

RESOLUTION NO. 52-17

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF DELRAY BEACH, FLORIDA, ESTABLISHING A BUDGET FOR THE STORMWATER UTILITY SYSTEM; ESTABLISHING RATES FOR STORMWATER MANAGEMENT ASSESSMENTS FOR EACH PARCEL WITHIN THE BENEFITTED AREA, OTHER THAN NON-ASSESSED PROPERTY; PROVIDING FOR A PUBLIC HEARING; PROVIDING FOR THE CERTIFICATION AND ADOPTION OF THE STORMWATER ASSESSMENT ROLL IN ACCORDANCE WITH CHAPTER 56 OF THE CODE OF ORDINANCES OF THE CITY OF DELRAY BEACH, FLORIDA; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City Commission of the City of Delray Beach, Florida, did, on July 10, 1990, adopt Ordinance No. 21-90, which provides for the creation and establishment of a City-wide Stormwater Management System; and

WHEREAS, the City Commission of the City of Delray Beach did, on April 27, 1993, adopt Ordinance No. 35-93 which amended Chapter 56 of the Code of Ordinances of the City of Delray Beach to provide for the method of establishing and collecting Stormwater Management Assessments; and

WHEREAS, the statutory authority for the creation and implementation of Ordinance No. 21-90, as amended, is predicated on Article VIII, Section 2(b) of the Florida Constitution; Chapter 166, Florida Statutes, as amended and supplemented; Section 403.0893, Florida Statutes, as amended and supplemented; Chapter 197, Florida Statutes, as amended and supplemented; the City Charter of the City of Delray Beach, Florida; and other applicable provisions of law; and

WHEREAS, the City Commission of the City of Delray Beach has found that owners, tenants and occupants of property within the geographical boundaries of the City will derive a special benefit from the effective management of stormwater and other surface water and from the operation, maintenance and expansion of the stormwater management system; and

WHEREAS, Chapter 56 of the Code of Ordinances of the City of Delray Beach establishes that the rate for stormwater management assessments for each parcel within the benefited area, other than with respect to non-assessed property, shall be established each year by resolution of the City Commission; and

WHEREAS, Chapter 56 of the Code of Ordinances of the City of Delray Beach provides that such rate resolution shall not be adopted prior to the establishment of an operational budget for the system or prior to conducting a rate hearing as required by applicable law; and

WHEREAS, Chapter 56 of the Code of Ordinances of the City of Delray Beach provides that such budget shall include, but not be limited to, a capital element, a debt service element and an Operation and Maintenance element and further requires that the rate hearing and rate resolution shall clearly establish what portion of the stormwater management assessment reflects the capital element, the debt service element, if any, and the Operation and Maintenance element; and

WHEREAS, a budget of operation for the year ending September 30, 2018, is set forth in Exhibit "A" and is established in conformity with the requirements of Ordinance No. 21-90, as amended, and Chapter 56 of the Code of Ordinances of the City of Delray Beach; and

WHEREAS, billing and collection of the stormwater management assessment shall be accomplished utilizing the uniform method of collection; and

WHEREAS, a rate for stormwater management assessments for the various classes of property (other than non-assessed property) within the benefited area shall be calculated as provided in Chapter 56 of the Code of Ordinances of the City of Delray Beach, and as further set forth in Exhibit "B" to this resolution; and

WHEREAS, a public hearing on this resolution setting the rates and adopting the budget and for the purposes of adopting and certifying a stormwater assessment roll was duly noticed; and

WHEREAS, the City, upon adoption of the budget and rates, shall review the stormwater assessment roll to determine its conformity with the proposed rate resolution and, if, upon the completion of such review the City shall be satisfied that the Stormwater Management Assessment Roll has been prepared in conformity with the proposed rate resolution, it shall adopt said resolution and ratify and confirm the Stormwater Management Assessment Roll and certify that the Stormwater Management Assessment Roll is correct and proper and is to be used in collecting the stormwater management assessments. Thereafter, the City Commission, if no objections are made by persons affected by the assessment roll at the public hearing or if objections having been made are deemed insufficient by the City Commission, shall thereupon adopt the assessments as shown by the Assessment Roll; and

WHEREAS, the owner of each parcel within the benefited area for which a stormwater assessment is levied shall thereafter be responsible for payment therefore.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF DELRAY BEACH, FLORIDA, AS FOLLOWS:

Section 1. That the City Commission does hereby adopt the aforementioned preamble in its entirety.

