

RESOLUTION NO. 2017-29840

**A RESOLUTION OF THE MAYOR AND CITY COMMISSION OF
THE CITY OF MIAMI BEACH, FLORIDA, REAFFIRMING A
COMMITMENT TO THE DESIGN AND IMPLEMENTATION OF A
STORMWATER SYSTEM WITH SUFFICIENT CAPACITY TO
HANDLE BOTH PUBLIC AND PRIVATE STORMWATER RUNOFF
IN THE CITY AND DIRECTING THE CITY ADMINISTRATION TO
DEVELOP A POLICY AND ENGINEERING SOLUTION FOR
PRIVATE PROPERTY OWNERS WITHIN THE CITY'S MUNICIPAL
STORMWATER SYSTEM.**

WHEREAS, pursuant to Section 403.031 of the Florida Statutes, a stormwater management program is the City's institutional strategy for stormwater management, including urban, and other stormwater; and

WHEREAS, the City created its stormwater management system, which system is designed and constructed or to be implemented to control discharges which are necessitated by rainfall events, incorporating methods to collect, convey, store, absorb, inhibit, treat, use, or reuse water to prevent or reduce flooding, overdrainage, environmental degradation and water pollution (or otherwise affect the quantity and quality of discharges from the system); and

WHEREAS, the City's Stormwater Utility created in 1996 is the funding mechanism for the design, construction, and maintenance of the stormwater management program by assessing the costs of the program to the beneficiaries based on their relative contribution to the system's needs; and

WHEREAS, the City stormwater policy requires property owners to construct on-site stormwater management systems to handle their stormwater volume, however, certain properties place additional demand on the City's stormwater management system because they are (1) older properties that did not have the same requirements at time of construction, (2) properties that partially redevelop and increase the impervious area of a property without the associated stormwater improvements; and (3) properties that are illegally connected to the public stormwater management system; and

WHEREAS, the City is updating its stormwater management system in order to provide the capacity to allow property owners to voluntarily participate in the City's program and to handle the property owners' stormwater that cannot be maintained on site; and

WHEREAS, the City's Stormwater Management Master Plan (SWMMP) takes into account climate change and estimates of projected sea level rise over the next 30 years and, as a result, for all new projects, a sea level elevation of 2.7 feet NAVD88 (based upon the South Florida Climate Change Compact projection) is being used for stormwater design purposes and an elevation of 5.7 feet NAVD88 (a vertical control datum established in 1991 used to define elevations) is being used as a minimum for public seawall elevations; and

WHEREAS, to meet the needs of the City, the City is investing over \$400 million in various infrastructure improvements, which improvements will need to be made over an estimated span of 10 years; and

WHEREAS, such infrastructure improvements include installing larger, newer pipes and pump stations, and raising roads to ensure that the roads do not flood in the future for a 5-year rainfall event; and

WHEREAS, based upon the parameters of a 5-year design storm event (7.5 inches of rainfall in 24 hours), the Mayor and City Commission deem it in the best interest of the City and its residents:

1. To design and implement a stormwater system with sufficient capacity to handle both public and private stormwater runoff;
2. To develop a policy and engineering solution for private property owners within the City's municipal stormwater system;
3. That the City not shed stormwater from public property or rights-of-way onto private property;
4. That the City not penalize homeowners who have relied on gravitational flow of their stormwater into the municipal stormwater system in the past;
5. That the City coordinate a stormwater system that would have the capacity to allow private property owners to connect to the system;
6. To work on a methodology for rewarding and encouraging homeowners to retain their own stormwater on site; and
7. That the City update Chapter 110 of the City Code relating to the stormwater management fees to ensure proper capitalization of the program through cost recovery.

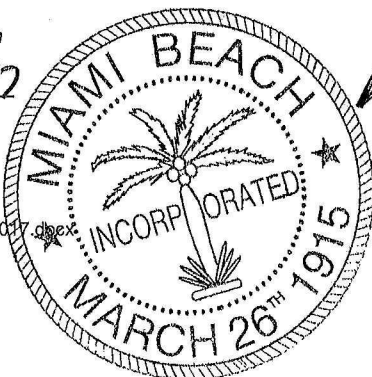
NOW, THEREFORE, BE IT DULY RESOLVED BY THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, that the Mayor and City Commission hereby reaffirm their commitment to the design and implementation of a stormwater system with sufficient capacity to handle both public and private stormwater runoff in the City and direct the City Administration to develop a policy and engineering solution for private property owners within the City's municipal stormwater system consistent with the interests of the City and its residents as set forth in this Resolution.

PASSED and ADOPTED this 26 day of April, 2017.

ATTEST:

78 5/10/17
Rafael Granado, City Clerk

Philip Levine, Mayor



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**APPROVED AS TO
FORM & LANGUAGE
& FOR EXECUTION**

2.2.0.1- 4-13-17
City Attorney Date

MIAMI BEACH

COMMISSION MEMORANDUM

TO: Honorable Mayor and Members of the City Commission
FROM: Raul J. Aguila, City Attorney
DATE: April 26, 2017

SUBJECT: A RESOLUTION OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, REAFFIRMING A COMMITMENT TO THE DESIGN AND IMPLEMENTATION OF A STORMWATER SYSTEM WITH SUFFICIENT CAPACITY TO HANDLE BOTH PUBLIC AND PRIVATE STORMWATER RUNOFF IN THE CITY AND DIRECTING THE CITY ADMINISTRATION TO DEVELOP A POLICY AND ENGINEERING SOLUTION FOR PRIVATE PROPERTY OWNERS WITHIN THE CITY'S MUNICIPAL STORMWATER SYSTEM.

RECOMMENDATION

Pursuant to the request of Commissioner John Elizabeth Aleman, the attached Resolution is submitted for consideration by the Mayor and City Commission at the April 26, 2017 Commission meeting.

Legislative Tracking

Office of the City Attorney

Sponsor

Commissioner John Elizabeth Aleman

ATTACHMENTS:

Description

- ▣ Stormwater Resolution 2017 F.A. 4.13.2017