



**BOARD OF COUNTY COMMISSIONERS**

**DATE:** September 10, 2015

**AGENDA ITEM NO.** 43

**Consent Agenda** ☐

**Regular Agenda** ☐

**Public Hearing** ☒

 **County Administrator's Signature:**

**Subject:**

Public Hearing and Adoption of the Annual Surface Water Rate Resolution for Fiscal Year 2016 (FY16) Surface Water Service Assessment.

**Department:**

Public Works

**Staff Member Responsible:**

Kelli Levy, Division Manager

**Recommended Action:**

I RECOMMEND THE BOARD OF COUNTY COMMISSIONERS (BOARD), AFTER HEARING PUBLIC COMMENT, ADOPT THE ATTACHED ANNUAL SURFACE WATER RATE RESOLUTION FOR FY16 SURFACE WATER SERVICE ASSESSMENT WITHIN THE UNINCORPORATED AREAS OF PINELLAS COUNTY.

**Summary Explanation/Background:**

Annually, the Surface Water Service Assessment is brought to the Board for adoption. The Preliminary Surface Water Rate Resolution, which was approved by the Board on June 23, 2015, establishes the top rate at which the surface water assessment may be levied. The Annual Surface Water Rate Resolution is presented to the Board for adoption of the final rate for the surface water assessment. The final rate can be at or below the assessment rate established in the Preliminary Surface Water Rate Resolution.

The County's surface water assessment is based upon the estimated amount of stormwater runoff generated by impervious surface on a parcel. Impervious surfaces include the rooftop, patios, driveways, parking lots and similar areas. The County has determined that the median single-family residence in the Surface Water Service Area includes 2,339 square feet of impervious surface, which is the value of one "equivalent residential unit" or "ERU Value."

Single-family residential properties are categorized into one of four ERU tiers based on the estimated amount of impervious area associated with each parcel (computed by using the building footprint of the residence). Condominium units are charged generally by calculating the total number of ERUs applicable to the condominium complex as a whole, then dividing that total number of ERUs by the total number of condominium residential units on the property. For general parcels, such as commercial parcels, the number of ERUs has been calculated individually for each parcel of property by dividing the impervious surface area by 2,339 square feet. If a parcel owner applies and qualifies, credit for privately maintained stormwater management facilities and other factors affecting the quantity or quality of stormwater runoff will be applied, as applicable, resulting in the assignment of Net ERUs. Additionally, if a parcel owner applies and qualifies, certain Agricultural Property is granted a credit from payment of Surface Water Service Assessments pursuant to state law.

Information pertaining to the Annual Surface Water Rate Resolution was included in the Truth in Millage (TRIM) mailings to the public, as well as in the advertised legal notice of the public hearing date. The mailing notified each parcel owner of their estimated assessment amount and informed each owner of the public hearing date for the final decision on the adoption of a rate for the County's Surface Water Service Assessment.

**Fiscal Impact/Cost/Revenue Summary:**

The recommended annual Surface Water Service Assessment rate for FY16 is \$117.74 for each Net ERU. It is estimated that the County will collect \$19.2M from the Surface Water Service Assessments for FY16.

**Exhibits/Attachments Attached:**

Annual Surface Water Rate Resolution

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**PINELLAS COUNTY, FLORIDA**

**FY16 ANNUAL SURFACE WATER RATE RESOLUTION**

**ADOPTED SEPTEMBER 10, 2015**

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## TABLE OF CONTENTS

	<u>Page</u>
SECTION 1.	RECITALS. ....2
SECTION 2.	AUTHORITY.....3
SECTION 3.	DEFINITIONS.....3
SECTION 4.	CONFIRMATION OF INITIAL SURFACE WATER RATE RESOLUTION. ....3
SECTION 5.	APPROVAL OF SURFACE WATER ROLLS. ....3
SECTION 6.	SURFACE WATER SERVICE ASSESSMENTS AND FEES.....3
SECTION 7.	MITIGATION CREDIT POLICY.....5
SECTION 8.	COLLECTION OF SURFACE WATER SERVICE ASSESSMENTS.....7
SECTION 9.	EFFECT OF ADOPTION OF RESOLUTION. ....8
SECTION 10.	EFFECTIVE DATE.....8

## APPENDICES

APPENDIX A	PROOF OF PUBLICATION.....A-1
APPENDIX B	AFFIDAVIT OF MAILING.....B-1
APPENDIX C	MITIGATION CREDIT POLICY.....C-1
APPENDIX D	FORM OF GOVERNMENT PROPERTY BILL.....D-1
APPENDIX E	FORM OF CERTIFICATE TO NON-AD VALOREM ASSESSMENT ROLL.....E-1

**RESOLUTION NO. 15-\_\_**

**A RESOLUTION OF PINELLAS COUNTY, FLORIDA, RELATING TO THE PROVISION OF SURFACE WATER MANAGEMENT SERVICES; CONFIRMING THE FY16 PRELIMINARY SURFACE WATER RATE RESOLUTION; IMPOSING SURFACE WATER SERVICE ASSESSMENTS AND FEES AGAINST CERTAIN REAL PROPERTY IN THE UNINCORPORATED AREA OF PINELLAS COUNTY ESTABLISHED AS THE SURFACE WATER SERVICE AREA; APPROVING THE SURFACE WATER ROLLS; ESTABLISHING A MITIGATION CREDIT POLICY; AND PROVIDING AN EFFECTIVE DATE.**

