

RESOLUTION NO. 21-1730

A RESOLUTION OF THE TOWN OF MIAMI LAKES, FLORIDA, AUTHORIZING AN ADJUSTMENT IN THE STORMWATER UTILITY FEE; PROVIDING FOR INSTRUCTIONS TO THE TOWN CLERK; PROVIDING DIRECTION TO TOWN MANAGER; PROVIDING FOR INCORPORATION OF RECITALS; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, on February 11, 2003, the Town of Miami Lakes (the “Town”) passed Ordinance 2003-32, establishing the Town’s Stormwater Utility Fee; and

WHEREAS, pursuant to Chapter 41, of the Town’s Code, the Town’s Stormwater Utility Fee may be modified and established by Resolution pursuant to a Public Hearing; and

WHEREAS, Florida Statute § 403.0893 provides that municipalities may “adopt stormwater utility fees sufficient to construct, operate, and maintain stormwater management systems set out in the local program pursuant to Florida Statute § 403.0891(3)”; and

WHEREAS, Florida Statute § 403.0891(3) provides that “in the development of its stormwater management program.... within its comprehensive plan shall consider the water resource implementation rule, district stormwater management goals.....”; and

WHEREAS, since 2003, the Town has engaged consultants to assist with the creation of a local Stormwater Master Plan, and perform updates to the plan; and

WHEREAS, on January 16, 2018, the Town Council passed Resolution Number 18-1508, approving a work order agreement between Kimley Horn and Associates (“KHA”) and the Town for the Stormwater Master Plan Update Number 3, which targeted specific areas located west of State Road 826; and

WHEREAS, on May 21, 2019, a workshop held at Town Hall discussed KHA’s findings which included eleven drainage projects that required immediate attention, and would cost an estimated eleven (11) million dollars in capital outlay, and a twenty (20) million-dollar maintenance fee over a ten (10) year period; and

WHEREAS, on July 16, 2019, the Town Council passed Resolution Number 2019-1626 adopting KHA’s recommendations incorporated into the Town’s Stormwater Master Plan Number 3 and into the Town’s Strategic Master Plan for prioritization and management; and

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WHEREAS, the Town's 2003 stormwater rate of \$4.50/ERU does not provided sufficient revenues to address the identified stormwater projects as described in the Town's Stormwater Master Plan Number 3, and the communitywide assessment; and

WHEREAS, on September 10, 2019, the Town Council passed Resolution Number 2019-1631 approving a work order agreement with Wood Environment and Infrastructure Solutions, Inc. ("Wood") to determine an appropriate stormwater rate given the adoption of Stormwater Master Plan Number 3; and

WHEREAS, Wood was tasked with analyzing the Town's complete master plan, which includes all Town stormwater projects; and

WHEREAS, Wood's study revealed that a capital outlay of fifty-four million dollars (\$54,000,000) would be necessary to fund and complete all of the Town's outstanding stormwater needs; and

WHEREAS, on March 17 and August 11, 2020, respectively, the Town held two workshops to discuss Wood's findings and need to raise the Town's stormwater fee; and

WHEREAS, during the February 9, 2021 and March 9, 2021 Town Council meeting, the Town Council deliberated its stormwater infrastructure and borrowing needs, and moved to adopt a \$10.50 per ERU stormwater utility fee, and to issue a bond for Fifteen Million Five Hundred Thousand Dollars and 00/100 (\$15,500,000.00), repaid in thirty (30) years, to complete identified stormwater capital improvement projects within five (5) years, and provided that the stormwater rate is reviewed every three (3) to four (4) years.

NOW, THEREFORE, BE IT RESOLVED BY THE TOWN COUNCIL OF THE TOWN OF MIAMI LAKES, FLORIDA, AS FOLLOWS:

Section 1. Recitals. The foregoing Recitals are true and correct and incorporated herein by this reference.

Section 2. Approval of Stormwater Rate Increase. Based on the information and evidence provided, and pursuant to applicable law, the Town Council hereby establishes \$10.50/ERU as the appropriate stormwater utility fee for the Town.

Section 3. Approval of Stormwater Bond Financing. Based on the information and evidence provided, the Town Council approves bond financing in the amount of Fifteen Million Five Hundred Thousand Dollars and 00/100 (\$15,500,000.00), in order to address necessary Town-wide stormwater infrastructure needs.

Section 4. Town Clerk Instructions. The Town Clerk and/or her designee are instructed to submit a copy of this resolution and any accompanying documents to the appropriate State and/or local authorities.

Section 5. Direction to Town Manager. The Town Council is desirous of obtaining necessary financing to provide the necessary capital outlay required to mitigate outstanding stormwater infrastructure projects, identified in the third (3rd) update of the Town’s Stormwater Master Plan and other projects adopted from time to time by the Town Council. Accordingly, the Town Manager and/or his designee are directed to perform all necessary due diligence required to secure bond financing in the amount of Fifteen Million Five Hundred Thousand Dollars and 00/100 (\$15,500,000.00) and to report back to the Town Council his findings, including recommendations on resident education campaign regarding this item and what was approved by the Town Council.


Section 6. Effective Date. This Resolution shall be effective immediately upon adoption.

***** This Section has been left intentionally blank *****

Passed and adopted this 9th day of March 2021

The foregoing resolution was offered by Councilmember Alvarez who moved its adoption. The motion was seconded by Councilmember Ruano and upon being put to a vote, the vote was as follows:

Mayor Manny Cid	No
Vice Mayor Luis Collazo	No
Councilmember Carlos O. Alvarez	Yes
Councilmember Josh Dieguez	No
Councilmember Tony Fernandez	Yes
Councilmember Jeffrey Rodriguez	Yes
Councilmember Marilyn Ruano	Yes



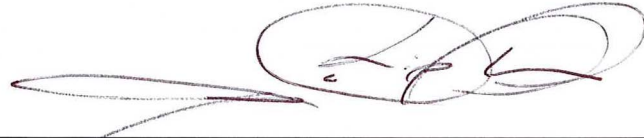
Manny Cid
MAYOR

Attest:



Gina M. Inguanzo
TOWN CLERK

Approved as to form and legal sufficiency:



Raul Gastesi, Jr.
Gastesi, Lopez and Mestre, PLLC
TOWN ATTORNEY