



## Cover Memorandum/Staff Report

File #: 25-388

Agenda Date: 4/8/2025

Item #: 9.G.

**TO:** Mayor and Commissioners  
**FROM:** Missie Barletto, Public Works Director  
**THROUGH:** Terrence R. Moore, City Manager  
**DATE:** April 22, 2025

ORDINANCE NO. 14-25 AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF DELRAY BEACH, FLORIDA, AMENDING THE CODE OF ORDINANCES, TITLE 5, "PUBLIC WORKS," CHAPTER 56, "STORMWATER," "SECTION 56.02, "SCOPE AND PURPOSE," TO CLARIFY THE REFERENCE TO THE SYSTEM; AMENDING SECTION 56.04, "DEFINITIONS," AMENDING THE DEFINITIONS FOR COMMON ELEMENT, NONASSESSED PROPERTY, STORMWATER MANAGEMENT ASSESSMENT, AND UNIMPROVED LAND, AND ADOPTING DEFINITIONS FOR CONDOMINIUM PROPERTY, CONDOMINIUM UNIT, AND COOPERATIVE, TO EXPAND DEFINITIONS AND CLARIFY ASSESSMENT METHOD, TO ESTABLISH A STANDARIZED RATE FOR UNIMPROVED LAND, TO ALIGN WITH THE FLORIDA STATUTES FOR NON-AD VALOREM ASSESSMENTS FOR COMMON ELEMENTS; AMENDING SECTION 56.15, "IMPOSITION OF STORMWATER MANAGEMENT ASSESSMENT, CLASSIFICATION AND CRITERIA," TO ADD CONDOMINIUM PROPERTY AS AN ADDITIONAL CLASSIFICATION; AND AMENDING SECTION 56.16, "ESTABLISHMENT OF RATE FOR STORMWATER MANAGEMENT ASSESSMENTS" TO CLARIFY HOW COMMON ELEMENTS ARE ASSESSED; PROVIDING A CONFLICTS CLAUSE; PROVIDING A SEVERABILITY CLAUSE; AUTHORITY TO CODIFY; AND PROVIDING AN EFFECTIVE DATE. (FIRST READING)

### **Recommended Action:**

Consider Ordinance No. 14-25, a City initiated request to amend Title 5 "Public Works", Chapter 56 "Stormwater" of the City's Code of Ordinances to modify the intent of the stormwater management assessments to include a standardized assessment for unimproved land and clarification on condominium and cooperative assessment method.

### **Background:**

The City performed a stormwater rate study to assess the City's existing stormwater rate structure and provide recommendations for improvement in FY 2023. The stormwater rate study findings, recommendations and options for future rate structure and rates were presented to City Commission on April 18, 2023. Ordinance No. 18-23 modified the City's Code of Ordinances to include fully funding the stormwater management system enterprise funding and establishing the basis for assessment charge to a tier-based system.

The proposed amendment would:

- ☐ Provide a more uniform method to assess unimproved land.
- ☐ Clarifies definition and method of calculating the stormwater assessment for condominium and cooperative unit.

**City Attorney Review:**

Approved as to form and legal sufficiency.

**Funding Source:**

N/A

**Timing of Request:**

The timing of this request is of high importance to proceed with the Palm Beach County tax roll cycle, which opens June 1 and closes on July 15, annually.