Section 2. That the City Commission does hereby adopt, after public hearing, the budget as established in Exhibit “A” hereto which is incorporated herein.

Section 3. That the City Commission does hereby adopt, after public hearing, the rates as set forth in Exhibit “B” hereto which is incorporated herein.

Section 4. That the City Commission hereby adopts and certifies the Stormwater Management Assessment Roll.

Section 5. This resolution shall take effect immediately upon its adoption.

PASSED AND ADOPTED in regular session on this the 1st day of August 2017.

ATTEST:

CARY D. GLICKSTEIN, MAYOR

City Clerk

**Exhibit "A" to Resolution 52-17
FY 2017-18**

FUND 448 STORMWATER UTILITY FUND

Dept 54 Stormwater Utility

Div 11 Administration

12-10	REGULAR SALARIES/WAGES	\$ 54,409
15-20	CAR ALLOWANCE	-
21-10	EMPLOYER FICA	4,162
22-10	GEN'L EMP RETIREMENT	4,520
22-30	ICMA CONTRIBUTIONS	-
23-10	LIFE INSURANCE	187
23-20	DISABILITY INSURANCE	112
23-30	HEALTH INSURANCE	7,510
24-10	WORKERS' COMPENSATION	5,346
25-10	UNEMPLOYMENT COMPENSATION	35
25-20	EMPLOYEE ASSISTANCE PROG.	24
*	PERSONAL SERVICES	76,305
31-30	ENGINEERING/ARCHITECT	31,970
31-90	OTHER PROFESS SERVICES	15,000
32-10	AUDIT/ACCOUNTING FEES	2,010
40-10	TRAVEL & TRAINING	1,000
41-10	TELEPHONE EXPENSE	-
41-15	PORTABLE PHONE/MDD	-
42-10	POSTAGE	800
43-10	ELECTRICITY	1,610
43-50	STORMWATER CHARGES	1,310
44-30	EQUIPMENT RENTAL/LEASE	980
44-45	VEHICLE RENTAL-GARAGE	-
45-10	GENERAL LIABILITY	5,810
46-20	EQUIPMENT MAINTENANCE	-
46-30	VEHICLE MAINT-GARAGE	-
46-90	OTHER REPAIR/MAINT COST	-
47-20	REPRODUCTION CHARGES	2,000
49-10	ADVERTISING	700
49-22	SHARE OF ADMIN EXP	231,085
51-10	STATIONERY/PAPER/FORMS	2,000
51-20	OFFICE EQUIPMENT	1,000
51-90	OTHER OFFICE SUPPLIES	1,500
52-10	FUEL/LUBE VEHICLES	-
52-20	GEN'L OPER SUPPLIES	3,000
52-22	UNIFORM/LINEN SERVICE	270
54-10	BOOKS & PUBLICATIONS	130
54-15	SUBSCRIPTIONS	300
54-20	MEMBERSHIPS	500
54-30	TRAINING/EDUCATION COSTS	1,100
*	OPERATING EXPENSES	304,075
64-11	COMPUTER EQUIPMENT	-
64-12	OFFICE EQUIPMENT	-
	CAPITAL OUTLAY	-
91-01	TRANSFER TO GENERAL FUND	359,496
*	TRANSFERS	359,496
99-01	PROJECT RESERVE	-
*	NON OPERATING	-
**	STORMWATER ADMINISTRATION	\$ 739,876