**WHEREAS**, Chapter 166, Article VI of the Pinellas County Land Development Code (the "Code") authorizes the Board of County Commissioners (the "Board") of Pinellas County, Florida (the "County") to impose Surface Water Service Assessments and Surface Water Fees against real property benefited by the County's Surface Water Management Services; and

**WHEREAS**, the reimposition of a Surface Water Service Assessment and Surface Water Fees is an equitable and efficient method of allocating and apportioning the cost of the County's Surface Water Management Service among parcels of property that are benefited thereby; and

**WHEREAS**, the Board has entered into agreement with the Property Appraiser and Tax Collector pursuant to Section 197.3632(2) Florida Statutes, relating to the uniform method for the levy collection , and enforcement of non-ad valorem assessments ("the Uniform Assessment Collection Act") for the collection of Surface Water Assessments , as provided in Section 166-561 of the Code; and

**WHEREAS**, the Board adopted Resolution No. 15-57, the FY16 Preliminary Surface Water Rate Resolution, geographically identifying the area within which the County provides Surface Water Management Services and those properties to be benefited by the County's Surface Water

Management Services (the "Surface Water Service Area"), describing the method of assigning ERUs and apportioning the cost of the Surface Water Management Services (the "Surface Water Service Cost") against Developed Property located within the Surface Water Service Area, directing the preparation of the tentative Surface Water Rolls, and directing the provision of the notices required by Sections 166-503 and 166-504 of the Code; and

**WHEREAS**, pursuant to the provisions of Section 166-506 of the Code, the County is required to confirm or repeal the FY16 Preliminary Surface Water Rate Resolution, with such amendments as the Board deems appropriate, after hearing comments and receiving objections of all interested parties; and

**WHEREAS**, the Surface Water Rolls have heretofore been updated and filed with the office of the Surface Water Utility Coordinator, as provided in Section 166-506 of the Code; and

**WHEREAS**, notice of a public hearing has been published in accordance with Section 166-503 of the Code and, if required by the terms of Section 166-506 of the Code, mailed to each affected property owner in accordance with Section 166-504 of the Code, notifying such property owners of the opportunity to be heard; the proof of publication and an affidavit of mailing are attached hereto as Appendices A and B respectively; and

**WHEREAS**, a public hearing has been duly held on September 10, 2015 and comments and objections of all interested persons have been heard and considered as required by the Section 166-506 of the Code.

**NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF PINELLAS COUNTY, FLORIDA, AS FOLLOWS:**

**SECTION 1. RECITALS.** The above recitals are true and correct and are hereby incorporated herein by reference.

**SECTION 2. AUTHORITY.** This resolution is adopted pursuant to the provisions of Chapter 166, Article VI of the Code; the Initial Surface Water Rate Resolution (Resolution No.13-60); the Final Surface Water Rate Resolution (Resolution No. 13-136); the FY16 Preliminary Surface Water Rate Resolution (Resolution No. 15-57); the Pinellas County Charter; Article VIII, Section 1(g) of the Florida Constitution; Section 125.01 of the Florida Statutes; and other applicable provisions of law.

**SECTION 3. DEFINITIONS.**

(A) This resolution is the FY16 Annual Surface Water Rate Resolution for the imposition of Surface Water Service Assessments and Surface Water Fees.

(B) Unless otherwise defined below, all capitalized terms in this resolution shall have the meanings defined in the Code, the Initial Surface Water Rate Resolution, the Final Surface Water Rate Resolution, and the FY16 Preliminary Surface Water Rate Resolution.

**SECTION 4. CONFIRMATION OF PRELIMINARY SURFACE WATER RATE RESOLUTION.** The FY16 Preliminary Surface Water Rate Resolution is hereby confirmed.

**SECTION 5. APPROVAL OF SURFACE WATER ROLLS.** The updated Surface Water Rolls, copies of which were present or available at the public hearing, on file in the office of the Surface Water Utility Coordinator, and incorporated herein by reference, are hereby approved. The foregoing shall not be construed to require that the Surface Water Rolls be in printed form if the amount of the Surface Water Service Assessment or Surface Water Fee for each Parcel is available on compatible electronic medium and can be determined by use of an available computer terminal.

**SECTION 6. SURFACE WATER SERVICE ASSESSMENTS AND FEES.**

(A) The Parcels of Developed Property described in the Surface Water Rolls are hereby found to be benefited by the County's Surface Water Management Services in the amount of the

Surface Water Service Assessment or Surface Water Fee set forth in the applicable Surface Water Roll. Adoption of this FY16 Annual Surface Water Rate Resolution constitutes a legislative determination that all Parcels charged derive a benefit from the Surface Water Management Services to be provided.

(B) Adoption of this FY16 Annual Surface Water Rate Resolution also constitutes a legislative determination that the Surface Water Service Assessments and Surface Water Fees are fairly and reasonably apportioned among the Developed Properties that receive the benefit from the Surface Water Management Services that is consistent with the legislative declarations, determinations and findings set forth in the Code, the Initial Surface Water Rate Resolution, the Final Surface Water Rate Resolution, the FY16 Preliminary Surface Water Rate Resolution, and this Annual Surface Water Rate Resolution.

(C) The method for computing the Surface Water Service Assessments and Surface Water Fees and the assignment of ERUs described in the FY16 Preliminary Surface Water Rate Resolution is hereby approved.

