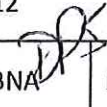



At 3

**CITY OF NORTH PORT
COMMISSION AGENDA ITEM**

Item No. 204A
(City Clerk's Use Only)

MEETING TYPE:		Meeting Date: September 24, 2012	
Regular	<input type="checkbox"/>	Department: Public Works	
Fire Rescue District	<input type="checkbox"/>	Prepared by: Branford N. Adumuah, Director	
Road & Drainage District	<input checked="" type="checkbox"/>	Date Prepared: August 15, 2012	
Solid Waste District	<input type="checkbox"/>	Department Director's Initials: BNA 	Date: 9-17-12
Other:	<input type="checkbox"/>	City Manager's Initials: 	Date: 9/17/12

Exhibits: None

SUBJECT: Moratorium on the installation of streetlights in residential areas of the City.

RECOMMENDED ACTION: Motion to approve a moratorium on installation of streetlights in residential areas of the City.

BACKGROUND INFORMATION:

During the budget workshop held on August 9, 2012, the City Commission requested staff to provide a recommendation with respect to a moratorium on the installation of streetlights in residential areas until such time that a workshop on residential streetlights is held and all options are discussed and assessed.

The current residential streetlight program was established when it was brought before the City Commission and approved on March 22, 2010. The program consists of the following:

1. The resident contacts the Department of Public Works to request the installation of a new streetlight on a local road.
2. Staff assesses the need and feasibility of the streetlight and approves the request if at least one of the following criteria (see attached Exhibit A Streetlight Request Assessment Form) is met:
 - a) The streetlight will be located in a cluster of at least five (5) homes. A cluster is defined as houses side by side or across the street.
 - b) The streetlight will be located near a signalized intersection.
 - c) The streetlight will be located near an officially designated school bus stop.
 - d) Three (3) traffic accidents during night hours have occurred where the streetlight will be located within the last twelve (12) months.
 - e) Two (2) incidents of crime during night hours have occurred within one block of the where the streetlight will be located within the last twelve (12) months.
3. Staff orally advises the resident if the request for streetlight is approved. A letter from the Director is prepared and sent to the resident if the request is denied.
4. Staff submits the request to Florida Power and Light Company (FPL) and provides the resident with a schedule for the installation of the streetlight.

The Department of Public Works receives an average of 100 requests for streetlights from residents annually. FPL installs the streetlight on a temporary or permanent pole erected in the public right-of-way and positioned to illuminate the roadway. The Road and Drainage District pays the streetlight cost in monthly rental (electricity, fixtures, maintenance, etc) of the streetlight from FPL. The cost is \$12.00 per month. Necessary improvements such as the installation of a new transformer may increase the installation cost. FPL is responsible for the maintenance of the light.

Residents can request a security streetlight from FPL which is installed on the private property or within the right-of-way to illuminate the private property. The cost is \$6 to \$14 per month depending on the type of security light. If a pole is installed, there is an additional charge of \$5 per month. FPL is responsible for the maintenance of the light.

The average annual budget for new residential streetlights is approximately \$7,500. The overall budget for residential streetlights already installed is \$308,400, which includes streetlights requested by residents and installed by FPL as well as those on arterial and collector roads requested by the City and installed by FPL.

The following table is a comparison of the Department's residential streetlight program and funding and other municipalities and counties:

Department of Public Works	Charlotte County, Florida	Sarasota County, Florida	Hillsborough County, Florida	City of Deltona, Florida
Streetlight Process: Residents request streetlights on local roads	Streetlight Process: Residents petition County for the creation of a Streetlight District.	Streetlight Process: Residents petition County for the creation of Streetlight District.	Streetlight Process: Residents petition County for the creation of a Street Lighting Service Area.	Streetlight Process: Residents petition the City for the creation of a Streetlight District.
Funding Mechanism: Non Ad-Valorem Assessments	Funding Mechanism: District Multiple Service Taxing Units (Ad-Valorem Taxes)	Funding Mechanism: Streetlight District - Multiple Service Taxing Units (Ad-Valorem Taxes)	Funding Mechanism: Street Lighting Service Area - Multiple Service Taxing Units (Ad-Valorem Taxes)	Funding Mechanism: Streetlight District - Special Service Charge (Ad-Valorem Taxes)

A City Commission workshop to review the streetlight installation program will be scheduled in the near future.

