

RESOLUTION 2019-30910

A RESOLUTION OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, ACCEPTING THE RECOMMENDATION OF THE FINANCE AND CITYWIDE PROJECTS COMMITTEE AT ITS JUNE 28, 2019 MEETING, AND AUTHORIZING THE CITY MANAGER TO USE GENERAL FUND CONTINGENCY, IN THE TOTAL NOT TO EXCEED AMOUNT OF \$100,000 PER YEAR, TO ADVANCE FUNDING FOR NEIGHBORHOODS AND/OR NEIGHBORHOOD ASSOCIATIONS REQUESTING BINDING COST ESTIMATES FROM FLORIDA POWER & LIGHT FOR THE COST OF UNDERGROUNDING UTILITIES, PROVIDED, HOWEVER, THAT SUCH CITY FUNDING SHALL BE SUBJECT TO REIMBURSEMENT FROM SPECIAL ASSESSMENT PROCEEDS, IF A SPECIAL ASSESSMENT DISTRICT FOR UTILITY UNDERGROUNDING IS SUBSEQUENTLY CREATED FOR THE NEIGHBORHOOD.

WHEREAS, at the Neighborhoods/Community Affairs Committee (NCAC) meeting on January 28, 2019, the NCAC reviewed and discussed the results of a tabulation from petition mailings with respect to the undergrounding of utilities in the North Bay Road and Alton Road neighborhood, which resulted in 60.74% final votes in favor of creating a special assessment district to fund the undergrounding of utilities; and

WHEREAS, based on these results, the NCAC recommended that the Administration proceed with the next steps for creating a district and obtaining the binding estimates from Florida Power & Light ("FPL") for the undergrounding of the existing overhead utilities; and

WHEREAS, City staff met with representatives of the Upper North Bay Road Neighborhood Association (the "Association") to discuss the boundary limits, and the Association provided the City a proposed underground boundary map with 173 properties that would participate in the undergrounding process; and

WHEREAS, City staff forwarded to FPL the proposed underground boundary map and requested a "ballpark" non-binding cost estimate for the work. On April 24, 2019, FPL provided the City the results of the estimate and this information has been shared with the neighborhood association to review; and

WHEREAS, in order for FPL to proceed with a detailed and "binding" estimate for the conversion project, FPL will require a non-refundable engineering deposit of \$11,729.00 prior to commencing with the binding cost estimate, as set forth in the Florida Administrative Code 25-6.115; and

WHEREAS, historically, the neighborhood and/or neighborhood association requesting the undergrounding of utilities has been responsible for paying for the FPL binding cost estimate and all fees associated with the undergrounding of utilities; and

WHEREAS, on June 5, 2019, at the request of Commissioner John Aleman, the Mayor and City Commission referred a discussion item to the Finance and Citywide Projects Committee (FCWPC), to discuss initial funding for undergrounding of utilities in the City of Miami Beach; and

WHEREAS, Commissioner Aleman's initiative would consist of creating a funding source in the City's budget to cover the costs of the binding cost estimates from FPL (each of which costs

approximately \$12,000), subject to reimbursement from special assessment proceeds, should a special assessment district for undergrounding utilities be created for the neighborhood; and

WHEREAS, funds would be utilized on a first come, first serve basis, not to exceed \$100,000 per year; and

WHEREAS, at its June 28 meeting, the FCWPC recommended that the City Manager be authorized to utilize General Fund contingency, to advance the funds for FPL binding cost estimates for neighborhoods requesting undergrounding of utilities, up to the not to exceed amount of \$100,000 per year, subject to reimbursement if a special assessment district is subsequently created.

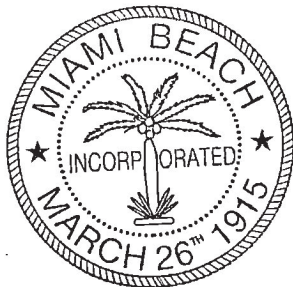
NOW, THEREFORE, BE IT DULY RESOLVED BY THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, that the Mayor and City Commission hereby accept the recommendation of the Finance and Citywide Projects Committee at its June 28, 2019 meeting, and authorize the City Manager to use general fund contingency funds, in the total not to exceed amount of \$100,000 per year, to advance funding for neighborhoods and/or neighborhood associations requesting binding cost estimates from Florida Power & Light for the cost of undergrounding utilities, provided, however, that such City funding shall be subject to reimbursement from special assessment proceeds, if a special assessment district for utility undergrounding is subsequently created for the neighborhood.