(D) For the Fiscal Year beginning October 1, 2015, the estimated Surface Water Service Cost, excluding collection costs, is \$20.3 million. The Surface Water Service Assessments and Surface Water Fees to be charged to all benefited parcels pursuant to the methodology set forth in the Initial Surface Water Rate Resolution, as that methodology was amended by the FY16 Preliminary Surface Water Rate Resolution, will be computed for each Parcel of Developed Property located within the Surface Water Service Area by multiplying the number of Net ERUs attributable thereto by the rate of \$117.74 per Net ERU.

(E) The above rate per Net ERU is hereby approved. Surface Water Service Assessments and Surface Water Fees for the provision of Surface Water Management Services in the amounts set



forth in the Surface Water Rolls, as herein approved, are hereby levied and imposed on all Parcels described in the Surface Water Rolls for the Fiscal Year beginning October 1, 2015.

(F) The Surface Water Service Assessments shall constitute a lien upon the Parcels so assessed equal in rank and dignity with the liens of all state, county, district or municipal taxes and non-ad valorem assessments. Except as otherwise provided by law, such lien shall be superior in dignity to all other liens, titles and claims, until paid. The lien for Surface Water Service Assessments shall be deemed perfected upon adoption by the Board of this Annual Surface Water Rate Resolution. Upon perfection, the lien for Surface Water Service Assessments collected under the Uniform Assessment Collection Act shall attach to the property included on the roll as of the prior January 1, the lien date for ad valorem taxes.

#### **SECTION 7. APPROVAL OF THE MITIGATION CREDIT POLICY.**

(A) As used in this Resolution, the following terms shall have the following meanings:

**"Mitigation Credit"** means, for any Parcel of Developed Property, a number between 0.0 and 0.75 representing a reduction in the burden expected to be generated by such Parcel attributable to privately maintained Stormwater management facilities and other factors affecting the quantity or quality of Stormwater runoff.

**"Mitigation Credit Factor"** means the figure computed by subtracting the Mitigation Credit from 1.00.

**"Mitigation Credit Policy"** means the Pinellas County Surface Water Utility Adjustments and Credits Policies and Procedures Manual attached hereto as Appendix C.

(B) The Board hereby finds that the Mitigation Credit Policy is fair and reasonable and, therefore, approves the Updated Mitigation Credit Policy attached hereto as Appendix C.

(C) The Board recognizes the benefits provided by privately maintained Stormwater management facilities. Properties supporting private Stormwater management facilities should be credited for the public benefits they provide. Accordingly, the number of ERUs otherwise attributable to such property shall be adjusted by a Mitigation Credit determined in accordance with the Mitigation Credit Policy.

(D) In order to receive a Mitigation Credit for which property is eligible, the property owner shall file a Mitigation Credit application between October 1 and April 1 with the Surface Water Utility Coordinator on a form approved by the Surface Water Utility Coordinator. The property owner may be required to provide the Surface Water Utility Coordinator with "as built" drawings of the Stormwater management facility sealed by a Florida registered professional engineer, a certification from a Florida registered professional engineer as to the standards of retention and detention achieved by the facility, evidence of compliance with any exemptions mandated under state law, or such other reasonable requirements as may be necessary to effectuate the purposes of this Section.

(E) The Surface Water Utility Coordinator, with the assistance of other members of the administrative staff of the County, shall, within sixty (60) days after the filing of such application, review the application and such other supporting data that may be filed therewith and make such further investigation as may be reasonably required in order to determine if the applicant is qualified for a Mitigation Credit pursuant to this Section.

(F) The Surface Water Utility Coordinator shall furnish his or her written decision to such applicant by United States mail, postage prepaid, addressed to the applicant at the address stated on the application.

(G) No Mitigation Credit shall be applied for service provided to property by a Stormwater management facility constructed or maintained with County funds.

(H) Upon approval, a Mitigation Credit shall be valid for two Fiscal Years. Prior to the expiration of the Mitigation Credit, property owners must reapply in accordance with paragraph (D) of this Section.

#### **SECTION 8. COLLECTION OF SURFACE WATER SERVICE ASSESSMENTS.**

(A) The Surface Water Service Assessments shall be collected pursuant to the Uniform Assessment Collection Act established in Section 197.3632 Florida Statutes and as provided in Section 166-561 of the Code. Under the Uniform Assessment Collection Act, the Surface Water Roll is subject to all collection provisions of Chapter 197 Florida Statutes, and shall be included on the annual Notice of Proposed Property Taxes (TRIM) and Tax Bill for each tax year—which in this case runs from January 1 through December 31, 2015. Notwithstanding the above, this FY16 Annual Surface Water Rate Resolution reflects anticipated budget needs for the 2016 Fiscal Year, which runs from October 1, 2015 through September 30, 2016. Thus, the assessments authorized by this FY16 Annual Surface Water Rate Resolution shall be collected on the 2015 Tax Bill. The Surface Water Utility Coordinator is hereby authorized and directed to certify and deliver or cause the certification and delivery of the Surface Water Roll for the Surface Water Service Assessments to the Tax Collector by September 15, 2015. The Surface Water Roll for the Surface Water Service Assessments, as delivered to the Tax Collector, shall be accompanied by a Certificate to Non-Ad Valorem Assessment Roll in substantially the form attached hereto as Appendix E.

(B) The Surface Water Fees imposed against Government Property shall be billed, collected, and enforced pursuant to the alternative method of collection described in Section 166-564 of the Code and Section 10 of the FY16 Preliminary Surface Water Rate Resolution. The Board

hereby directs the Surface Water Utility Coordinator to mail said bills no later than November 1, 2015 in substantially the form attached hereto as Appendix D.

