



**CITY OF NORTH PORT  
COMMISSION AGENDA ITEM**

Item No. 4  
(City Clerk's Use Only)

|                          |                                     |  |   |
|--------------------------|-------------------------------------|--|---|
| <b>MEETING TYPE:</b>     |                                     | <b>Meeting Date:</b>                   | March 29, 2013  |
| Regular                  | <input type="checkbox"/>            | <b>Department:</b>                     | Public Works  |
| Fire Rescue District6.   | <input type="checkbox"/>            | <b>Prepared by:</b>                    | Branford N. Adumuah, Director   |
| Road & Drainage District | <input type="checkbox"/>            | <b>Date Prepared:</b>                  | March 11, 2013  |
| Solid Waste District     | <input type="checkbox"/>            | <b>Department Director's Initials:</b> | Brea  <b>Date:</b> 3/18/13 |
| Other: Workshop          | <input checked="" type="checkbox"/> | <b>City Manager's Initials:</b>        |  <b>Date:</b> 3/21/13      |

- Exhibits:**
1. City Commission Agenda on Residential Streetlight Program (October 26, 2012)
  2. Minutes of City Commission Workshop on Residential Streetlight Program (October 26, 2012)
  3. List of City of North Port Major Roads - Collectors and Arterials
  4. List of City of North Port Bus Stops
  5. North Port City Code Chapter 66 - Road and Drainage District Enabling Legislation
  6. City Attorney memorandum dated March 16, 2011
  7. Information from Sepco Solar Electric Power Company
  8. Information from Solar Street Lights USA

**SUBJECT:** Residential Streetlight Program.

**RECOMMENDED ACTION:** None

**BACKGROUND INFORMATION:** During the City Commission workshop on residential streetlights held October 26, 2012, the Commission requested additional information from staff for a future workshop (Exhibit 1 and Exhibit 2). The following is the information requested:

1. **Total miles of Toledo Blade Boulevard and Sumter Boulevard**
  - a. Toledo Blade Boulevard: 11.15 miles
  - b. Sumter Boulevard: 8.96 miles
2. **Total number of arterial and collector roads in North Port (Exhibit 3)**
  - a. Arterial Roads: 4
  - b. Collector Roads: 24
3. **North Port streetlight program allocated funds and expenditures**

| Fiscal Year                             | 2009     | 2010    | 2011    | 2012    |
|---|----------|---------|---------|---------|
| Allocated Funds                         | \$11,550 | \$7,560 | \$7,560 | \$7,500 |
| Expended Funds                          | \$11,550 | \$4,200 | \$4,725 | \$5,950 |
| Allocated Funds for Unapproved Requests | \$0      | \$3,360 | \$2,835 | \$1,550 |

**4. Streetlight operational costs for FY2012**

- a. Rental, fixtures, maintenance, etc: \$209,213
- b. Electrical energy: \$35,405
- c. Taxes and other charges (fuel, environmental recovery, etc): \$77,248

**5. List and number of school bus stops in North Port**

- a. Number of school bus stops: 520
- b. List of school bus stops: Exhibit 4

**6. Special assessment and lighting district options**

The City of North Port created the Road and Drainage District as a dependent special district under Sections 189.4041 of the Florida Statutes for the purpose of levying and collecting special assessments against all properties in the City of North Port for the provision of road and drainage services (Exhibit 5). Chapter 170.01 of the Florida Statutes authorizes such special assessments.

Section 66-47 through 66-64 of the North Port City Code states the specific purpose for creating the Road and Drainage District, among others, is "to provide for roads, streets, boulevards, alleys, sidewalks, bike paths, *street lights*, street signs, street markings, drainage, drainage culverts and drainage structures or other improvements as defined herein, and beautification of rights-of-way attendant thereto and maintenance thereof." Therefore, the funding of costs associated with streetlights (maintenance, replacement, electricity, etc) shall come from the Road and Drainage District non-ad valorem assessments.

Based on the City Attorney's memorandum dated March 16, 2011, (Exhibit 6), it appears the Road and Drainage District would not be able to charge a special assessment or create a special district for streetlights because the District already receive a non-ad valorem assessment for streetlights. The following options may be considered for funding streetlights:

- a. Fund road and drainage services through ad valorem taxes. It would require disbanding the Road and Drainage District and adding a millage to the City's existing millage rate to cover the cost of the District's services given the real value of property in North Port. Special assessment districts within the City in certain neighborhoods could then be established for the purpose of providing streetlights.
- b. Establish a Hybrid District with some non-ad valorem assessments and some millage. It would require disbanding the District and adding a millage to the City's existing millage to cover the cost of road and drainage services given the real value of property in North Port. It may require the City to be divided into sub-districts.

