

INFRASTRUCTURE EQUITY PROGRAM APPLICATION PROCESS

PROGRAM OBJECTIVES:

The ***Infrastructure Equity Program*** is intended to implement the Jupiter Town Council's policy objective of providing a greater degree of financial equity in the maintenance of infrastructure, namely streets, sidewalks and stormwater conveyance systems, amongst residents in Jupiter neighborhoods.

The use of special districts to finance the construction and long-term maintenance of infrastructure by the development community created a patch-work of ownership and maintenance responsibilities. As a result, and by example, the Town may own and maintain a publicly accessible street in one neighborhood, but the Home Owners' Association (HOA) may own and maintain a similarly situated street in another neighborhood. The Town has found this situation to be inequitable and, to resolve this inequity, is accepting applications from HOAs/POAs requesting the Town of Jupiter to take over the financial responsibility for the maintenance of publicly accessible infrastructure.

Infrastructure included in this Program will be maintained to the Town of Jupiter's established standards and will not include the maintenance of specialty items (brick pavers, specialty signs, street furniture, trees, irrigation, etc.).

PROGRAM ELIGIBILITY:

An HOA/POA may submit an application to the Town of Jupiter to initiate the process of evaluating the neighborhood's infrastructure for inclusion in the Town of Jupiter's ***Infrastructure Equity Program***.

Infrastructure eligible to be considered for inclusion in the ***Infrastructure Equity Program*** must meet the following criteria:

- Streets: streets, excluding alleys and parking lots, that are owned and maintained by HOAs/POAs and publicly accessible (non-gated) are eligible for inclusion.
- Sidewalks: sidewalks adjacent to publicly accessible streets that are owned and maintained by HOAs/POAs and publicly accessible (non-gated) are eligible for inclusion.
- Stormwater Conveyance Systems: stormwater systems that serve publicly accessible streets are eligible for inclusion. The program does not include retention ponds/lakes or drainage systems for alley or other HOA common use or open space areas.
- Formal HOA/POA approval to submit the application is required for inclusion in the Program.
- Prior to inclusion in the Program, the condition of infrastructure will be evaluated by the Town. Prior to turnover or assumption of maintenance of the infrastructure, repairs that must be made to restore the infrastructure to a condition acceptable to the Town given its age must be implemented by the HOA/POA at the HOA's/POA's expense.
- In exchange for inclusion in the Program, the HOA/POA must provide the Town with a payment based upon the infrastructure's accumulated depreciation.

APPLICATION PROCESS:

- Complete the attached application to initiate the review for inclusion in the Town's **Infrastructure Equity Program**. Upon receipt of the application, the Town will:
 - initiate a review of the infrastructure's physical condition, and
 - begin preparation of the legal documents necessary to include neighborhood infrastructure in the Program.
- Upon review of the physical condition of the infrastructure, the Town will provide the HOA/POA with a list of repairs/improvements that must be implemented and/or financed by the HOA/POA prior to inclusion in the Program.
 - Repairs must be completed by the HOA/POA prior to turnover or assumption of maintenance responsibilities by the Town. The Town may, if requested, complete the repairs identified should 1) the HOA/POA pay the Town, in full, an amount equal to the Town's estimated or actual cost of the repairs and 2) the Town has the internal capacity to implement the repairs.
 - Factors considered by the Town when developing the list of necessary repairs/improvements will include immediate safety, age of infrastructure and general physical condition.
 - Failure to implement and/or finance the required repairs/improvements will preclude turnover to, or maintenance of infrastructure by, the Town.
- The HOA/POA and the Town will execute an agreement to formalize inclusion of the HOA's/POA's infrastructure in the **Infrastructure Equity Program**. The two options available for inclusion of the infrastructure in the Program are:
 - Right of Way Turn-Over: this option turns over ownership and maintenance responsibilities to the Town of Jupiter.
 - This is a viable option for those HOA's/POA's that have defined rights-of-way that do not require property surveys, title searches, etc.
 - This will be the standard method used by neighborhoods to participate in the Infrastructure Equity Program.
 - Maintenance Agreement: this option shifts maintenance responsibility to the Town while the HOA/POA maintains ownership of the infrastructure.
 - This option is a low-cost, legal mechanism for HOAs/POAs to participate in the Program should infrastructure be included in a meets and bounds description or rights-of-way that may not have adequate title work.
 - Preparation of the necessary legal documents to turn right of ways over to the Town in unplatted neighborhoods can be time consuming and expensive. In those cases, the use of the maintenance agreement will be used to allow the neighborhood to participate in the Infrastructure Equity Program
 - Should HOAs/POAs with this property situation wish to utilize a Right of Way Turn-Over, the expense associated with developing the necessary surveys, title work, etc will be the responsibility of the HOA/POA.
- An important component of the formal agreement will be a requirement that the HOA/POA fund an amount, payable to the Town of Jupiter, equal to the Accumulated Depreciation of the infrastructure to be included in the Program.
 - The methodology to determine the amount of Accumulated Depreciation is attached.
 - The Accumulated Depreciation amount may be paid in a lump sum or over a period of time not to exceed 10 years.