**SECTION 9. EFFECT OF ADOPTION OF RESOLUTION.** The adoption of this FY16 Annual Surface Water Rate Resolution shall be the final adjudication of the issues presented herein (including, but not limited to, the apportionment methodology, the rate of the fee for service to Government Property, the rate of assessment, the adoption of the updated Surface Water Rolls and the levy and lien of the Surface Water Charges), unless proper steps shall be initiated in a court of competent jurisdiction to secure relief within 20 days from the date of this FY16 Annual Surface Water Resolution.

**SECTION 10. EFFECTIVE DATE.** This resolution shall take effect immediately upon its adoption.

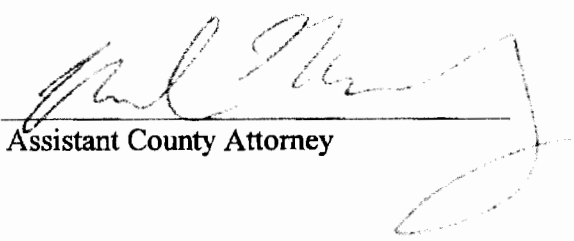
Commissioner \_\_\_\_\_ offered the foregoing Resolution and moved its adoption, which was seconded by Commissioner \_\_\_\_\_, and upon roll call the vote was:

AYES:

NAYS:

Absent and not voting:

Approved as to form:

  
Assistant County Attorney

## **APPENDIX A**

### **PROOF OF PUBLICATION**

**Tampa Bay Times**  
Published Daily

STATE OF FLORIDA } ss  
COUNTY OF Pinellas County

Before the undersigned authority personally appeared **Deirdre Almeida** who on oath says that he/she is **Legal Clerk** of the **Tampa Bay Times** a daily newspaper printed in St. Petersburg, in Pinellas County, Florida; that the attached copy of advertisement, being a Legal Notice in the matter **RE: was published in Tampa Bay Times: 8/21/15**, in said newspaper in the issues of **B Pinellas**

Affiant further says the said **Tampa Bay Times** is a newspaper published in Pinellas County, Florida and that the said newspaper has heretofore been continuously published in said Pinellas County, Florida, each day and has been entered as a second class mail matter at the post office in said Pinellas County, Florida for a period of one year next preceding the first publication of the attached copy of advertisement, and affiant further says that he/she neither paid nor promised any person, firm or corporation any discount, rebate, commission or refund for the purpose of securing this advertisement for publication in the said newspaper

*Deirdre Almeida*

Signature of Affiant

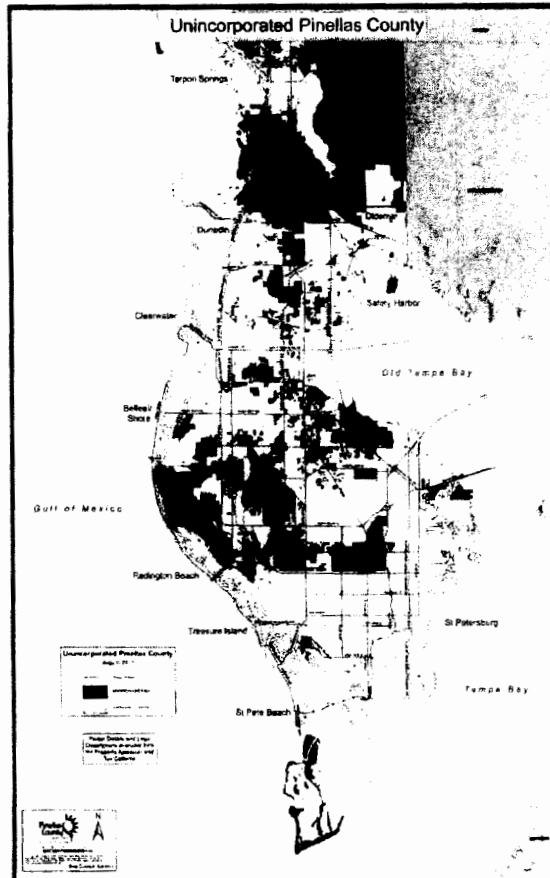
Sworn to and subscribed before me this 08/21/2015.

*Mary Farter*

Signature of Notary Public

Personally known \_\_\_\_\_ or produced identification \_\_\_\_\_

Type of identification produced \_\_\_\_\_



## NOTICE OF HEARING TO IMPOSE AND PROVIDE FOR COLLECTION OF NON-AD VALOREM ASSESSMENTS AND FEES

The U. S. Environmental Protection Agency through the National Pollution Discharge Elimination System Stormwater permitting program implemented by the Florida Department of Environmental Protection has mandated Pinellas County to implement and fund a comprehensive surface water management program. A new and dedicated funding source was established by the County in 2013 to assist in funding this effort. Accordingly, the Pinellas County Board of County Commissioners (the "Board") will conduct a public hearing to consider the continued imposition of Surface Water Service Assessments against non-Government Property and Surface Water Fees against Government Property in the unincorporated area of the County, as shown above.