**7. Streetlight/utility funding options**

For the same reasons stated above regarding the establishment of a special streetlight district, the Road and Drainage District would have to be disbanded and either option 7a or 7b as stated above undertaken to create a streetlight utility.

**8. Alternative lighting sources and costs for solar panel lighting**

Presently, Florida Power and Light Company (FPL) installs residential streetlights on temporary or permanent wooden poles erected in the public rights-of-way and positioned to illuminate the roadways. Incandescent bulbs are included in the light fixture portion of the streetlight.

The Road and Drainage District pays the streetlight cost in monthly rental (electricity, fixtures, maintenance, etc) of the streetlight from FPL. The average 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 lights.

The following are alternative lighting sources to the traditional incandescent streetlights provided by FPL:

- a. Streetlights accommodated with light emitting diode (LED) light bulbs. LED light is a kind of light source which directly converts electrical energy into light energy.
- b. Solar Panel Streetlights - a system which includes low voltage LED lights, solar panels and rechargeable solar powered nickel-cadmium (NiCad) batteries.

Solar Electric Power Company and Solar Street Lights USA were contacted and provided the following specifications and costs for the installation of one residential solar powered streetlight:

- a. Solar Electric Power Company: **\$3,598.00**
  - Solar electric power assembly 125 watt
  - 164 amp hour battery assembly
  - Viper fixture with 25 watt LED
  - Adaptive lighting control: dusk to dawn operation
  - Side of pole bracket four feet
- b. Solar Street Lights USA: **\$3,660.00**
  - Design: 65 watt LED streetlight with 3.8 days battery reserve
  - 65 watt LED lamp fixture 24 vdc
  - 4 feet upswept lamp arm
  - 140 watt solar modules
  - Battery enclosure NEMA3R construction
  - 250 AH batteries AGM solar 6 volts each
  - Solar light/charge controller
  - Wiring harness
  - Top of pole solar mount H.D. galvanized steel
  - Freight to site

The above two quotes for solar streetlights do not include the streetlight poles or installation costs. The Department of Public Works would not be permitted to install the solar streetlights on FPL's poles. Therefore, it would be necessary for Public Works to:

- a. Purchase the poles for the streetlights
- b. Assemble and attach the streetlight components to the poles
- c. Install the poles in the rights-of-way
- d. Provide for the ongoing maintenance of the streetlights

**FINANCIAL IMPACT: (if applicable) Not applicable**

**PROCUREMENT: (if applicable) Not applicable**

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

Vendor Information:

Contract Amount:

Contingency:

Total Contract Amount:

**NORTH PORT CITY COMMISSION  
MINUTES OF WORKSHOP MEETING  
FRIDAY, MARCH 29, 2013**

**PRESENT:** Mayor Yates; Vice-Mayor Blucher; Commissioners Cook and DiFranco, City Manager Lewis; Assistant City Manager Schult; City Attorney Blackwell; Deputy City Clerk Adkins; Police Chief Vespia; and Recording Secretary Strong.

**ABSENT:** Commissioner Jones.

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The North Port City Commission Workshop Meeting was called to order in Conference/Training Room 244 of North Port City Hall at 9:00 a.m. by Mayor Yates.

The Pledge of Allegiance was led by the Commission.

*Commissioner Cook moved to limit discussion to 5 minutes per Commissioner for each agenda item.*

Subsequent to Mayor Yates clarifying that there is a standard policy that Commissioner comments are limited to 5 minutes, the motion died for lack of second.

After Mayor Yates provided the process for public comment, Commissioners agreed to set a time for adjournment no later than 2:00 p.m. and address the agenda items in the following order: 1) item 3 – Sidewalks first; 2) item 4 – Streetlights second; 3) item #1 – City owned leases – third; and 4) item #2 – City owned land – fourth.

**1. FACILITY LEASES:**

Background information was provided and it was noted that the lease between the City of North Port and the Sarasota County School District for the driving pad located at the North Port High School, and the lease for the Music Suite with the North Port Performing Arts Association were not included in the backup material. City Manager Lewis directed staff to include if there is a change in the current leasing policy. Assistant City Manager Schult provided a review and clarification on the provided backup material.

