



**TO:** Honorable Mayor & Members of the  
Fort Lauderdale City Commission

**FROM:** Lee Feldman, ICMA-CM, City Manager

**DATE:** July 2, 2013

**TITLE:** Public Hearing to Consider Setting a Fee for Initial Upfront Costs for  
Underground Utility Planning Service Area for Las Olas Isles Area “B”  
(UUPSA Area “B”) – Undergrounding of Utility Facilities

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### **Recommendation**

It is recommended that the City Commission adopt a Resolution setting a fee in anticipation of the upfront costs (more particularly defined below) to be incurred for the utility underground project Underground Utility Planning Service Area for Las Olas Isles Area “B” (UUPSA Area “B”) to the affected property owners and hear public comment on the special assessment undergrounding of overhead utilities program.

### **Background**

On May 18, 2010, the City Commission adopted an Ordinance which establishes a process for communities to follow in order to underground their overhead utilities (power, telephone, cable TV, etc.) and creates a mechanism for the benefited community to pay the cost of undergrounding through special assessment.

On March 20 and May 1, 2012, at the request of the community, the City Commission discussed amendments to the undergrounding of utility lines special assessment program. The City Commission agreed conceptually that the 70% approval should be based on those property owners that respond, rather than all property owners in the assessment area as the Ordinance is currently written. In addition, the Commission agreed to provide for 90% of the design plans cost prior to the ballot process, so long as a process was established for repayment of any upfront costs by the City, should the special assessment project not reach the 70% approval required to move forward. The process as outlined includes a method of reimbursement to the City of any “up-front costs” for preparation of construction plans and detailed cost estimates by a fee to be collected on the City’s utility billing system over a term of two years.

On September 18, 2012 and October 2, 2012 the City Commission adopted on first reading and second reading an Ordinance amending Chapter 25 – Streets and

Sidewalks, providing for undergrounding of utility facilities and underground utility line assessment program.

The following Amendment has been included in Code Amendment – Chapter 25, Streets and Sidewalks:

1. Section 25-129.4. - Inclusion of a fee method of reimbursement to the City of any “upfront costs” for preparation of construction plans and detailed cost estimates. Modification that the ballot process will begin at 90% completion of construction plans. Modification to the completed ballot turnaround time by the owner back to the City Clerk’s office from 6 months to 30 days. Requirement that the ballot include drawings depicting the location and dimensions of all associated above-grade structures accessory to the Underground Utility Line Facilities (UULF).

The original concept for the undergrounding project was to combine the design and construction of all four communities (Idlewyld, Riviera Isles, Las Olas Isles, and Seven Isles) into one project. Florida Power and Electric (FPL) anticipated a minimum 24-month design period for all four communities. In an effort to streamline the design initiatives and expedite the start of construction, the overall project has now been divided into three project areas with design and construction to be coordinated in three separate phases in the following order:

- Area A – Idlewyld / Riviera Isles
- Area B – Las Olas Isles
- Area C – Seven Isles

The total anticipated cost of all consultant and utility design upfront costs for UUPSA Area “B” is \$148,731 (Keith & Schnars \$79,200, FPL \$36,100, TECO gas \$3,000, AT&T \$20,000, Comcast \$10,431). This equates to approximately \$476.71 per property within the UUPSA Area “B” or \$19.87 per month for the 24-month repayment term. FPL has indicated a minimum 6-month design period for their proposed underground facilities and collection of the fee will begin at the start of design currently anticipated for the second quarter of 2014.

On May 21, 2013, the City Commission adopted a Resolution establishing UUPSA Area “B” in anticipation of the initial upfront costs to be incurred for the utility underground project. The City Commission shall hold a Public Hearing on July 2, 2013.

### **Resource Impact**

There is a fiscal impact to the City in the amount of \$148,731 (reimbursable) for consultant and utility design upfront costs that will be handled by a budget amendment contingent upon the approval of the Public Hearing on July 2, 2013.

Attachments:

Exhibit 1 – Proposed Resolution

Exhibit 2 – Underground Utility Planning Service Area (UUPSA) Map

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