

Agenda Memorandum

To: Honorable Mayor and City Council Members
Prepared By: Alexis Stewart, City Engineer
From: Bryan Cobb, City Manager
Date: August 21, 2023
Subject: **Resolution No. 4358-23, Street Light Assessment Rate**

Procedure: Call Up Item
City Manager Background
Public Comment - Request to Speak Forms submitted prior to beginning of meeting.
Council Motion & Discussion
Council Action

Introduction: This is a request for City Council to approve the non-ad valorem assessment roll, adopt the Annual Assessment Rate Resolution, and authorize certification to the Tax Collector for the Street Lighting Assessment Program.

Discussion: City Council adopted Ordinance No. 1667 on February 19, 2018, creating a Special Assessment District pertaining to the Street Lighting Assessment Program. A “Preliminary Rate Resolution” was adopted by City Council on July 16, 2018, with the adoption of Resolution No. 3578-18. The “Final Rate Resolution,” which ratified the preliminary rate resolution, was adopted by City Council at a Public Hearing held on August 20, 2018, with the adoption of Resolution No. 3588-18. Annually, the City Council conducts a public hearing to adopt the Final Rate Resolution for the upcoming Fiscal Year. Most recently, on August 15, 2022, the City Council conducted a public hearing and adopted Resolution No. 4235-22, amending, ratifying, and confirming the Final Rate Resolution for FY2022-23.

The Street Lighting Assessment service area encompasses the City's corporate limits and applies to all street lighting within the public rights-of-way. Property owners on private streets, such as gated communities, are charged less based on an apportionment analysis since they already pay for the street lights within their communities.

The City's Street Light Assessment, provides for the City's street light utility payments, upgrades of streetlights to LED technology, and for the expansion of streetlight infrastructure to install street lights in currently unlit areas. On February 1, 2021, City Council conducted a public hearing and adopted Resolution No. 4028-21 approving the City's first streetlight expansion project under the assessment program along North Lockwood Boulevard between County Roads 419 and 426. The project added 124 streetlights and was completed in 2022.

Under the Street Light Assessment Program, the City has upgraded all Florida Power and Light and Duke Energy residential service areas to LED.

Remaining upgrade projects include:

- Lockwood Road south of County Road 419 to the City's southern limit.
- Oviedo Boulevard and the Oviedo on the Park area.

Once the LED upgrades are completed, the primary remaining expansion project will be the installation of streetlighting in the unlit areas of Mitchell Hammock Road.

Section 197.3632, Florida Statutes, requires local governments to adopt a non-ad valorem assessment roll at a public hearing held between January 1st and September 15th. As such, notices were mailed on July 19, 2023, to all affected property owners and the public hearing was noticed in the Orlando Sentinel on July 30, 2023. Since the makeup of residential communities changes yearly, an Annual Rate Resolution is required for each fiscal year that the City administers the assessment program. Adopting this Annual Assessment Rate Resolution accomplishes this provision for FY 2023-24.

Section 197.3632, *Florida Statutes*, also requires certification of the non-ad valorem assessment roll on compatible electronic medium to the Tax Collector by September 15th. Willdan Financial Services (Willdan), under a Continuing Consultant Contract with the City, has been issued a Work Order to assist staff with this process. Willdan has updated the existing parcel database and will coordinate with the City to prepare and transmit the assessment roll to the Tax Collector on behalf of the City. The certification provided in Exhibit 4 of Resolution No. 4358-23 will be utilized for this purpose.

No rate change is requested with this Rate Resolution. The current rate of \$78.13 per Equivalent Benefit Unit (EBU) remains sufficient.

Budget Impact: The Street Lighting Assessment generates approximately \$1,000,000 annually for the rental, maintenance, and energy costs associated with street lighting within public rights-of-way. In addition, funding is generated for capital infrastructure expansion.

Strategic Impact: Helps to eliminate street light infrastructure deficits and establish a sustainable revenue source to maintain public safety.

Recommendation: It is recommended that City Council conduct a public hearing and adopt Resolution No. 4358-23.

Attachment(s): None