Discussion ensued regarding: 1) process for creating a leasing agreement and establishing reoccurring leasing agreements; and methodology for determining leasing rates; 2) group leasing agreements for facilities such as the concession stand, located at the George Mullen Activity Center (Mullen) football field, with the North Port Mustang's Pop Warner Football League which, includes maintenance responsibilities; 3) leasing options for facilities such as the heliport located at Firehouse No. 81; 4) North Port Area Chamber of Commerce 2007 lease agreement regarding the development of a Chamber of Commerce Visitor's Center facility within the City Hall Complex; 5) the purpose of a Visitor's Center located within a Chamber of Commerce facility and a timeframe for the completion of the facility; 6) City of North Port development accessibility to the Chamber of Commerce leased land; 7) Chamber of Commerce lease termination provisions; 8) Family Service Center multi-use building lease agreement; 9) Community Health Action Team (C.H.A.T.) exemption from a leasing fee and Sarasota County funding for C.H.A.T. staff, etc.; 10) marketing research for surrounding area facility leasing fees; 11) current differential in determining leasing fees and allowing for the age of a facility to factor into a leasing fee; 12) options for the City's ability to utilize the Mullen Center concession facility; 13) options for maintenance issues for leased facilities; 14) Narramore Sports Complex maintenance responsibilities and concession control; 15) providing a reduced lease agreement if maintenance responsibility is a condition of the lease, and maintenance responsibility delegated to the City if more than 1 entity is involved in the leasing/rental of a facility; 16) clarification on leaseholder insurance requirements noting that each entity

leasing a facility is responsible for their own insurance; 17) North Port/Sarasota County Interlocal Agreement regarding sports field maintenance and use; 18) possibility of North Port retaining control of the sports fields including maintenance issues with Sarasota County reimbursing the City for maintenance costs; 19) North Port recreation budget and level of service; 20) the City's higher maintenance level of service versus the County's maintenance level of service; 21) distinction between maintenance and scheduling control/issues of North Port sports fields; 22) future needs to accommodate expanding athletic programs; and 23) possibility of North Port assuming responsibility for athletic programs which would require additional staff.

Addressing concerns, City Manager Lewis and Assistant City Manager Schult provided clarification regarding the North Port Area Chamber of Commerce lease agreement guidelines for the development of a Chamber of Commerce Visitor's Center and designated location for the facility.

City Manager Lewis summarized Commission direction as follows: 1) provide Commission with clarification regarding assessment fees for the construction of a Chamber of Commerce facility as outlined in the North Port/Chamber of Commerce lease agreement; 2) include, on the Butler Park Workshop Agenda, when scheduled, discussion regarding North Port assuming athletic program responsibilities; and 3) maintaining the current leasing process and leasing fees for social service facilities.

**Recess from 11:52 a.m. to 12:12 p.m.**

## **2. CITY OWNED LAND:**

City Manager Lewis provided brief background information and clarification on the excel spreadsheet and maps for City owned land provided in the backup material. It was noted that categorized City owned land includes: 1) property owned by the City of North Port; 2) property owned by the City of North Port Public Utilities; 3) property owned by North Port Fire/Rescue District; and 4) property owned by the North Port Road & Drainage District.

Discussion ensued regarding: 1) Florida Statutes regarding acquisition and disposition of local government owned property; 2) City owned property which lacks a short or long term use; 3) various methods and process of acquiring City owned property; 4) purpose for this agenda item including: a) the Commission to receive a comprehensive inventory of City owned property; b) determine if there is an opportunity to return unused property to the tax role and assessment fees to ensure City revenue; and c) unused property could be disposed of to put those properties back on the tax role; and d) review State Statutes regarding the acquisition and disposition of local government owned property; 5) advantages of following Florida Statutes and the future Capital Improvement Plans need for property regarding acquisition of local government owned property; 6) developing a policy for the disposition of unused land; 7) possibility of staff developing a policy of trading unused City owned land for land which is needed for future projects; 8) long term City Departmental property needs exclusive of long term plan for Fire/Rescue property needs; 9) identifying future property needs based on level of service for the community; 10) \$50,000.00 annually approved acquisition for property procurements; 11) providing City Hall space for government services such as the Veterans Office; the Sarasota County Tax Collector, etc.; 12) rental fees for non-governmental meetings held at the George Mullen Activity Center or the Morgan Family Community Center; 13) possible fee schedule regarding rental of City Hall space for non-governmental and non-profit entities; 14) developing policy/guidelines to address real estate rental/leasing; acquisition and disposition; 15) process and Commission approval for land acquisition; and 16) the pros and cons of developing a policy for land acquisition and disposition.