The following are the reasons for the moratorium on new streetlight requests:

1. Escalating costs.
2. Increasing administration costs for processing streetlight requests. The resources for processing the requests can be used in other areas of the District's operations.
3. The District funds the streetlight program from its non-ad valorem assessment. Other surrounding entities fund streetlights through Multiple Service Taxing Units, special fees, etc.
4. Streetlights tend to benefit private property and the benefitting property owner. The moratorium will allow the City Commission to determine who and how the cost should be paid.

FINANCIAL IMPACT: (if applicable) The estimated cost for new residential streetlights for FY2013 is \$7,500 and is budgeted in account no. 107-5000-541-43-03. A moratorium on new streetlight requests would provide a cost savings of \$7,500 a year.

PROCUREMENT: (if applicable) Not applicable

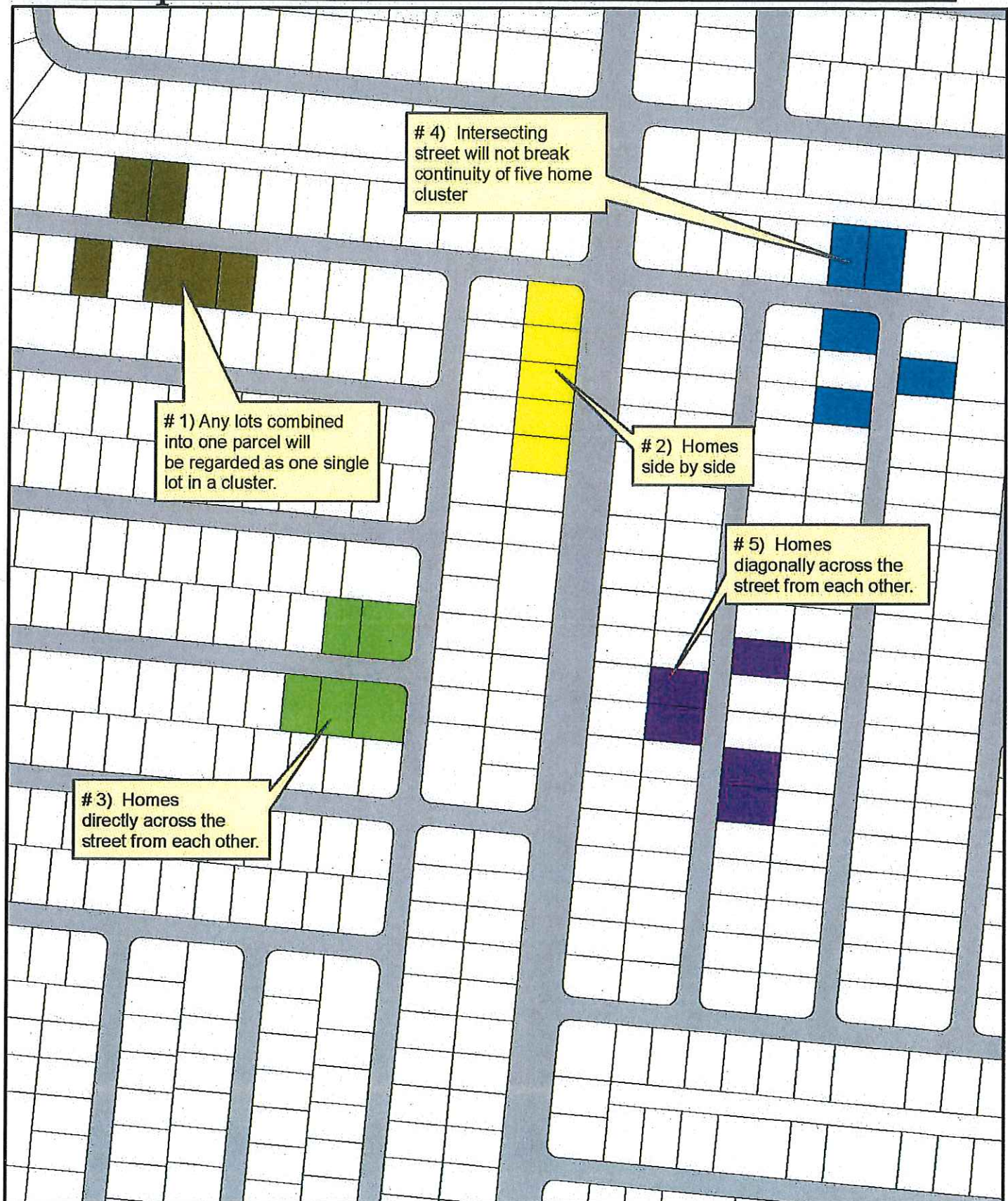
☐ Amendment ☐ Assignments ☐ New Contract ☐ Renewal Contract ☐ Other

