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

Memorandum

MIAMI-DADE COUNTY

Date: April 19, 2016

Agenda Item No. 5(E)

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

From: Carlos A. Gimenez
Mayor

Subject: Resolution Recommending Sunswept Isles Street Lighting Improvement District – Upgrade and Revised Assessment Roll Resolution

Resolution No. R-314-16

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 Sunswept Isles Street Lighting Improvement District to increase their intensity from 6,300 to 16,000 lumen sodium vapor (LSV). This revised assessment roll resolution is submitted for consideration and adoption 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 County Commission District 4, which is represented by Commissioner Sally Heyman.

Fiscal Impact/Funding Source

The combined capital and first year's rate increase costs to upgrade the district's 45 streetlights and advertise the revised assessment roll hearing is estimated to be $15,579.33 and will be paid from the district's future assessment. The current annual assessment rate is $0.3744 per front foot and will increase to $1.3282 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 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	$0.3744	$1.3282
For a Typical 75-foot Interior Lot	$28.08	$99.62
For a Typical 112-foot Corner Lot	$41.93	$148.76

Track Record/Monitoring

Contingent upon the Board's approval of this district's revised assessment roll resolution, the 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 lamps by the summer of 2016. 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 198 affected property owners in the Sunswept Isles Street Lighting Improvement District.

Background

The Sunswept Isles Street Lighting Improvement District was created on October 2, 1962 by Resolution No. R-7955. Over the years, the intensity of the district's streetlights was increased from 2,500 to 4,500 lumen mercury vapor, and then to 6,300 LSV. This change allowed for a higher level of light intensity and represented savings for the district, since sodium vapor streetlights consume less energy.

The Special Taxing Districts Division (Division) performed a cost and feasibility study on upgrading the existing streetlights to 16,000 LSV in response to the district residents' requests. The Division, at the time of the request, was initially a part of the Miami-Dade County Public Works and Waste Management Department, and, since then, has become a division of the Parks, Recreation and Open Spaces Department (PROS). Subsequently, a revised report regarding said study is being presented in conjunction with this agenda item to reflect recently updated rates. 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.

Michael Spring, Senior Advisor
Office of the Mayor

MEMORANDUM

(Revised)

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

DATE: April 19, 2016

FROM: Abigail Price-Williams
County Attorney

SUBJECT: Agenda Item No. 5(E)

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(E)
4-19-16

RESOLUTION NO. R-314-16

RESOLUTION PROVIDING FOR THE UPGRADE OF STREET LIGHTING SERVICES AT A COMBINED ESTIMATED CAPITAL AND FIRST YEAR RATE INCREASE COST OF $15,579.33 AND ADOPTING A REVISED ASSESSMENT ROLL PROVIDING FOR ANNUAL ASSESSMENTS AGAINST REAL PROPERTY LOCATED WITHIN BOUNDARIES OF A SPECIAL TAXING DISTRICT KNOWN AS SUNSWEPT ISLES 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. 7955

WHEREAS, the Sunswept Isles Street Lighting Improvement District, created by Resolution No. 7955, 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 specified existing special taxing districts in Miami-Dade County, Florida; and

WHEREAS, pursuant to Resolution No. R-999-14, the Board of County Commissioners directed the County Mayor or County Mayor's designee to perform a study to determine the cost and feasibility 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 2016, 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 197.363.2, Florida Statutes, all special assessments levied and imposed under the provisions of Resolution No. 7955, 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 **Daniella Levine Cava**, who moved its adoption. The motion was seconded by Commissioner **Barbara J. Jordan** and upon being put to a vote, the vote was as follows:

Jean Monestime, Chairman **aye**
Esteban L. Bovo, Jr., Vice Chairman **absent**

Bruno A. Barreiro	**aye**	Daniella Levine Cava	**aye**
Jose "Pepe" Diaz	**absent**	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 19th day of April, 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: Christopher Agrippa
Deputy Clerk

Approved by County Attorney as
to form and legal sufficiency.

Jorge Martinez-Esteve