The hearing will be held at 8:00 P.M., or as soon thereafter as the item can be heard, on September 10, 2015 in the Board Assembly Room at 315 Court Street, Fifth Floor, Clearwater, Florida 33756. In accordance with the Americans with Disabilities Act, persons needing a special accommodation or an interpreter to participate in this proceeding, should contact the Office of Human Rights at 400 South Fort Harrison Avenue, Suite 500, Clearwater, Florida 33756 at (727) 464-4062 at least forty-eight (48) hours prior to the date of the hearing. Persons that are hearing impaired should call the Florida Relay Service Numbers at 1-800-955-8771 (TDD) or 1-800-955-8770 (Voice), for assistance. All affected property owners have a right to appear at the hearing and to file written objections with the County. All written objections to the non-ad valorem assessments and fees must be filed with the Board within twenty (20) days of this notice. Please include your name, parcel number, and the reason you object to the assessment on all written objections. Address all written objections as follows: Surface Water Assessment, Pinellas County Board of County Commissioners, 315 Court Street, Fifth Floor, Clearwater, Florida 33756. Any person wishing to appeal any decision of the Board with respect to any matter considered will need a record of the proceedings and may wish to ensure that a verbatim record of the proceedings is made.

The Surface Water Service Assessments and Surface Water Fees will fund the County's cost to provide Surface Water Management Services in the unincorporated areas of the County. The Surface Water Service Assessments and Surface Water Fees are based upon the estimated amount of stormwater runoff generated by impervious surface on the property. Impervious surfaces include rooftops, patios, driveways, parking lots and similar areas. The County has determined that the median single-family residence in the Surface Water Service Area includes 2,339 square feet of impervious surface, which is defined as the "Equivalent Residential Unit value" or "ERU Value." The annual Surface Water Service Assessment rate for the upcoming Fiscal Year and future fiscal years will be \$117.74 for each Net ERU on non-Government Property. The annual Surface Water Fee rate for the upcoming Fiscal Year and future fiscal years will be \$117.74 for each Net ERU on Government Property.

Generally, the number of ERUs for commercial properties and condominiums was calculated by dividing the impervious surface area by 2,339 square feet, while single-family homes were placed in one of three tiers based on total impervious area. If a property owner applies and qualifies, credits for privately maintained stormwater management facilities and other factors affecting the quantity or quality of stormwater runoff will be applied. A more specific description of the Surface Water Service Assessments and Surface Water Fees is set forth in Chapter 166, Article VI, Pinellas County Code, the Initial Surface Water Rate Resolution (Resolution No. 13-60), the Final Surface Water Rate Resolution (Resolution No. 13-136), and the FY16 Preliminary Surface Water Rate Resolution (Resolution No. 15-57). Copies of these resolutions and the updated Surface Water Rolls are available for inspection at the Pinellas County Board Records Department, 315 Court Street, Fifth Floor, Clearwater, Florida 33756. Additional information about the Surface Water Service Assessment and Surface Water Fees is available at <http://www.pinellascounty.org/surfacewater>.

Pursuant to Chapter 197, Florida Statutes, the Surface Water Service Assessments will be collected by the Tax Collector of Pinellas County on the tax bill to be mailed in November 2015. Failure to pay the Surface Water Service Assessment will cause a tax certificate to be issued against the assessed property, which may result in a loss of title to the property. The Surface Water Fees will be collected by separate bills sent by the County to Government Property.

If you have any questions regarding the number of ERUs assigned to your property or the amount of your Surface Water Service Assessment or Surface Water Fee, please contact the County Natural Resources Division by telephone at (727) 464-8759.

KEN BURKE  
CLERK TO THE BOARD OF COUNTY COMMISSIONERS  
By: Norman O. Loy, Deputy Clerk

**APPENDIX B**

**AFFIDAVIT OF MAILING**

### **AFFIDAVIT OF MAILING**

**BEFORE ME, the undersigned authority, personally appeared Kelli Hammer Levy, who, after being duly sworn, deposes and says:**

**1. Kelli Hammer Levy, as Surface Water Utility Coordinator of Pinellas County, Florida (the "County"), pursuant to the authority and direction received from the Board, timely directed the preparation of the Surface Water Rolls and the preparation, mailing, and publication of notices in accordance with Chapter 166, Article VI of the Pinellas County Land Development Code (the "Code") and in conformance with the FY16 Preliminary Surface Water Rate Resolution adopted by the Board on June 23, 2015 (the "FY16 Preliminary Rate Resolution").**

**2. In accordance with the Code and the FY16 Preliminary Rate Resolution, Ms. Levy timely provided all necessary information to the Property Appraiser of Pinellas County for notification of the Surface Water Service Assessment and Surface Water Fees, to be included as part of the notice of proposed property taxes under Section 200.069, Florida Statutes, the truth-in-millage notification, for each affected property owner. The information provided to the Property Appraiser to be included on the truth-in-millage notification for each affected property owner included the following: the purpose of the assessment; the total amount proposed to be levied against each parcel; the unit of measurement to be applied against each parcel to determine the assessment; the number of such units contained within each parcel; the total revenue the County expects to collect by the assessment; a statement that failure to pay the assessment will cause a tax certificate to be issued against the property which may result in a loss of title; a statement that all affected property owners have a right to appear at the hearing and to file written objections with the local governing board within 20 days of the notice; and the date, time, and place of the hearing.**



3. On or before August 21, 2015, Ms. Levy delivered and directed the mailing of the above-referenced notices in Paragraph 2 by the Property Appraiser of Pinellas County, in accordance with the Code and the FY16 Preliminary Rate Resolution by U.S. First Class Mail to each affected property owner, at the addresses then shown on the real property assessment tax roll database maintained by the Pinellas County Property Appraiser for the purpose of the levy and collection of ad valorem taxes.

