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

Memorandum

MIAMI-DADE COUNTY

Agenda Item No. 5(S)

Date: September 1, 2015

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

From: Carlos A. Gimenez
Mayor

Subject: North County Street Lighting Improvement Special Taxing District Upgrade and Revised Assessment Roll Resolution

Resolution No. R-702-15

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 North County Street Lighting Improvement Special Taxing District to increase their intensity from 6,300 to 16,000 lumen sodium vapor (LSV). This revised 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. This ordinance established a procedure to increase streetlight intensity in specified existing special taxing districts to meet current County standards.

Scope

This Special Taxing District lies within Commissioner Barbara J. Jordan's District 1 and will upgrade the existing street lighting facilities.

Fiscal Impact/Funding Source

The North County Street Lighting Improvement Special Taxing District was created on February 15, 1977 by Ordinance No. 77-08. Over the years, the intensity of the district's streetlights was increased from 4,500 lumen mercury vapor to 6,300 LSV. This change allowed for a higher level of light intensity and represented savings for the district since sodium vapor streetlights use less energy to operate.

The Miami-Dade County Public Works and Waste Management Department (PWWM) performed a cost and feasibility study for upgrading the existing streetlights to 16,000 LSV in response to the district residents' requests and in accordance with Resolution No. R-630-14 adopted by the Board on July 1, 2014. Subsequently, a revised report regarding said study is being presented in conjunction with this agenda before the Board to reflect more updated rates. Based on the district's configuration and spacing of poles, the proposed upgrade will result in acceptable lighting levels without the addition of new light poles.

The combined capital and first year's rate increase cost to upgrade the district's 1,047 streetlights and advertise the revised assessment roll hearing is estimated to be $230,000.00, and will be paid from the district's account. The current annual assessment rate is $0.6475 per front foot, and will increase to $1.1369 due to the streetlight upgrade for the first year and pending the adoption of the proposed non-ad valorem assessment as a separate agenda item. Subsequent annual assessments will be adjusted each year thereafter based on actual costs. In my opinion, the 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.

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ESTIMATED ANNUAL COSTS

Estimated Annual Assessments:	**Current**	**First Year**
Per Assessable Front Foot:	$0.6475	$1.1658
For A Typical 75-foot Interior Lot:	$48.56	$87.44
For A Typical 107-foot Corner Lot:	$69.28	$124.74

Track Record/Monitoring

Contingent upon the Board's approval of this district's revised assessment roll resolution, PWWM's Special Taxing Districts Division will monitor the Florida Power and Light Company's (FPL) agreement, installation and billing process. It is expected that FPL will complete the engineering and replacement of the street lighting fixtures by the summer of 2016. Since the initial assessment increase for the upgrade exceeds the 15 percent ceiling specified in Ordinance No. 02-12, public hearing notices will be mailed to the approximately 8,377 affected property owners in the North County Street Lighting Improvement Special Taxing District.

Alina T. Hudak
Deputy Mayor

Memorandum

MIAMI-DADE COUNTY

Date: September 1, 2015

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

From: Carlos A. Gimenez, Mayor

Subject: Report Regarding North County Street Lighting Improvement Special Taxing District

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This report is provided pursuant to Resolution No. R-630-14, requesting the Miami-Dade County Public Works and Waste Management Department (PWWM) prepare a report regarding the feasibility and cost of upgrading the street lighting systems serving the North County Street Lighting Improvement Special Taxing District, L-102. This report substitutes for a previous report submitted before the Board of County Commissioners (Board) on November 19, 2014.

The North County Street Lighting Improvement Special Taxing District is currently comprised of 1,047 streetlights with an intensity level of 6,300 lumen sodium vapor (LSV). To upgrade the streetlights in the subject district to current PWWM standards of 16,000 lumen sodium vapor, a rate increase is necessary. Based on preliminary estimates, the current rate would increase from $0.6475 per front foot and with this proposed streetlight upgrade would then increase to a proposed rate of $1.1369 per front foot for the first year, pending the adoption of the proposed non-ad valorem assessment as a separate agenda item. An annual assessment based on a typical 100-foot lot would increase from $64.75 to $113.69 for the first year, equating to an increase of $48.94 annually or $4.08 monthly. Second and subsequent years' increases over the current annual rate will be significantly less.

This rate includes Florida Power and Light Company's (FPL) capital costs, first year service costs, and the costs to notify residents.

