



AGENDA ITEM

September 7, 2021, City Council Meeting

Approved for Submittal By:

Scott Morgan

Scott Morgan, City Manager

To Be Presented By:

Scott Morgan

Scott Morgan, City Manager

To: Honorable Mayor and Members of the West Melbourne City Council
From: Scott Morgan, City Manager
Date: September 7, 2021

SUBJECT

Public Hearing - Annual Stormwater Utility Budget and Assessment Roll

RECOMMENDATION

The City Manager recommends that the City Council:

Adopt Resolution No. 2021-26 adopting the 2021-2022 stormwater fund budget and certifying the stormwater utility assessment as presented by Brevard County with no change in the annual stormwater utility fee methodology or rates.

FISCAL IMPACT

Revenues from the assessments are deposited into the restricted stormwater utility fund to be used solely for stormwater purposes. At the \$52 per Equivalent Residential Unit (ERU) annual rate and the minimum parcel charge of \$5 per year approved by the City Council on July 17, 2018, by Resolution No. 2018-11, the calculated billing amount for fiscal year 2021-2022 totals \$669,107.55.

DISCUSSION

The 2021-2022 Stormwater Assessment

The City Code of Ordinances, Sections 58-411 through 58-412, addresses the collection of the City's stormwater utility fee. Section 58-411 requires the City Council to ratify and confirm the assessment roll to the tax collector for appropriate action.

The 2021-2022 assessment methodology and rates remain the same as the adopted 2020-2021 assessment. The base residential fee for 2021-2022 remains \$52.00 per parcel, but credits are applied for parcels within the Melbourne-Tillman Water Control District service area as well in some subdivisions for previously constructed and operating stormwater improvements. The annual assessment roll totals \$669,107.55 as of August 26, 2021. In addition, the following account is identified as improved federal land eligible for stormwater assessment within the City of West Melbourne:

Tax Account No.	Millage Code	Land Use Code	2021 Stormwater Fee	2022 Stormwater Fee
2852983	34V0	8810	\$ 3,057.06	\$ 3,057.06

This U.S. Post Office property assessment is not collected in the manner in which ad valorem assessments are collected, but will instead be invoiced directly.

The 2021-2022 Stormwater Budget

The proposed 2021-2022 stormwater utility fund revenue budget totals \$3,894,800. Forecasted revenues reflect the proposed assessment (discounted for anticipated property owner early payment discounts) and \$3,306,200 in awarded grant funds. Proposed 2021-2022 stormwater utility fund expenditures are as follows:

Employee salaries and benefits:	\$ 27,800
Operations, maintenance and equipment capital outlay costs:	241,200
Drainage capital improvement projects:	3,306,200
Scheduled 2020-2021 debt service repayment to general fund:	98,050
Excess of budgeted revenues over budgeted expenditures reserved For future year expenses	<u>221,550</u>
Total 2021-2022 Stormwater Budget	<u>\$ 3,894,800</u>

ATTACHMENT

1. Resolution No. 2021-26, including total 2021-2022 billing of \$669,107.55 as of August 26, 2021**

** NOTE: The detailed 1,752 page Stormwater Assessment roll for 2021-2022 is available for review in the City Clerk's office.

September 7, 2021

RESOLUTION NO. 2021-26

A RESOLUTION OF THE CITY OF WEST MELBOURNE, BREVARD COUNTY, FLORIDA, ADOPTING A BUDGET FOR THE OPERATION AND MAINTENANCE OF THE CITY'S STORMWATER MANAGEMENT PROGRAM FOR THE FISCAL YEAR BEGINNING OCTOBER 1, 2021; PROVIDING CERTIFICATION OF THE ANNUAL STORMWATER UTILITY ASSESSMENT ROLL INCORPORATING THE STORMWATER UTILITY FEE RATES PURSUANT TO SECTION 58-410 OF THE CODE OF ORDINANCES OF THE CITY OF WEST MELBOURNE AND RESOLUTION NO. 2018-11 ADOPTED JULY 17, 2018; PROVIDING FOR CONFLICTS; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, pursuant to Section 58-410 of the Code of Ordinances, City of West Melbourne, Florida, the City Council is authorized to adopt an annual budget for the City's Stormwater Management Program; and