**Exhibit "A" to Resolution 52-17
FY 2017-18**

**FUND 448 STORMWATER UTILITY FUND
Dept 54 Stormwater Utility
Div 16 MAINTENANCE**

12-10	REGULAR SALARIES/WAGES	\$	204,434
14-10	OVERTIME		15,000
13-10	OTHER PAY		-
21-10	EMPLOYER FICA		16,066
22-10	GEN'L EMP RETIREMENT		13,330
22-30	ICMA CONTRIBUTIONS		
23-10	LIFE INSURANCE		936
23-20	DISABILITY INSURANCE		423
23-30	HEALTH INSURANCE		45,080
24-10	WORKERS' COMPENSATION		15,958
25-10	UNEMPLOYMENT COMPENSATION		207
25-20	EMPLOYEE ASSISTANCE PROG.		143
*	PERSONAL SERVICES		311,577
31-20	MEDICAL		30
34-70	PHOTO/MICROFILM SERVICES		-
34-78	REPAIR & UPKEEP CANALS		18,240
34-90	OTHER CONTRACTUAL SERVICE		43,713
40-10	TRAVEL & TRAINING		-
41-15	PORTABLE PHONE/MDD		2,710
43-10	ELECTRICITY		21,440
43-25	IRRIGATION WATER		7,140
43-50	STORMWATER CHARGES		-
44-10	LAND RENTAL/LEASE		3,450
44-30	EQUIPMENT RENTAL/LEASE		-
44-45	VEHICLE MAINT-GARAGE		94,960
45-10	GENERAL LIABILITY		14,900
46-20	EQUIPMENT MAINTENANCE		1,450
46-30	VEHICLE MAINT-GARAGE		106,850
46-90	OTHER REPAIR/MAINT COST		135,000
47-10	PRINTING/BINDING SERVICES		-
49-16	COMML DRIVERS LIC RENEWAL		-
51-10	STATIONERY/PAPER/FORMS		-
51-20	OFFICE EQUIPMENT		-
51-90	OTHER OFFICE SUPPLIES		-
52-10	FUEL/LUBE VEHICLES		19,135
52-20	GEN'L OPER SUPPLIES		8,000
52-22	UNIFORMS/LINEN SERVICE		3,500
52-24	BUILDING MATERIALS		-
52-26	GARDENING SUPPLIES		9,380
52-27	EQUIPMENT <\$1,000		12,200
53-10	REPAIRS-ROADS		22,420
53-20	REPAIRS-DRAINAGE		11,200
53-90	OTHER ROAD MATERIALS		36,500
54-20	MEMBERSHIPS		-
54-30	TRAINING/EDUCATION COSTS		1,450
*	OPERATING EXPENSES		573,668
64-90	OTHER MACHINERY/EQUIPMENT		
*	CAPITAL OUTLAY		-
**	STORMWATER SYSTEM MAINTENANCE	\$	885,245

**Exhibit "A" to Resolution 52-17
FY 2017-18**

FUND 448 STORMWATER UTILITY FUND

Dept 54 Stormwater Utility

Div 61 CAPITAL

46-43	Drainage Swales	\$	100,000
68-18	Pump Station Rehab		50,000
68-96	Block 8 Alley		85,000
XX-XX	*** Atlantic Ave and 2nd Ave SW Improvements		275,000
XX-XX	*** Basin Pump Station Rehab		172,500
XX-XX	*** Data Warehouse Conversion HTE		37,500
XX-XX	*** Lewis Cove Drainage Improvements		33,972
XX-XX	*** Reclaim Water Area 12C		241,010
XX-XX	*** NE 2 Ave/Seacrest Blvd		55,000
*	<i>CAPITAL OUTLAY</i>		1,049,982
**	CAPITAL	\$	<u>1,049,982</u>

*** Account number not yet assigned

FUND 448 STORMWATER UTILITY FUND

Dept 71 Debt Service

Div 11Debt Service

71-16	STORMWATER NOTE		46,170
72-16	STORMWATER NOTE-INTEREST		4,971
*	<i>DEBT SERVICE</i>		51,141
**	DEBT SERVICE	\$	<u>51,141</u>
***	STORMWATER UTILITY FUND	\$	<u>2,726,244</u>