Addressing concerns, City Attorney Blackwell noted that the City purchase of land is currently governed by Florida Statue 166.045. This Statute does not have to be followed if an Ordinance has been adopted to

address the purchase of property and there is a willingness to abandon the confidentiality provision of the Florida Statute. There are no Florida Statutes regarding the disposal of local government owned property, other than tangible personal property, and there are no Florida Statutes governing leasing agreements for local government owned property.

Subsequent to discussion; 1) Mayor Yates noted that she is in favor of: a) directing staff to evaluate city owned property to determine if there are properties which serve no use or purpose; and b) schedule a "level 2" workshop to develop policy/guidelines to address real estate rental/leasing; acquisition and disposition; 2) Vice-Mayor Blucher noted: a) that he is in agreement of scheduling a "level 2" workshop to discuss property issues; and b) that caution should be given on how strict a policy is developed to address property issues; 3) Commissioner Cook noted: a) that she is in agreement of scheduling a "level 2" workshop to discuss property issues and b) agreed with Vice-Mayor Blucher that caution should be given on how strict a policy is developed to address property issues; and 4) Commissioner DiFranco noted: a) that she is in agreement of scheduling a "level 2" workshop to discuss property issues.

### 3. SIDEWALKS:

Subsequent to City Manager Lewis providing brief background information, Public Works Director Adumuah provided a PowerPoint presentation regarding the Residential Sidewalk Program (Program) and methodology for funding. Director Adumuah provided 3 options for Program funding including: 1) current, but unutilized, Unified Land Development Code (ULDC) Section 37-39, Part E, Sidewalks, and Code Ordinance No. 2010-14 regarding lot owner funding and new development assessment for sidewalk fees; 2) disbanding the Road & Drainage District to create a Special Sidewalk Assessment District funding road and drainage services through ad valorem taxes; and 3) creating a "Hybrid District" with Road & Drainage services funded through a millage rate and creating a special district for services such as sidewalks.

Discussion ensued and concerns were addressed regarding: 1) clarification on the options available for sidewalk funding including the current assessment methodology through the Road & Drainage (R&D) District funds; 2) clarification on lot owner funding as listed in the ULDC for road enhancements including sidewalks; 3) ULDC required size of proposed sidewalks and ADA required sidewalk size; 4) clarification regarding methodology of crafting "mini/sub districts" within the R&D District to enable areas requesting services to fund the services as opposed to the current funding assessment methodology; 4) base (arterial roads) and enhanced (collector roads) funding methodology for R&D District services; 5) setting a millage rate to fund all arterial and collector road improvements; 6) General Fund contribution to assist in funding road infrastructure including sidewalks; 7) sidewalk development 2 miles around schools; 8) utilizing the methodology that the entire community is assessed funding for arterial and collector road enhancements and the neighborhood/residential enhancements only be assessed to those properties receiving that benefit; 9) previous Commission approved policy of where sidewalks will be developed; 10) intent of the City of North Port Master Plan to provide sidewalks in all neighborhoods; 11) budget public hearings to enable public input; 12) proposed sidewalk improvements for the next 3 years; 13) methodology for road enhancement within gated communities; 14) City Attorney memo dated March 16, 2011 regarding road enhancement funding; 15) current methodology of collecting funding revenue for benefits not received; 16) sidewalk maintenance issues; 17) legal interpretation for funding of road enhancements, such as sidewalks, through the R&D Assessment levied on all property owners as a general benefit; 18) ULDC road classifications and local road standards; and 19) previous development of temporary sidewalks on Price Boulevard.

Addressing concerns, City Manager Lewis noted that he could provide the Commission with funding figures to determine what allocations would be needed to fund all improvements along arterial and collector roads. He requested the Commission to include in their direction, any legal opinions for the City Attorney to provide.

Discussion continued regarding: 1) requiring residential property owners to be responsible for the maintenance of their sidewalks; 2) sidewalk funding, not separating arterial roads from local roads; 3) Sumter Boulevard widening Ordinance; 4) additional expenses for legal procedure requirements for the establishment of "Sub-Districts"; and 5) removing "local roads" within the R&D District funding methodology.