4. For Government Property, Ms. Levy has caused the notices to be prepared and mailed in conformance with the FY16 Preliminary Rate Resolution. An exemplary form of such notice is attached hereto. Ms. Levy has caused such individual notices for each affected property owner to be prepared and each notice included the following information: the purpose of the charge; the total amount proposed to be imposed against each parcel; the unit of measurement to be applied against each parcel to determine the fee; the number of such units contained within each parcel; the total revenue the County expects to collect; a statement that all affected property owners have a right to appear at the hearing and to file written objections with the local governing board prior to the hearing; and the date, time, and place of the hearing.


5. As directed above, Ms. Levy, mailed or caused to be mailed the herein-referenced notices as described above.

FURTHER AFFIANT SAYETH NOT.

  
Kelli Hammer Levy, affiant

STATE OF FLORIDA  
COUNTY OF PINELLAS

The foregoing Affidavit of Mailing was sworn to and subscribed before me this 21 day of August, 2015 by Kelli Hammer Levy, Surface Water Utility Coordinator, Pinellas County, Florida. She is personally known to me or has produced as identification and did take an oath.

  
Printed Name: WENDY REAGAN  
Notary Public,  
State of Florida At Large  
My Commission Expires: AUGUST 27, 2018  
Commission No.: FF155299



**APPENDIX C**  
**MITIGATION CREDIT POLICY**

APPENDIX C

**PINELLAS COUNTY  
SURFACE WATER UTILITY  
ADJUSTMENTS AND MITIGATION CREDITS  
POLICIES AND PROCEDURES MANUAL**



**Department of Environment and Infrastructure  
Transportation & Stormwater Division  
Natural Resources Section**

September 2014

# Introduction

The purpose of this Manual is to describe the policies set forth by Pinellas County concerning Surface Water Assessment Adjustments and Mitigation Credits. Pinellas County established a Surface Water Utility, its Master Surface Water Utility Ordinance No. 13-14 and Rate Resolution No. 13-60, collectively referred to below as the Surface Water Utility. The Surface Water Utility allows the County to establish and collect assessments for the surface water services provided by the County, and also provides opportunities for Adjustments and Mitigation Credits. This Manual provides technical and administrative assistance in the application process.

# Section 1 - Adjustments

*Applications accepted 9/1 to 10/1 yearly*

## **Impervious Area Measurement Adjustment**

Adjustments may be available to Customers through the appeals process specified in Section 5.04 of the Pinellas County Master Surface Water Utility Ordinance. An Adjustment is a change to correct a parcel's impervious area square footage and the associated overcharge or undercharge of a customer's Surface Water Assessment. Adjustments are not to be confused with Credits, which are intended to reduce the Assessment by a percentage reflecting the benefit provided by the Customer to the County's efforts to operate and maintain the Stormwater Management System.

The County has applied County Property Appraiser data and GIS technology to determine the impervious area for all properties within the County Limits, using both direct measurement for non-single family residential properties and Pinellas County Property Appraiser structural elements and extra feature data for single-family residential properties. A customer may apply for an adjustment if the customer believes and can demonstrate the impervious area used for the Equivalent Residential Unit (ERU) designation on the subject property is incorrect.

## **Application for Adjustment**

Any Customer determining that their property qualifies for an Adjustment shall submit the form in Appendix A to the Surface Water Utility Coordinator by between September 1 and October 1. As part of the submission, the Customer must provide the County with evidence or justification in writing for the correction of the Assessment in question. In some cases, the Customer may also be required to submit, at his or her expense, a survey prepared by a registered land surveyor or other information such as plans or blueprints to support the request for an Adjustment. The Surface Water Utility Coordinator will issue a written determination within 60 days of filing. The Customer is allowed 30 days from service of the written decision to file an appeal with the County Administrator or his designee.

## Section 2 – Mitigation Credits

*Applications accepted 10/1 to 4/1 yearly*

**Applicants are strongly encouraged to call Pinellas County well before the deadline at 727-464-8759 to go over the submittal requirements and timing of delivery.**

The County recognizes that some developed properties subject to the Surface Water Assessment currently operate and maintain stormwater facilities that can reduce stormwater runoff impacts from the subject property to the County system. These facilities help reduce the burden on the County to manage, maintain and operate the stormwater system.

The Mitigation Credits Program is designed to achieve the following key objectives:

- Provide financial and environmental incentives to customers to implement and maintain functional stormwater management facilities; and to promote parcel characteristics that mitigate stormwater runoff to help the County meet its stormwater management goals; and
- Provide an opportunity for customers to reduce their Surface Water Assessment.

### **A. Mitigation Credit Rationale and Eligibility**

Surface Water Assessment Mitigation Credits may be granted to parcels who meet criteria described in Mitigation Credit Eligibility below:

#### **1. Zero discharge parcels:**

The parcel does not discharge any runoff during a 100yr/24hr event to any portion of the County right-of-way, drainage system or receiving waters. Runoff from the 100yr/24hr event is totally retained within the parcel's stormwater management system. Parcels which do not discharge stormwater runoff during a 100yr/24hr storm event impose no direct stormwater maintenance burden on the County's system or receiving waters. This provides a savings to the County on the cost of maintaining the non-transportation related stormwater facilities which is estimated at 75% of the County's overall surface water management costs.