Vendor Information:

Contract Amount: Contingency: Total Contract Amount:

Exhibit A

Examples of cluster of five or more homes





Department of Public Works

Streetlight Installation Moratorium

September 24, 2012

- The current FY2012 budget for residential streetlights *already installed* is \$308,400
- For FY2012, 79 new streetlights have been requested by residents and 34 have been approved for installation. No additional streetlights are anticipated to be approved for installation before the end of the fiscal year
- The allocated FY2013 budget for *new* residential streetlights to install an estimated 35 streetlights is \$7,500

- Request for a streetlight moratorium for FY2013 until workshop with City Commission is held to discuss and determine appropriate policy direction
- Meanwhile streetlight requests that come in FY2013 will be placed on file until after the workshop with City Commission

END

Motion carried on a (3-1) vote with Commissioner Garofalo absent from the room. Commissioner Yates dissented for reasons previously stated in 3.A.

- L. Resolution No. 2012-R-31, authorizing and directing the Road and Drainage District in the acquisition of certain real property interests by any legal means for temporary access easement on parcel number 0997-00-5091, required for the Water Control Structure No. 101 Improvement Project. (B. Adumuah)

City Clerk Raimbeau read Resolution No. 2012-R-31, into the record by title only. Thereafter, there was no public comment.

Commissioner Treubert moved to approve Resolution No. 2012-R-31, authorizing and directing the Road and Drainage District in the acquisition of certain real property interests by any legal means for temporary access easement on parcel number 0997-00-5091, required for the Water Control Structure No. 101 Improvement Project with consideration for (a) alternative routes; (b) long range area planning; (c) the cost associated with the project; (d) for environmental factors that could affect the project; and (e) safety considerations associated with the project; seconded by Commissioner Blucher. Motion carried on a (3-1) vote with Commissioner Garofalo absent from the room. Commissioner Yates dissented for reasons previously stated in 3.A.

4. GENERAL BUSINESS:

- A. Approval of a moratorium on installation of streetlights in residential areas of the City. (B. Adumuah)

City Manager Lewis provided an overview and thereafter, Public Works Director Adumuah provided a PowerPoint outlining the Road & Drainage District's budget for the new residential streetlights already installed, and the additional number of requests approved for installation in this Fiscal Year (2011-12). The moratorium was recommended on installation of further lights until a workshop with Commission can be scheduled to determine appropriate policy direction.

Questions and concerns ensued: (1) all Florida Power & Light (FPL) streetlight installations place them facing the homeowner and all City streetlight installations face the right-of-way; (2) the City's contract with FPL is for ten years, after which it can be extended for another ten years or the streetlight(s) will be removed by FPL for a fee; (3) the main reason streetlights are requested is for safety; (4) the City Manager will provide a report of which roads will and will not be included in the City's consideration for streetlight installation at the Commission workshop. Thereafter, public comment was held.

