



## Cover Memorandum/Staff Report

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**File #:** 23-850

**Agenda Date:** 9/5/2023

**Item #:** 8.C.

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**TO:** Mayor and Commissioners  
**FROM:** Missie Barletto, Public Works Director  
**THROUGH:** Terrence R. Moore, ICMA-CM  
**DATE:** September 5, 2023

APPROVAL OF RESOLUTION 119-23: STORMWATER UTILITY ASSESSMENT (PUBLIC HEARING)

**Recommended Action:**

**Consideration of the following items:**

Motion to approve and accept Resolution No.119-23 establishing a budget for the Stormwater Utility System, establishing the rates for FY 2023/2024 Stormwater Management Assessments, and certifying and adopting the Stormwater Assessment Roll.

**Background:**

On May 16<sup>th</sup>, 2023, Ordinance No. 18-23 was approved to amend Title 5 "Public Works", Chapter 56 "Stormwater" of the City's Code of Ordinances to allow City staff to proceed with an alternative rate structure for the annual stormwater tax roll that was developed to recover costs more accurately and more fairly based on a property's contribution to stormwater runoff.

The new Stormwater Billing Unit (SWU) rate for FY 23-24 is assigned to one of four tiers based upon their impervious coverage area. Residential properties with more than 10,000 square feet of impervious coverage area would be charged based upon their actual impervious area. Non-residential properties would continue to be billed based upon their actual impervious area utilizing the SWU.

Tier No.	Impervious Area Threshold	Assigned SWUs	Monthly Charge	Annual Charge
1	0 to 2,000 square feet	2.7	\$3.02	\$36.29
2	> 2,000 to 5,000 square feet	6.4	\$7.17	\$86.02
3	> 5,000 to 7,000 square feet	11.9	\$13.33	\$159.94
4	> 7,000 to 10,000 square feet	16.1	\$18.03	\$216.38
N/A	> 10,000 square feet	(Actual S.F.) ÷ 500	(\$1.12) x SWU	(\$13.44) x SWU
N/A	Non-Residential	(Actual S.F.) ÷ 500	(\$13.44) x SWU	(\$13.44) x SWU

Staff recommends the City Commission adopt the non-ad valorem assessment roll for the annual stormwater management assessments for FY 2023/2024. This assessment will be imposed on all property owners within the City of Delray Beach.

All funds from the assessments will be used to operate, maintain, make additions, improvements, and extensions to the City's Stormwater Management System. Also, funds will be used to finance the administration of the program. The stormwater management assessments will be included on the 2024 property tax bills issued to property owners in November and they will be collected by the Palm Beach County Tax Collector.

The proposed budget for the Stormwater Utility Fund is incorporated in Resolution No. 119-23 as Exhibit "A".

**City Attorney Review:**

Approved as to form and legal sufficiency.

**Funding Source/Financial Impact:**

This item is to approve the Stormwater Utility Assessment for FY 2023/2024. These funds are used to operate, maintain, make additions, improvements, and extensions to the City's Stormwater Management System, in addition to financing the administration of the program.

**Timing of Request:**

The timing of this request is of high importance to proceed with the 2023/ 2024 Stormwater Tax Roll.