EXHIBIT “B” TO RESOLUTION NO. 52-17

<u>Property Description</u>	<u>Rate Structure</u>	<u>Total 12 Month Assessment</u>
Single Family Residential	(\$5.33/Mo./ERU) (12 Mo.) (1 ERU)	\$ 63.96
Condominium	(\$5.33/Mo./ERU) (12 Mo.) (Condo Factor) (ERU/Unit)	\$ 63.96 x CF*
Single Owner Multi-Family Residential	(\$5.33/Mo./ERU) (12 Mo.)	\$ 63.96/ERU
Non-Residential Developed	(\$5.33/Mo./ERU) (12 Mo.)	\$ 63.96/ERU
Undeveloped	(\$5.33/Mo./ERU) (12 Mo.) (1.20 ERU/AC)	\$ 76.75/AC

All properties within the Lake Worth Drainage District (LWDD), as indicated by the LWDD's boundary map, shall receive a 25% discount.

All properties for which the City does not provide for the maintenance of street drainage systems shall receive a 25% discount.

*A specific condominium factor (0.0 – 1.0) has been determined for each condominium development. A list of those factors is attached.

Condominium	Units	ERUs
Acacia House	3	.91
Admiral Apts.	10	.70
Ardmore	13	.70
Arnold Industrial Park	3	1.00
Astor	98	.34
Atlantic Grove	48	.94
Avenue East Retail	6	1.00
Bahama House of D.B./Brook Haven/Ocean Reach Apts.	22	.70
Bahia at Delray	236	1.00
Balmoral	12	.57
Banyan House	65	.63
Banyan Tree Village	55	.96
Bar Harbour	85	.39
Barr Terrace	95	.38
Barrton Apts.	103	.46
Beach Cabanas	12	.64
Beach House of Delray	12	.70
Beekman	14	.70
Bella Vista	8	1.00
Berkshire By The Sea	48	1.00
Berkshire I	23	.79
Bermuda High	22	1.00
Bermuda High South	29	.96
Bermuda High West	46	1.00
Blairs Downtown	3	.89
Block 60	92	.13
Boca Isle/Point at Delray Beach	93	.69
Brooks Lane	6	1.00
Cambridge	8	1.00
Captains Walk	57	.86
Casa Del Mar	11	.49
Casa Playa	11	.73
Chevy Chase	16	.70
Churchill	30	.60
City walk at Pineapple Grove	42	.54
Coach Gate	7	.97
Coastal House	85	.41
Colridge	3	.87
Commodore Apts.	8	.70
Congress Commerce Center	149	1.00
Congress Park Office	33	.45
Congress Professional Building	4	1.00
Coral Cove	7	.70
Coral Trace Office Park	20	1.00
Costa Del Rey	37	.68
Country Manors	440	1.00
Court of Delray	43	.40
Courtyards at Martel Arms	8	.88
Cove Apts	5	.70
Crest	6	.79
Del Harbour 1040 Del Haven Dr.	4	.70
Del Harbour 1820 S Ocean Blvd.	18	.32
Delhaven	24	.74
Delray Beach Club	77	.48

Condominium	Units	ERUs
Delray Beach Yacht Club	12	.53
Delray Dental Specialists	3	.70
Delray Estates	324	.55
Delray Golfview	36	.57
Delray Harbour Club	50	.71
Delray Oaks	142	.95
Delray Oaks West	256	1.00
Delray Ocean Villas	15	.70
Delray Park	6	1.00
Delray Place	42	.72
Delray Shores Professional	8	1.00
Delray Summit	67	.40
Domaine Delray	60	.91
Dover House	46	1.00
Downtown Lofts	7	.45
Duval Place	8	.71
Eastview of Delray Beach	3	.70
Eastview Village Square	24	1.00
Eastwinds	84	.69
Eight Hundred Ocean Place	8	1.00
Environment I	92	.93
Fairway	72	1.00
Fall Ridge	60	1.00
First Avenue	8	1.00
First Encounter	46	.70
Florida Blvd	3	.97
Fountain Square Office of Delray	13	1.00
Georgia Street Industrial Park	3	1.00
Golfview Colony	8	1.00
Grand Bahama Professional	15	1.00
Greensward Village	135	.91
Grove	28	.99
Hamilton House	23	.84
Harbour Pointe of Delray	10	.70
Harbour Villas	13	.73
Harbourside I-III	175	.76
High Point	1,992	.76
Imperial Manor	12	.70
Imperial Villas	199	.96
Ingraham House	4	.70
Inlet Cove	16	1.00
Inner Circle	16	.72
Intercoastal Cove	4	.70
Jardin Del Mar	38	.83
Lago Del Rey	338	.86
Lago Del Rey North Amsterdam	30	.57
Lakeside	212	.46
Lakeview Greens	128	.90
Landings of Delray Beach	64	1.00
Lanikai Villas	24	.52
Latitude Delray Beach	74	.16
Lavers Delray Racquet Club	566	1.00
Ledges	3	.70
Linton Ridge	84	.39

