

## RESOLUTION NO. 2015-023

**A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF COCONUT CREEK, FLORIDA, ACCEPTING THE PUBLIC IMPROVEMENT PROJECT APPROVED BY RESOLUTION NO. 2013 – 31, WHICH PROJECT CONSISTS OF UNDERGROUNDING OVERHEAD UTILITIES WITHIN THE CULLUM ROAD UTILITY CONVERSION SPECIAL ASSESSMENT DISTRICT; ACCEPTING THE CITY ENGINEER’S FINAL STATEMENT OF COST; ESTABLISHING A FINAL ASSESSMENT ROLL; PROVIDING AN EFFECTIVE DATE.**

**WHEREAS**, on March 28, 2013, the City Commission adopted Resolution No. 2013-31, which Resolution declared a Special Assessment for a public improvement project to convert existing overhead Florida Power & Light distribution lines to underground distribution lines in the area described as being located along Cullum Road from Lyons Road west to State Road 7 and on Northwest 54 Avenue from Cullum Road south to Northwest 40<sup>th</sup> Street; and

**WHEREAS**, on August 8, 2013, the City Commission adopted Resolution 2013-79, ratifying and confirming the Special Assessment established by Resolution No. 2013-31; and

**WHEREAS**, on August 8, 2013, the City Commission adopted Resolution No. 2013–80 approving the equalized assessment for the Cullum Road Utility Conversion Special Assessment District; and

**WHEREAS**, the City Engineer has determined that the public improvement project for the Cullum Road Utility Conversion Special Assessment District has been completed in accordance with the approved engineering plans and specifications; and

**WHEREAS**, the equalized assessment set forth in Resolution No. 2013-80 was based on the Engineers Opinion of Cost; and

**WHEREAS**, the City Engineer has confirmed the final actual cost of the public improvements and determined that the amount to be assessed against each property to be improved as set forth

in Resolution 2013-80, should be adjusted to reflect the actual cost of said improvements as set forth in Exhibit "A" attached hereto and made a part hereof;

**NOW, THEREFORE, BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF COCONUT CREEK, FLORIDA:**

**Section 1:** That the City Commission hereby accepts the public improvements constructed within the Cullum Road Utility Conversion Special Assessment District.

**Section 2:** That the City Commission hereby adopts the statement of final actual cost of the public improvements as prepared by the City Engineer and attached hereto and made a part hereof as "Exhibit A".

**Section 3:** That the City Commission hereby establishes the final assessment against all properties subject to the Cullum Road Utility Conversion Special Assessment as set forth in Exhibit "B" attached hereto and made a part hereof (the "Final Assessments").

**Section 4:** That the City Clerk is directed to record the Final Assessments in a special book to be known as the "Improvement Lien Book".

**Section 5.** That this Resolution shall be in full force and effect immediately upon its passage and adoption.

Adopted this 22nd day of January, 2015.

\_\_\_\_\_  
Rebecca A. Tooley, Acting Mayor

Attest:

\_\_\_\_\_  
Leslie Wallace May, MMC  
City Clerk

Tooley \_\_\_\_\_

Sarbone \_\_\_\_\_

Belvedere \_\_\_\_\_

Welch \_\_\_\_\_

**EXHIBIT "A"**

Final cost for Cullum Road Utility Conversion Special Assessment District. Public Improvements

Florida power & Light (FPL) CIAC Fees	\$825,707.00
Design Fees	\$ 40,461.38
Service Line Installation for Farmer Irrigation Pumps	\$ 4,867.62
Project management by City Staff	<u>\$100,095.48</u>
<b>TOTAL FINAL COST</b>	<b>\$971,131.48</b>

**FINAL COST PER LINEAR FOOT: \$101.90**

**EXHIBIT "B"**

Final Assessments

Property Owner*	Linear Feet	% of Cost	Final Assessment Amount
Gunther Motor Co.	1265	13.274%	\$128,907.99
Johns Family Partners LLLP	7230	75.866%	\$736,758.61
Seminole Properties II, Inc.	635	6.663%	\$ 64,706.49
Commerce Center at Coconut Creek	400	4.197%	\$ N/A**

\*Property Owners complete Folio Numbers and legal descriptions attached

\*\*Commerce Center at Coconut Creek is developed property and pursuant to City Code Section 13-142 is not required to underground distribution lines. Costs attributable to this parcel of \$40,758.39 are not subject to the special assessment and shall be an obligation of City.

**EXHIBIT "C"**

**Folio Number and Legal Description**

Participant/Owner	Folio	Legal Description
<b>Undeveloped</b>		
Gunther Motor Co.	484218080010	Whitworth Plat No.1 164-B Tract A & C
Johns Family Partners LLP	484218010170	Palm Beach Farms 2-54 PB Tract 24 W 10 AC, less pt desc'd in OR 21899 PGS 826 -841 - R/W Cullum
	484218010270	Palm Beach Farms 2-54 PB Tract 41, 49 Blk 89
	484218010260	Palm Beach Farms 2-54 PB Tract 40, 58 to 60 Blk 89
	484218010250	Palm Beach Farms 2-54 PB Tract 39 Blk 89
	484218010240	Palm Beach Farms 2-54 PB Tract 36, 37, 38 Blk 89
	484218010230	Palm Beach Farms 2-54 PB Tract 35 Blk 89
	484218010220	Palm Beach Farms 2-54 PB Tract 34 Blk 89
	484218010210	Palm Beach Farms 2-54 PB Tract 33 less N 20 for RD & less pt des as, BEG at SE cor of TR 33, W 59.93, N 80, NELY
	484218010310	Palm Beach Farms 2-54 PB Tract 48 Blk 89
	484218010320	Palm Beach Farms 2-54 PB Tract 50 Blk 89
	484218010330	Palm Beach Farms 2-54 PB Tract 51 Blk 89
	484218010340	Palm Beach Farms 2-54 PB Tract 52 Blk 89
	484218010350	Palm Beach Farms 2-54 PB Tract 53 Blk 89
	484218010360	Palm Beach Farms 2-54 PB Tract 54 Blk 89
	484218010370	Palm Beach Farms 2-54 PB TR 55 less pt des as, beg at SE cor of TR 55, W 15.45, N 630.10, NW 42.69, E 47.93
Seminole Properties II, Inc.	484218030080	Commerce Center of Coconut Creek 131-30B Tract G & Tract H less pt des'c. in parcel 118 of CA92-18991
<b>Subtotal</b>		
<b>Developed - Properties not part of Special Assessment</b>		
Commerce Center at Coconut Creek	484218030060	Commerce Center of Coconut Creek 131-30B that pt of Tract F lying N of S/L of 265 ft FPL