



**CITY OF FORT LAUDERDALE**  
**City Commission Agenda Memo**  
**SPECIAL MEETING**

**#21-0809**

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

**FROM:** Chris Lagerbloom, ICMA-CM, City Manager

**DATE:** September 13, 2021

**TITLE:** Resolution Amending and Restating Resolution No.19-123 Declaring the Intent to Install Underground Utility Line Facilities in the Las Olas Isles Neighborhood; Adopting the Supplemental Engineering and Assessment Methodology Report; and Setting a Public Hearing Date for the Undergrounding Special Assessment - **(Commission District 2)**

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**Recommendation**

Staff recommends the City Commission adopt a resolution amending and restating Resolution No. 19-123 declaring the intent to install underground utility line facilities in the Las Olas Isles Neighborhood; adopt the Supplemental Engineering and Assessment Methodology Report to set forth the current estimated cost; and to set a date of Thursday, October 21, 2021 at 6:00 p.m. at City Hall, 100 North Andrews Avenue to hold a public hearing to consider comments for the Proposed Non-Ad Valorem Assessment for Utility Undergrounding.

**Background**

On May 18, 2010, the City Commission enacted Ordinance C-10-12 creating Chapter 25, Article IV, Division 2 – Undergrounding within the Code of Ordinances of the City of Fort Lauderdale (Code) that established a process for communities to underground overhead utilities (power, telephone, cable TV, etc.) and created a mechanism for the benefited neighborhood to pay the associated costs through a special assessment.

On November 6, 2012, the City Commission (CAM #12-2384) approved amendments to the special assessment program for the undergrounding of overhead utilities. Section 25-129, Code of Ordinances of the City of Fort Lauderdale requires approval from at least 70% of signed and timely returned ballots from property owners in the assessment area and City Commission approval before a special assessment can be levied upon real properties benefitting from the undergrounding of utilities.

On July 9, 2019, the City Commission (CAM #19-0615) adopted Resolution No. 19-123 (the “Initial Declaration Resolution”), in accordance with the requirements of the Ordinance, declaring the intent to install underground utility line facilities in the Las Olas Isles Neighborhood describing the underground utility line facilities proposed to be

provided and imposing the underground utility line assessment. The Initial Declaration Resolution, among other things, provided the estimated Underground Utility Line Assessed Cost for the Las Olas Isles Underground Utility Facilities Project, described the method of apportionment of the Project Costs, and authorized the date, time and place of a public hearing to consider the adoption of the Final Assessment Resolution (as defined in the Ordinance) all in accordance with the provisions of the Ordinance.

On September 12, 2019, the City Commission (CAM #19-0800) adopted Resolution No. 19-165 (the "Final Assessment Resolution"). The City Commission also found and determined under the Final Assessment Resolution that the Underground Utility Line Assessment to be imposed in accordance with such resolution provides an equitable method of funding the Project Cost of the Las Olas Isles Neighborhood Underground Utilities Facilities Project by fairly and reasonably allocating the cost based on the special benefit derived by Assessed Properties, in the manner described in the in the Final Assessment Resolution

Subsequent to the adoption of the Initial Declaration Resolution, and, given the significant passage of time, the City determined the final estimated cost of the Las Olas Isles Underground Utility Line Facilities Project to be \$9.0 million (\$8.75 million estimated project cost plus estimated financing costs of \$250,000), which exceeds the initial estimated project cost of \$7.7 million (excluding financing costs), based upon the Supplemental Assessment Methodology Report.

In order to adequately provide for the new estimated project cost and the methodology, and in order to implement the methodology and apportion the project cost among the benefitted owners, it is necessary to amend and restate the Initial Declaration Resolution in its entirety.

### **Resource Impact**

There is no fiscal impact associated with this action.

### **Strategic Connections**

This is a *2021 Top Commission Priority*, advancing the Infrastructure initiative.

This item supports the *Press Play Fort Lauderdale 2024 Strategic Plan*, specifically advancing:

- The Infrastructure Focus Area
- Goal 1: Build a sustainable and resilient community
- Objective: Proactively maintain our water, wastewater, stormwater, road, and bridge infrastructure
- Goal 2: Build a multi-modal and pedestrian friendly community
- Objective: Improve roads, sidewalks and trails to prioritize a safer, more walkable and bikeable community

This item advances the *Fast Forward Fort Lauderdale 2035 Vision Plan: We Are Community*.

**Attachments**

Exhibit 1 – Resolution No.19-123

Exhibit 2 – Resolution

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