

RESOLUTION NO. 2017- 3748

A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF MIAMI SPRINGS, FLORIDA, ADJUSTING STORMWATER UTILITY RATES EFFECTIVE NOVEMBER 1, 2017; PROVIDING FOR INCORPORATION OF RECITALS; PROVIDING FOR AUTHORIZATION; PROVIDING FOR TRANSMITTAL; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, section 408.0893, Florida Statutes provides that, “[i]n addition to any other funding mechanism legally available to local government to construct, operate, or maintain stormwater management systems, a county or municipality may [...] adopt stormwater utility fees sufficient to plan, construct, operate, and maintain stormwater management systems set out in the local program required pursuant to section 403.0891(3), Florida Statutes;” and

WHEREAS, the City of Miami Springs (the “City”) Council established its stormwater utility in Chapter 53 of the City’s Code of Ordinances in order to provide for a specific and permanent source of funds for the operation and maintenance of the City’s stormwater utility management plan and system; and

WHEREAS, the City Council has previously established a Stormwater Management Utility Enterprise Fund to deposit all fees and charges collected pursuant to the stormwater utility management program, which funds are collected and maintained for the exclusive use of the City’s stormwater management utility; and

WHEREAS, the City’s stormwater utility rates have not been adjusted since 2001, when the City Council adopted Resolution No. 2001-3167; and

WHEREAS, the City Council finds that based upon a study conducted by Hazen and Sawyer, the increased costs of operating and maintaining the City’s stormwater utility necessitates an increase in the stormwater utility rates; and

WHEREAS, pursuant to Section 53-07 of the City’s Code, a stormwater management utility rate will be established and adjusted annually by City resolution based upon the projected annual operating and capital improvement budgets for the stormwater management utility as applied to the respective runoff co-efficients for the applicable land use categories; and

WHEREAS, the City Council finds that adopting this Resolution is in the best interest of the City and its residents.

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF MIAMI SPRINGS, FLORIDA, AS FOLLOWS:

Section 1. Recitals Adopted. That the above-stated recitals are hereby adopted and confirmed.

Section 2. Adjusting Stormwater Utility Rates. Effective November 1, 2017, the City's Stormwater Utility Rates shall be as follows:

Category (as defined in Section 53-03 of the City Code)	Rate
Category I: Residential (Any lot or parcel developed exclusively for residential purposes including, but not limited to, single-family homes, duplexes, multifamily apartments, manufactured homes, mobile homes, and condominiums)	\$6.15 per unit per month
Category II: Commercial (Any developed lot or parcel not in category I or III)	\$59.20 per acre per month
Category III: Vacant Land (Any property which is undeveloped, or having been developed, has not been significantly altered from its natural state by the addition of improvements such as buildings, structures, impervious surfaces, and changes of grade or landscaping. This includes, but is not limited to, vacant property, parks, airports, golf courses, well fields, and the like.)	\$18.62 per acre per month

Section 3. Authorization. The City Manager and City Attorney are hereby authorized to take such further action as may be necessary to implement the purpose and provisions of this Resolution.

Section 4. Transmittal. The City Clerk is directed to transmit a certified copy of this Resolution within two business days of adoption to the Miami-Dade County Water and Sewer Department.

Section 5. Effective Date. That this Resolution shall become effective immediately upon adoption.

The foregoing Resolution was offered by Councilman Best who moved its adoption. The motion was seconded by Vice Mayor Mitchell and upon being put to a vote, the vote was as follows:

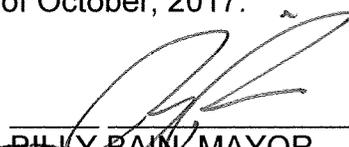
Vice Mayor Maria Puente Mitchell	<u>YES</u>
Councilman Bob Best	<u>YES</u>
Councilwoman Mara Zapata	<u>YES</u>
Councilman Jaime Petralanda	<u>YES</u>
Mayor Billy Bain	<u>NO</u>

PASSED AND ADOPTED this 23rd day of October, 2017.

ATTEST:


ERIKA GONZALEZ-SANTAMARIA, MMOR
CITY CLERK




BILLY BAIN, MAYOR

APPROVED AS TO FORM AND LEGAL SUFFICIENCY
FOR THE USE AND RELIANCE OF THE CITY OF MIAMI SPRINGS ONLY:


WEISS, SEROTA, HELFMAN, COLE & BIERMAN, P.L.
CITY ATTORNEY