WHEREAS, pursuant to Section 197.3632, Florida Statutes, a noticed public hearing was conducted by the City Council on July 17, 2018, to consider a proposed stormwater utility assessment rate increase and to provide the public a forum for comment, testimony, and objections; and

WHEREAS, pursuant to Section 58-410 of the Code of Ordinances of the City of West Melbourne, Florida, on July 17, 2018, the City Council of the City of West Melbourne, Florida did adopt Resolution No. 2018-11, approving a Schedule of Rates and Classifications; and

WHEREAS, on September 7, 2021, the City Council held a public hearing to adopt an annual budget for the City's Stormwater Management Program for the fiscal year beginning October 1, 2021; and

WHEREAS, the 2021-2022 Stormwater Utility Assessment Roll has been prepared by Brevard County utilizing the same methodology and rates adopted by the City Council by Resolution No. 2018-11 on July 17, 2018, a summary of which is attached to and made part of this Resolution by this reference and labeled "Exhibit A"; and

WHEREAS, a copy of such 2021-2022 Stormwater Utility Assessment Roll will be sent to the Brevard County Tax Collector for collection in the same manner as ad valorem taxes are collected; and

WHEREAS, the City Council is satisfied that the 2021-2022 Stormwater Utility Assessment Roll has been prepared in conformity with the Schedule of Rates and Classifications adopted by the City Council by Resolution No. 2018-11 on July 17, 2018.

NOW, THEREFORE, be it resolved by the City Council of the City of West Melbourne, Brevard County, Florida, that:

SECTION 1. The City Council of the City of West Melbourne, Florida hereby adopts a budget in the amount of \$3,894,800 for the City's Stormwater Management Program for the fiscal year beginning October 1, 2021, and ending September 30, 2022.

SECTION 2. The City Council of the City of West Melbourne, Florida hereby ratifies, confirms and certifies that the annual Stormwater Utility Assessment Roll for the fiscal year beginning October 1, 2021, is in conformity with the Schedule of Rates and Classifications adopted by the City Council through Resolution No. 2018-11 on July 17, 2018.

SECTION 3. The Mayor is directed to sign the Florida Department of Revenue DR-408A Certificate and the City Clerk is directed to deliver the signed DR-408A Certificate, a certified copy of this Resolution, and the non-ad valorem assessment roll on compatible electronic medium to the Tax Collector of Brevard County, Florida, for annual collection.

SECTION 4. Stormwater utility assessments imposed during the fiscal year beginning October 1, 2021, shall be billed by the City of West Melbourne or its authorized representative, pursuant to the provisions of Section 58-410 and 58-412 of the Code of Ordinances, City of West Melbourne, and shall be due and payable on November 1 of each year, pursuant to law. Failure of the property owner to pay the assessment will cause a tax certificate to be issued.

SECTION 5. All resolutions or parts of resolutions in conflict herewith are repealed.

SECTION 6. If any section, subsection, sentence, clause, phrase or portion of this Resolution is for any reason held invalid or unconstitutional by any Court of competent jurisdiction, such portion shall be deemed a separate, distinct and independent provision, and such holdings shall not affect the validity of the remaining portions of this Resolution.

SECTION 7. This resolution shall take effect immediately upon adoption.

PASSED AND ADOPTED at a regular meeting of the City Council of the City of West Melbourne, Brevard County, Florida, this 7th day of September, 2021.

ATTEST:

CITY OF WEST MELBOURNE,
FLORIDA

Cynthia Hanscom,
City Clerk

Hal J. Rose, Mayor

Approved as to legal form and sufficiency:

Morris Richardson, City Attorney



2021 Totals for Stormwater Billing

City Code	Count	District - City	Billing Amount
V	10,118	West Melbourne	\$669,107.55
	Total: 10,118		\$669,107.55