursuant to Resolution No. R-968-09, the Board of County Commissioners directed the County Manager 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 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 a description of the upgraded street lighting services to be provided and maintained within the district, an estimate of the cost of constructing 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 property 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 property within the district, and expressing his opinion that the property to be specially assessed will be benefited in excess of the revised special assessments to be levied; and

WHEREAS, it appearing to the Board of County Commissioners from such report of the County Manager and other investigations that the upgraded streetlight services will be of special benefit to all property within the district and that the total amount of the special assessments to be levied would not be in excess of such special benefit; and

WHEREAS, pursuant to Ordinance No. 02-12, the County Manager 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 Manager, 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 Miami-Dade County Code, as was done with the prior special assessments of this district, the increased special assessments will be placed on the November 2010, 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:

> Installation of 16,000 lumen sodium vapor bracket-arm streetlights mounted on existing poles located within the street right-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 Miami-Dade County Code.

Section 3. The Clerk of the Board of County Commissioners is directed to deliver to the Finance Director, on or before January 14, 2010, 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 197.363, Florida Statutes, all special assessments levied and imposed under the provisions of Resolution No. 7470, 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 was offered by Commissioner Jose "Pepe" Diaz, who moved its adoption. The motion was seconded by Commissioner Dorrin D. Rolle and upon being put to a vote, the vote was as follows:

Dennis C. Moss, Chairman aye
Jose "Pepe" Diaz, Vice-Chairman aye

Bruno A. Barreiro	aye	Audrey M. Edmonson	aye
Carlos A. Gimenez	aye	Sally A. Heyman	aye
Barbara J. Jordan	absent	Joe A. Martinez	aye
Dorrin D. Rolle	aye	Natacha Seijas	aye
Katy Sorenson	aye	Rebeca Sosa	aye
Sen. Javier D. Souto	aye		

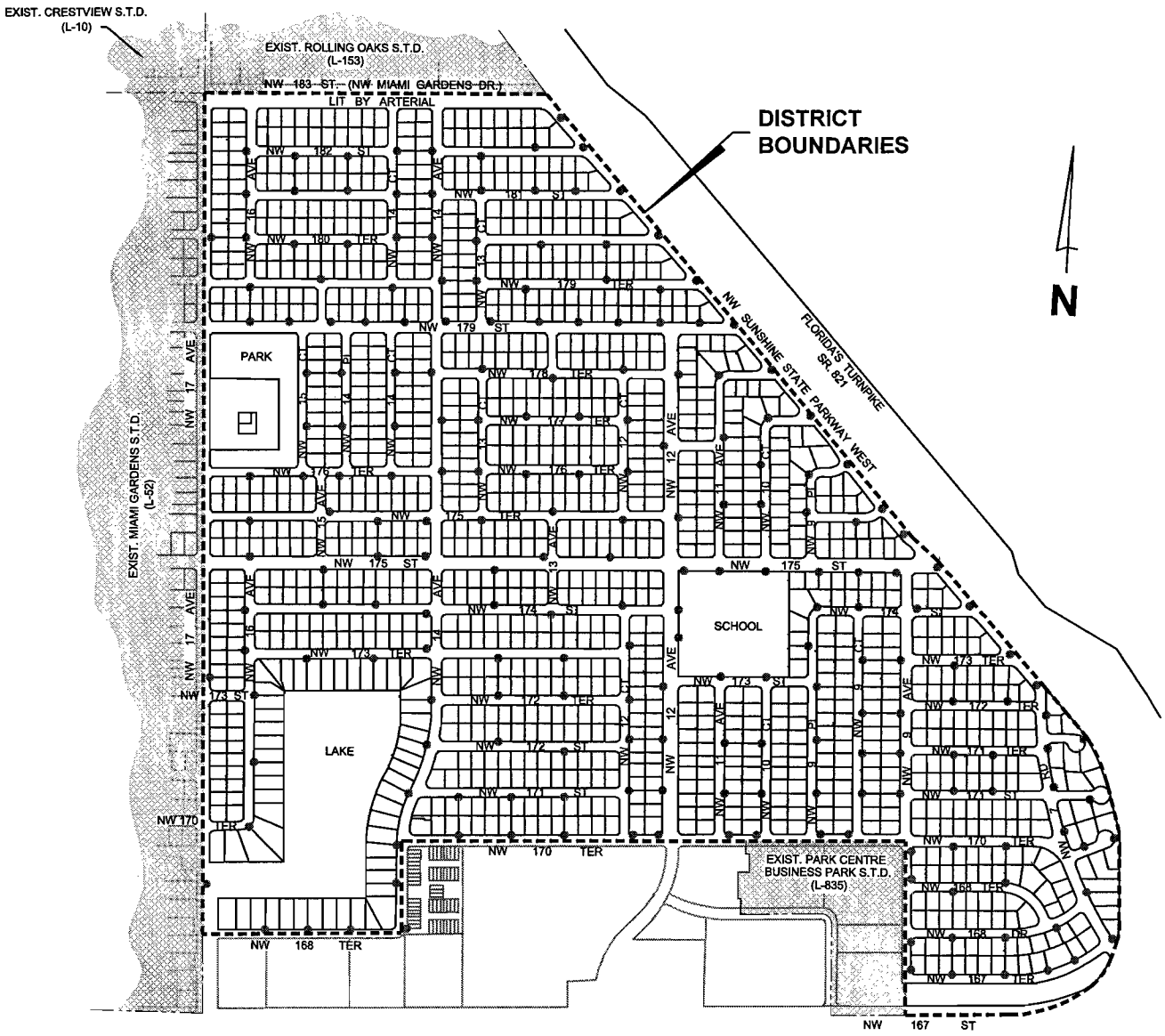
The Chairperson thereupon declared the resolution duly passed and adopted this 15th day of December, 2009. This resolution shall become effective ten (10) days after the date of its adoption unless vetoed by the Mayor, and if vetoed, shall become effective only upon an override by this Board.

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

HARVEY RUVIN, CLERK

By: **DIANE COLLINS**
Deputy Clerk

Approved by County Attorney as
to form and legal sufficiency.



SCOTT LAKE MANOR

STREET LIGHTING IMPROVEMENT DISTRICT

- 231 - BRACKET-ARM STREETLIGHTS

L- 1 (COMM. 0001)
SECTION: 11 - 52 - 41

EXHIBIT "A"