Condominium	Units	ERUs
Linton Woods	24	1.00
Lyndon Arms	8	.64
Manor House	24	.67
Marina Bay	2	1.00
Marina Del Rey	10	.70
Mark Downtown	28	.39
Martel Arms	30	1.00
Meridian Delray	59	.44
Miramar Gardens	48	.38
Narberth/Ocean Aire	14	.70
New Monmouth	17	.70
Ocean City Lofts	68	.31
Ocean East	8	.85
Ocean Place	29	1.00
Ocean Place-2155	30	.77
Ocean Terrace	8	.70
One Sixty Center	3	1.00
One Ten Apts	4	.70
Outrigger	25	1.00
Palm Square	8	.70
Palm Trail	22	.70
Palm Villas	60	1.00
Palm Villas at Delray Beach	4	.95
Park View Manor	16	.55
Patio Beach	10	.70
Pelican Pointe	56	.81
Penthouse Delray	80	.41
Pine Beach South	6	.70
Pineapple Grove Office	2	1.00
Pineapple Grove Village	160	.27
Pines of Delray	685	.72
Pines of Delray North	700	.99
Pines of Delray West	287	.78
Plum	7	1.00
Professional Centre at Delray Beach	4	1.00
Ranger	10	.70
Royal Atlantic	16	.26
Sabal Pine	255	.85
Sabal Pine East	222	.93
Sabal Pine South	128	.87
Sands Terrace	14	.36
Savoy	8	.70
Seabreeze of Delray	5	.69
Seagate Manor	63	.51
Seagate Residences	28	1.00
Seagate Towers	149	.49
Seastone Apts.	10	.34
Seaway Villas of Delray Beach	6	.70
Serena Vista	30	1.00
Seven Seventy 17th Ave.	9	.70
Sherwood Gardens	36	.55
Sloan Hammock Land	5	.98
South Congress Commerce Center	2	1.00
South County Professional	46	1.00

Condominium	Units	ERUs
South Ocean	10	1.00
South Shore Club	15	1.00
Southridge	37	1.00
Southridge Village	68	.90
Southwinds	84	.69
Spanish River	81	.34
Spanish Trail	20	.59
Spanish Wells	240	.72
St Tropez	64	.43
Stor-all	12	.70
Sunset Pines	66	1.00
Tahiti Cove	18	.79
Talbot House III	4	.70
Three Fifty Five Building	7	1.00
Tierra Verde at Delray Beach	300	.84
Town & Country	148	.57
Tropic Bay 1-17	399	.61
Tropic Harbor	222	.49
Tropic View	48	1.00
Twelve-O-Two	6	.58
Valhalla	8	1.00
Venetian Drive Townhouse	4	.70
Venetian Village	14	1.00
Verano At Delray	252	.42
Village at Swinton Square	100	1.00
Villas Delray	7	.39
Vista Lago	14	.70
Wallace Drive Commerce	13	1.00
Waterview Apts.	8	.67
Waterway East	22	1.00
Waterway North	15	.92
Wedgewood	6	.70
West Settlers	6	.25
Weston Palms	4	.16
White Columns	3	1.00
Williamsburg Inn	12	.70
Windemere House	30	.63
Winston	8	.78
Woodbrooke	13	.66
250 Congress Ave	4	1.00
5th Avenue At Delray	53	.34
Total condominium units . . . :	14,157	
Average ERU/unit :	.75	

203 Records processed

-- End of Listing --