#### **2. Non-residential parcels with a stormwater treatment facility:**

The parcel has a properly permitted, maintained and functional onsite Stormwater Management System which treats and attenuates stormwater prior to discharge to the County right-of-way or stormwater system over which the County has maintenance responsibility. The parcel may receive up to a 75% mitigation credit, based on the percentage of the stormwater runoff **retained or detained** from the 100yr/24hr storm event that the parcel generates prior to discharge into a County system.

**3. Special District and Association parcels which contribute to the maintenance of privately owned community stormwater management facilities:**

Parcels located within a Community Development District, Civic Association (Homeowners Association or Property Owners Association), or Special District that provides maintenance to non-County owned stormwater management facilities which accept drainage from the parcel. These properties will fall into one of the two following categories:

- a. The Community does not include any County owned or maintained drainage or right-of-ways. All drainage and right-of-way facilities are privately owned and maintained. All stormwater runoff generated from the 100yr/24hr storm event is routed to the community's stormwater treatment facilities and is **retained or detained** on site. The parcel may receive up to a 75% mitigation credit, based on the percentage of the stormwater runoff retained or detained from the 100yr/24hr storm event that the parcel generates prior to discharge into a County system.
- b. The community owns and maintains private drainage, but does include County owned or maintained right-of-way and associated drainage. The parcel may receive up to a 37.5% mitigation credit (or 50% of the County's Operation and Maintenance Costs), based on the percentage of the stormwater runoff **retained or detained** from the 100yr/24hr storm event that the parcel generates prior to discharge into a County system or receiving waters.

Parcels qualifying in these two categories will be credited on a pro-rata basis on the number of parcels within the community that drain to the private stormwater management facility. The HOA may submit one common application on behalf of the residents whose properties drain to the stormwater management facility.

**4. Parcels with unique features:**

Parcels with unique features which lessen the impact of runoff from the parcel to the County drainage system or surface waters will be considered on a case-by-case basis.

**5. Parcel Discharging to Tidal Waters:**

Parcels that directly discharge to tidal waters, without first discharging into the County's system or receiving waters, shall be credited up to a maximum of 75% credit based on the water quality treatment being provided on site using the Outstanding Florida Waters (OFW) criteria. Credit in this category shall only apply to the area of the parcel not discharging into the County's MS4 or surface waters.



<b>Condition</b>	<b>Mitigation Credit</b>
1. Zero discharge from 100yr/24hr event.	75%
2. Certified private stormwater management facility	Up to 75% based on % retention/detention of 100yr/24hr storm event
3.	
a. Privately maintained community with stormwater management facility	Up to 75%
b. County maintained community with private stormwater management facility	Up to 37.5%
	based on % retention/detention of 100yr/24hr storm event
4. Parcel with unique features	Up to 37.5%
5. Parcels discharging to tidal waters	Up to 75% based on % of treatment provided in accordance with OFW criteria

These above mitigation credits are not cumulative. Maximum Mitigation Credit will be 75%. Requests for mitigation credits with supporting documentation must be submitted to Pinellas County to obtain the credit.

**It is important to note that if a property does not retain or detain the entire volume generated from the 100-year storm event, they are still eligible for a credit based on the percentage of the 100-year event that is retained or detained on site.**

Parcels with a designed and permitted stormwater management facility in an **open basin** may qualify for a maximum of 56% credit by demonstrating retention or detention of the volume generated by a 25-year, 24-hour storm event.

Parcels with a designed and permitted stormwater management facility in a **closed basin** may qualify for a maximum of 75% credit by demonstrating retention or detention of the volume generated by a 100-year, 24-hour storm event.

The table below shows the credit a parcel could receive based on the volume generated by a particular storm event that is **retained or detained** on site:

Storm Event Retained or Detained	Credit Received
2 yr-24 hr	28%
2.33 yr-24 hr	31%
5 yr-24 hr	38%
10 yr-24 hr	47%
25 yr-24 hr	56%
50 yr-24 hr	63%
100 yr-24 hr	75%

## **B. Mitigation Credit Application Requirements**

### **1. Application Submittal Deadline**

Applications for Mitigation Credits shall be submitted **between October 1<sup>st</sup> and April 1<sup>st</sup>**. Applications received between October 1, 2014 and December 31<sup>st</sup>, 2014 will be applied retroactively to the 2014 tax bills, and refunds will be issued as necessary. Applications received between January 1, 2015 and April 1, 2015 will be applied to the 2015 tax bills. In subsequent years, applications received will be applied to the following tax bill. For example, an application received in March 2016 will be considered for the 2016 tax roll. Any applications received outside of the approved period will be kept on file and considered in the following year's Credit Application period. Staff will still provide input on the documentation submitted as necessary, but the official review process will not begin until the start of the next application period. The Surface Water Utility Coordinator will issue a written determination within 60 days of filling a complete application, or 60 days after the beginning of the review period, whichever comes last. The Customer is allowed 30 days from service of the written decision to file an appeal with the County Administrator or his designee.

The timeline below shows the dates for submittal and processing of credit applications, beginning with the 2016 credit application period:

	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec
Credit applications Accepted												
Credits processed												
	During this period staff will be available to receive and review applications. Credits approved during this time will be applied to the upcoming tax roll. Credits are not applied retroactively.											
	During this period staff will be available to receive applications that will be held for the following tax year. Staff will provide comments back to applicants to ensure their applications are complete for upcoming processing period.											
	During this period staff will be preparing the assessment roll and ensuring the approved credits are reflected on the applicants TRIM notice.											