Addressing further concerns City Attorney Blackwell noted that depending on how a Special District or a Special Funding Block is established, there could be additional expenses involved for required procedures such as public notice and public meetings.

Subsequent to discussion: 1) Mayor Yates noted that she is in favor of removing the local road funding within the R&D assessment methodology and assessing only those residential properties receiving the benefit; directing the City Attorney to bring back information regarding establishing "Mini/Sub Districts" within the R&D District; and maintaining the sidewalk priority list as previously approved; 2) Vice Mayor Blucher noted that he is in favor of maintaining the R&D District funding as presented by Burton & Associates, methodology consultants, in the R&D assessment methodology for arterial and collector roads; directing the City Attorney to bring back information regarding establishing "Mini/Sub Districts" within the R&D District; holding residential property owners responsible for the maintenance of sidewalks; "grandfathering in" areas such as Sumter Boulevard widening project if changes to the R&D assessment methodology are established; and maintaining the sidewalk priority list as previously approved; 3) Commissioner Cook noted that she would like the City Attorney to bring back information regarding the establishment of "Mini/Sub Districts" within the R&D District; and maintaining the sidewalk priority list as previously approved; and 4) Commissioner DiFranco noted that she is in favor of setting up "Mini/Sub" Districts within the residential areas receiving the benefit; holding residential property owners responsible for the maintenance of sidewalks; and maintaining the sidewalk priority list as previously approved.

Subsequent to discussion and Commission direction, City Manager Lewis agreed to provide the Commission with pertinent information regarding the suggestions, including the requested information from the City Attorney pertaining to the establishment of "Mini/Sub" Districts, also information from Burton & Associates regarding incorporating the suggested changes into the R&D District assessment methodology. City Manager Lewis will schedule another Commission Workshop following the receipt of requested information.

**Recess from 9:59 a.m. to 10:16 a.m.**

#### **4. STREETLIGHTS:**

Upon reconvening and subsequent to City Manager Lewis providing brief background information, Director Adumuah provided a PowerPoint presentation regarding the Residential Streetlight Program.

Discussion ensued and concerns were addressed regarding: 1) the 2 cost estimates provided for solar street lighting which did not include the required set-up such as light pole construction and installation; operational costs; or maintenance costs; 2) currently there is a moratorium on street light assessments; 3) the funding options provided are similar to the discussion regarding the Residential Sidewalk Program; 4) considering the cost of street lights should also include the long term operational costs and maintenance; 5) current research on solar lighting shows lifecycle costs to be ineffective and limited due to the Florida weather conditions; 6) availability of energy efficient/solar lighting grants; 7) "dark sky compliant" lighting; 8) purpose of street lighting installation for road lighting versus street lighting for property security; 9) received LED lighting grants; 10) lifecycle cost analysis to determine total cost of solar lighting; 11) property owner solar lighting versus electric lighting installation for property security; 12) current school bus stop lighting; 13) a map was provided depicting current installed street lighting;



14) Florida Power & Light property security lighting criteria and estimated operational costs; 15) effects of discontinuing the street lighting program; and 16) assessment methodology for future residential development.

Subsequent to discussion, City Manager Lewis agreed to apply to the Residential Streetlight Program as direction provided. Director Adumuah agreed to provide Commission with the number of school bus stops which currently have street lighting; and how many street lights have been installed at school bus stops, which have ultimately been relocated.

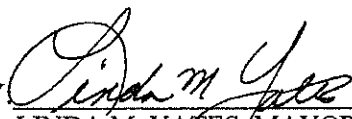
5. **PUBLIC COMMENT:**

There was no public comment.

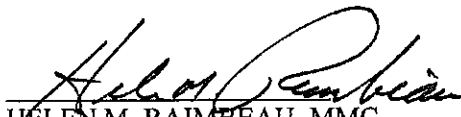
6. **ADJOURNMENT:**

Mayor Yates adjourned the North Port City Commission Workshop at 1:09 p.m.

CITY OF NORTH PORT, FLORIDA

BY   
LINDA M. YATES, MAYOR

ATTEST:

  
HELEN M. RAIMBEAU, MMC  
CITY CLERK

Minutes approved at the Commission Regular  
Meeting this 22nd Day of April 2013.