Commissioner Yates moved to table General Business Item 4.A. to the next Road & Drainage District Meeting; seconded by Commissioner Treubert. The motion and second were subsequently withdrawn.

Discussion ensued: (1) Commissioners Yates and Treubert supported holding a workshop before a moratorium is set in place; (2) Commissioner Blucher is not against streetlights, but the question regards the process and manner in which this is handled by the City, therefore cannot support a motion to approve a moratorium; (3) clarification was provided that without a moratorium, requests for streetlights will be accepted after October 1, 2012 consistent with current policy; (4) Commissioner Yates did not favor a moratorium and Commissioner Jones voiced concern that there was not sufficient time between this meeting and the workshop to make a difference.

Commissioner Garofalo arrived at 6:00 p.m.

Commissioner Yates moved to table General Business item 4.A. The motion died for lack of second.

Commissioner Blucher moved to approve a Moratorium on street lighting until after a Workshop has been held to decide how street lighting will be handled in the future and to make the Workshop a priority; seconded by Commissioner Treubert. Motion carried on a (3-2) vote. Commissioners Jones and Yates dissenting for reasons previously stated.

Recess from 6:05 p.m., and reconvened at 8:57 p.m., after the Commission Regular Meeting.

B. Approval of material related to the Road Referendum

City Manager Lewis introduced Information & Technology Department Applications Development Administrator Christopher Godau, provided an overview of the website that was developed for the road referendum.

Discussion ensued: (1) the roads in the north east quadrant on the other side of I-75 are not included in the referendum; (2) all the roads that are below standard will be addressed in the maintenance plan; (3) the enhanced road maintenance is addressed on page 2 of the flyer; (4) based on the guidelines from Florida State Department of Elections, the flyer is in compliance; (5) Commissioner Yates suggested removing words such as "permanent" "forever" and make sure the two options include the possibility that other non-ad valorem funds may be applied; (6) Commissioner Treubert agreed with Commissioner Yates and voiced concern that the word "forever" is misleading, that nothing is permanent, and the public may understand that to mean there will never be a need to request funds for road improvements again.

Suggested clarifying points for the flyer included: (1) the last bullet on the first page of the flyer to state "roads will receive enhanced regular maintenance;" (2) eliminate the phrase "forever" on the first page; (3) define an "average" lot as a quarter-acre; (4) page 2, last paragraph, the phrase "permanently improved and maintained forever" may be modified so as not to give the impression no other funding will be needed for future improvements; (5) page 3, rephrase the statement "if the road bond does not pass" along with how long it will take to improve roads if it doesn't; (6) include the total number of miles that will be reconstructed along with the total number of miles that will receive maintenance; (7) put the cost of each option. Thereafter, public comment was held.

Commissioner Blucher moved to approve Item 4.B., Road Referendum Flyer and Brochure, having a single fee for all parcels, that we add to the brochure the number of maintenance miles, and the 100 miles of roads that are not covered under the referendum be identified in the brochure; seconded by Commissioner Treubert.

Following a discussion, the motion and second were withdrawn.

Commissioner Blucher moved to approve Item 4.B., Road Referendum Flyer and Brochure, adding to the brochure the number of miles in the maintenance program and note the 100 miles of roads that will not be covered be addressed in the brochure; seconded by Commissioner Garofalo.

Commissioner Yates did not support the motion because the flyer is misleading and opinionated.

Commissioner Treubert moved to amend the motion to remove the word "forever" from the brochure. The motion died for lack of second.

Commissioner Yates moved to amend the motion to change the word "forever" to "long-range plan" and delete the word "permanent" wherever it appears; seconded by Commissioner Treubert. Motion carried on a (3-2) vote. Commissioners Blucher and Jones dissented for the following reasons.