ACCUMULATED DEPRECIATION CALCULATION METHODOLOGY

The calculation of a neighborhood’s accumulated depreciation expenses in order to participate in the Program is based, in large part, upon the Town’s own practices:

- The Town does not fund R&R for sidewalks and streets. The Town should not collect funds for accumulated depreciation for this infrastructure, then, from HOAs.
 - It should, however, require that infrastructure be brought up to a reasonable standard (i.e. no sidewalk tripping hazards and no asphalt or roadway conditions that exceed deterioration that could reasonably be expected given its age). This will have to be determined on a neighborhood by neighborhood basis.
 - Sidewalks should be in a safe condition to eliminate trip and fall hazards (sidewalk lifts over 1/2”).
- Depreciation for stormwater should be funded by the HOAs.
 - 100 year lifecycle for pipes. The majority of privately owned pipe has been determined to be Reinforced Concrete Pipe (RCP). Increased the lifecycle assumption from the Town’s R&R assumption of 70 to 100 years due to durability of RCP. The Town’s assumption for R&R includes other structures and pipes of miscellaneous materials.
 - 70 year lifecycle assumption for miscellaneous structures. Consistent with the Town’s assumption for R&R funding.
 - Replacement Costs based upon unit costs for materials/installation in 2007.
 - Accumulated depreciation amount between 50% of replacement cost.
- The following table serves as an example of a typical calculation:

Neighborhood Section	Description	Life Cycle	Estimated Replacement Cost	Annual Depreciation Amount	50% per Town Policy	Years of Depreciation	Contribution Amount
7A (north section)	Storm -- pipes	100 years	\$439,200	\$4,392	\$2,196	13 years	\$28,548
7A (north section)	Storm -- structures	70 years	\$146,000	\$2,086	\$1,043	13 years	\$13,559
7A (north section)	Roads & Sidewalks	NA	NA	NA	NA	NA	NA
7B (south section)	Storm – pipes	100 years	\$944,200	\$9,442	\$4,721	12 years	\$56,652
7B (south section)	Storm - structures	70 years	\$260,000	\$3,714	\$1,857	12 years	\$22,284
7B (south section)	Road & Sidewalks	NA	NA	NA	NA	NA	NA
	TOTAL	NA	\$1,789,200	\$19,634	\$9,817	NA	\$121,043

AGREEMENTS

Right of Way Turnover: Town assumes ownership and maintenance responsibilities

Resolution

Warranty Deed

Bill of Sale

Right of Way Maintenance Agreement

Street Lighting Agreement

Maintenance Agreement: HOA ownership/Town assumes maintenance responsibilities

Maintenance Agreement

Street Lighting Agreement

For more information or to submit an application, please go to www.jupiter.fl.us/Government/TownManagersOffice/Equity.cfm or contact the Town Manager's Office at madeleinep@jupiter.fl.us or 561-741-2214.