PASSED and ADOPTED this 17th day of July, 2019.

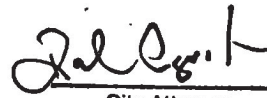
ATTEST:


Jul 19, 2019
Rafael E. Granado, City Clerk


Dan Gelber, Mayor



APPROVED AS TO
FORM & LANGUAGE
& FOR EXECUTION

 7/2/19
City Attorney  Date

MIAMI BEACH

COMMISSION MEMORANDUM

TO: Honorable Mayor and Members of the City Commission
FROM: Jimmy L. Morales, City Manager
DATE: July 17, 2019

SUBJECT: A RESOLUTION OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, ACCEPTING THE RECOMMENDATION OF THE FINANCE AND CITYWIDE PROJECTS COMMITTEE AT ITS JUNE 28, 2019 MEETING, AND AUTHORIZING THE CITY MANAGER TO USE GENERAL FUND CONTINGENCY, IN THE TOTAL NOT TO EXCEED AMOUNT OF \$100,000 PER YEAR, TO ADVANCE FUNDING FOR NEIGHBORHOODS AND/OR NEIGHBORHOOD ASSOCIATIONS REQUESTING BINDING COST ESTIMATES FROM FLORIDA POWER & LIGHT FOR THE COST OF UNDERGROUNDING UTILITIES, PROVIDED, HOWEVER, THAT SUCH CITY FUNDING SHALL BE SUBJECT TO REIMBURSEMENT FROM SPECIAL ASSESSMENT PROCEEDS, IF A SPECIAL ASSESSMENT DISTRICT FOR UTILITY UNDERGROUNDING IS SUBSEQUENTLY CREATED FOR THE NEIGHBORHOOD.

RECOMMENDATION

The Administration recommends approving the Resolution.

ANALYSIS

At the Neighborhoods/Community Affairs Committee (NCAC) meeting on January 28, 2019, the Committee reviewed and discussed the results of a tabulation from petition mailings in the North Bay Road and Alton Road neighborhood, which resulted in 60.74% final votes in favor of creating a taxing district. Based on these results, the Committee made a motion to proceed with the next steps for creating a district and obtaining the binding estimates for the undergrounding of the existing overhead utilities.

Following this motion, City staff met with representatives of the Upper North Bay Road Neighborhood Association to discuss the boundary limits. The association provided the City a proposed underground boundary map with 173 properties that would participate in the undergrounding process.

City staff forwarded FPL the proposed underground boundary map and requested a "ballpark" non-binding cost estimate for the work. On April 24, 2019, FPL provided the City the results of the estimate and this information has been shared with the neighborhood association to review.

In order for FPL to proceed with a detailed and "binding" estimate for the conversion project, FPL will require a non-refundable engineering deposit of \$11,729.00 prior to beginning the estimating process, as set forth in the Florida Administrative Code 25-6.115.

Should the neighborhood decide to proceed with the work contained in the estimate, the amount of this deposit would be applied toward the estimate amount owed to FPL for the conversion. The "binding" estimate is valid for 180 days from the date the "binding" estimate is provided.

Historically, the neighborhood requesting the undergrounding conversion have been responsible for paying these and all fees associated with the undergrounding.

CURRENT UPDATE

A Finance and Citywide Projects Committee (FCWPC) referral was added to the June 5, 2019 City Commission agenda by Commissioner Aleman, to discuss initial funding for undergrounding of utilities in the City of Miami Beach.

Commissioner Aleman's initiative would consist of creating a funding source in the City's budget to cover for an initial undergrounding estimate. Each estimate costs approximately \$12,000. Funds would be utilized in a once per neighborhood, and on a first come, first serve basis. Should the neighborhood decide to proceed with its undergrounding, the neighborhood would be responsible for reimbursing the City back as part of the undergrounding process via a district assessment. However, should the neighborhood decide not to proceed with its undergrounding, the City will not seek reimbursement and cover these costs.

At its June 28 meeting, the FCWPC members made a favorable motion to fund initial utility undergrounding fees from General Fund Contingencies and to grant the City Manager authority to approve funding up to \$100,000 per year.

CONCLUSION

The Administration recommends approving the Resolution.

Legislative Tracking

Public Works

Sponsor

Commissioner John Elizabeth Aleman

ATTACHMENTS:

Description

- Resolution