If the Board wishes to move forward with the street lighting upgrade, a resolution to adopt a revised assessment roll is required. Since the increase is estimated to exceed 15 percent of the district's current annual rate, a notice of public hearing must be mailed to the 8,377 property owners in the subject district as required by Ordinance No. 02-12.

PWWM anticipates presenting a revised assessment roll resolution for the Board's consideration in conjunction with this agenda. If adopted, this revised assessment roll will provide the monies to cover the expenses to accomplish the district's upgrade and will be collected on the 2015 tax roll. This will allow sufficient time for the Clerk's Office to provide the necessary materials to mail the Notice of Public Hearing to the district's 8,377 property owners and meet the Code's postmarked 15 day noticing requirement, essentially 21 days in advance of the public hearing as per the Code of Miami-Dade County. FPL is the owner of the lighting system and PWWM will work closely with FPL to establish a work schedule and an estimated completion date.

Based upon the findings and facts contained herein, I recommend upgrading the street lighting system within the North County Street Lighting Improvement Special Taxing district pursuant to Ordinance 02-12. Upgrading the street lighting services within this district would be of special benefit to all properties within the district and the total amount of special assessments to be levied, including the amounts necessary to pay for the upgraded facilities

and services will not be in excess of such special benefit. I recommend that this item be placed on the Board's agenda for public hearing for the adoption and consideration of the revised assessment roll, in accordance with the provisions of Sec. 18-14 of the Code of Miami Dade County, reflecting costs associated with the street lighting upgrade.

c: Honorable Harvey Ruvin, Clerk, Clerk of the Board
R.A. Cuevas, Jr., County Attorney
Alina T. Hudak, Deputy Mayor and Director of Public Works and Waste Mgmt.
Edward Marquez, Deputy Mayor and Finance Director
Christopher Agrippa, Director, Clerk of the Board
Charles Anderson, Commission Auditor

MEMORANDUM
(Revised)

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

DATE: September 1, 2015

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

SUBJECT: Agenda Item No. 5(S)

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 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**

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Approved _____ Mayor
Veto _____
Override _____

Agenda Item No. 5(S)
9-1-15

RESOLUTION NO. R-702-15

RESOLUTION PROVIDING FOR THE UPGRADE OF STREET LIGHTING SERVICES AT A COMBINED ESTIMATED CAPITAL COST AND FIRST YEAR RATE INCREASE COST OF $230,000.00; APPROVING, ADOPTING, AND CONFIRMING REVISED ASSESSMENT ROLL PROVIDING FOR ANNUAL ASSESSMENTS AGAINST REAL PROPERTY LOCATED WITHIN BOUNDARIES OF A SPECIAL TAXING DISTRICT KNOWN AS NORTH COUNTY STREET LIGHTING IMPROVEMENT SPECIAL TAXING DISTRICT; PROVIDING THAT ASSESSMENTS MADE SHALL CONSTITUTE A SPECIAL ASSESSMENT LEIN ON REAL PROPERTY; AND PROVIDING FOR THE COLLECTION OF SUCH ASSESSMENTS; ALL IN ACCORDANCE WITH PROVISIONS OF CHAPTER 197 OF THE FLORIDA STATUTES, CHAPTER 18 OF THE CODE OF MIAMI DADE COUNTY, FLORIDA, AND ORDINANCE NO.'S 02-12 AND 77-08

WHEREAS, the North County Street Lighting Improvement Special Taxing District ("Special Taxing District") created by Ordinance No. 77-08 currently provides street lighting services which may be upgraded to meet current County standards ; and

WHEREAS, with the adoption of Ordinance No. 02-12 this Board 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-630-14, this Board 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 this Board, his written

report and recommendations setting forth a description of the upgraded street lighting services to be provided and maintained within the Special Taxing 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 this Board 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 Special Taxing 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 Board of County Commissioners and pursuant to notice published and posted within the Special Taxing District, this Board 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, this Board 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 ("Code"), as was done with the prior special assessments of this district, the increased special assessments will be placed on the November 2015, 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 the 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 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 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.

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.

Section 5. All assessments shall be payable in accordance with Section 18-14(7) of the Code. As authorized by Section 197.363, Florida Statutes, all special assessments levied and imposed under the provisions of Ordinance No. 77-08, 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.

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

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

The Chairperson thereupon declared the resolution duly passed and adopted this 1st day of September, 2015. 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: Christopher Agrippa
Deputy Clerk

Approved by County Attorney as
to form and legal sufficiency.

Jorge Martinez-Esteve