

RESOLUTION NO. 2013- 79

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF COCONUT CREEK, FLORIDA, RATIFYING AND CONFIRMING THE SPECIAL ASSESSMENT ESTABLISHED BY CITY OF COCONUT CREEK RESOLUTION NO. 2013-31; IDENTIFYING SUCH ASSESSMENT AREA AS THE "CULLUM ROAD UTILITY CONVERSION SPECIAL ASSESSMENT DISTRICT"; CONFIRMING THE LAND UPON WHICH SAID SPECIAL ASSESSMENT SHALL BE LEVIED; PROVIDING THE MANNER IN WHICH SAID ASSESSMENTS SHALL BE MADE; 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 40th Street; and

WHEREAS, on May 23, 2013, the City Commission adopted Resolution 2013-57 setting July 25, 2013, at 7:00 p.m., in the City Commission Chambers, 4800 West Copans Road, Coconut Creek, Florida 33063, as the time and place for owners of the property to be assessed, or any other persons interested in the special assessment project, to appear before the City Commission and give testimony and be heard as to the propriety and advisability of making such improvements and funding them with special assessments; as to the cost thereof; as to the manner of payments therefore, and as to the amount thereof to be assessed against each property to be improved; and

WHEREAS, on July 25, 2013, the City Commission at the request of two of the affected property owners and with concurrence of City staff, continued the public hearing on the special assessment until the City Commission meeting of August 8, 2013; and

WHEREAS, on August 8, 2013, the City Commissions heard testimony relating to the Special Assessment from the public, City staff, and consultants; and

WHEREAS, at the conclusion of testimony, the City Commission determined that the unimproved property adjacent to the area consisting of approximately 1.88 pole miles along certain sections of Cullum Road from Lyons Road west to State Road 7 (SR 7) and on Northwest 54 Avenue south from Cullum Road to Northwest 40 Street, and within a utility easement of FPL transmission/distribution lines will be specially benefited from the conversion of overhead to underground utility lines; and that the cost of said conversion as established and adopted in Resolution 2013-31, a copy of which is attached hereto and made a part hereof as "Exhibit A," should be ratified and adopted;

WHEREAS, the City finds that it is advisable to make such improvements and to fund them with special assessments; and that the cost thereof and manner of payments therefore and the amount thereof to be assessed against each property to be improved as set forth in Resolution 2013-31, is appropriate and just subject to adjustment as may be determined by the City Commission acting as an equalizing board;

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

Section 1: That the City Commission of the City of Coconut Creek, hereby ratifies and confirms the establishment of the public improvement project approved by Resolution 2013-31, attached hereto and made a part hereof as Exhibit "A", consisting of undergrounding overhead utilities in the areas referred to as the "Phase III Area" in said Resolution 2013-31.

Section 2: That the City Commission of the City of Coconut Creek hereby adopts the name "Cullum Road Utility Conversion Special Assessment District" as the identifying name for the Special Assessment Improvement District established by Resolution 2013-31.

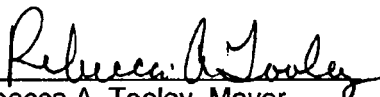
Section 3. That this Resolution shall be in full force and effect immediately upon its passage and adoption.

Adopted this 8th day of August, 2013 on a motion by Commissioner Sarbone and seconded by Vice Mayor Aronson.

Ayes 5

Nays 0

Absent or
Abstaining 0


Rebecca A. Tooley, Mayor

Attest:


Barbara S. Price, MMC

Tooley Aye

Aronson Aye

Sarbone Aye

Belvedere Aye

Welch Aye