## 2. Required documentation:

- a. For categories 1-3, proper documentation that demonstrates that the site **retains or detains** the runoff generated from the parcel under the 100yr/24hr storm event must be submitted by an Engineer licensed in the state of Florida.

All required documentation must be provided by the close of the application period or it will be considered incomplete. Applicants are strongly encouraged to work with County staff and submit their documentation early. In order to adequately quantify the relief provided by the parcel's stormwater treatment facility, the following must be provided:

- Approved County Site Plan showing topographic details, overland flow paths, all stormwater facilities, and surrounding area.
- Site Survey OR Site Plan signed and sealed by a licensed surveyor or engineer asserting that the plan is reflective of current site conditions. The survey or site plan must depict storage volume and characteristics of the stormwater treatment system. Staff will be available to provide any plans or calculations that the County may have on file.
- Signed and sealed calculations accurately describing the amount of runoff generated from the site during a 100yr/24hr storm event [12"] and the amount/percentage of this volume stored in the stormwater treatment facility. Staff will provide the impervious area used to calculate the parcels ERU if requested.

- A report that clearly describes how the stormwater facility functions for storm events the facility is designed to control.
  - Maintenance records to verify the County approved maintenance plan is being followed, such as a County Maintenance Plan or SWFWMD certification documentation and maintenance requirements.
  - The list of parcels applying for a Mitigation Credit if applicable.
- b. For category 4 properties (parcels with unique features), the applicant will need to demonstrate any unique features on their property reduce the stormwater impact to the County's system or receiving water either with a licensed engineer, or provide as-built plans, surveys or other supporting documentation as determined by the County on a case-by-case basis.
- c. For category 5 properties (parcel that discharge to tidal waters), the applicant requesting credit in this category shall provide the following documentation to support their credit application:
- Site Survey OR Site Plan signed and sealed by a licensed surveyor or engineer asserting that the plan is reflective of current site conditions. The survey or site plan must depict storage volume and characteristics of the stormwater treatment system, as well as the area of the parcel directly discharging to tidal waters. This site plan shall also show any area that is discharging to the County's system or receiving waters.
  - Signed and sealed calculation describing the percentage of the water quality treatment volume provided in comparison to the water quality treatment based on OFW criteria.
  - Appropriate documentation showing the treatment volume provided in the stormwater management system on the parcel.
  - A report that clearly describes how the stormwater facility functions for storm events the facility is designed to control.
  - Maintenance records to verify the County approved maintenance plan is being followed, such as a County Maintenance Plan or SWFWMD certification documentation and

maintenance requirements.

- The list of parcels applying for a Mitigation Credit if applicable.

### **3. Maintenance agreement and documentation requirements for Stormwater Management Systems:**

An owner of a Stormwater Management System must agree in writing to maintain the credited System to County Standards as depicted in the site's approved site plan and all other applicable standards and state law in order to be eligible for Credit. Failure to maintain a Stormwater Management System in compliance to County Standards will result in the loss of the Credit and possible surcharge to recapture improper credits. The owner of a credited Stormwater Management System is responsible for notifying the County if the system is compromised or damaged in any way or is no longer complying with state law or County Standards. The owner of a credited System must also notify the County if any repair work is performed that may alter its operation.

The owner of a credited System must comply with all applicable maintenance practices below that are relevant to the credited facility. The following list is not intended to be comprehensive. Customers are referred to the Land Development Code and those documents incorporated therein by reference for specific minimum maintenance requirements.

- Debris and Litter Removal – This activity must be performed after storm events totaling approximately two inches over a 24-hour period or as needed in order to prevent the structure from clogging and failing and to prevent a public nuisance.
- Erosion and Structural Repair – Side slopes, emergency spillways, and embankments all may periodically suffer from slumping and erosion. Regrading, revegetating, compacting and/or installing or replenishing rip-rap may be required to correct erosion problems that develop.
- Mowing – Side slopes, embankments, emergency spillways, and other grassed areas of stormwater Control Measures should be periodically mowed to prohibit woody growth and to prevent grass from growing over twelve (12) inches in height. More frequent mowing may be required in residential areas by adjacent homeowners or to meet the State of Florida standards. Native grasses, which are water-tolerant, pest-tolerant, and slow growing, are recommended.

- No Blockages - Remove sediment or any blockage from pipes, channels, spillways, inlets and outlets as needed to keep the Control Measure in proper working condition.
- Nuisance Control – Standing water or soggy conditions within a “dry” Stormwater Control Measure can create nuisance conditions for nearby residents, as defined in the Land Development Code. Common nuisance conditions may include odors, mosquitoes, litter, and weeds. Regular maintenance to remove debris and ensure control structure functionality is required to control these potential problems. In addition, well-maintained and established wetland plants in wet detention ponds or bird nesting boxes around the pond can provide a habitat for birds and predacious insects and fish that can actively serve as a natural check on nuisance insects such as mosquitoes. Cyclical alteration of the water level in the pond or installation of aeration/agitation features will also disrupt most unwanted larval growth.
- Outlet Control – Maintain outlet control devices to ensure proper functioning in the control of stormwater velocities at the outlet of the Stormwater Control Measure. Re-vegetating and/or replenishing or installing rip-rap may be required to correct erosion problems at the outlet of Stormwater Control Measure pipes.
- Removal of Log Jams and Debris - All stream and ditches within the stormwater system should be inspected periodically for blockages. If identified, the blockages and debris should be removed as quickly as practicable.
- Sediment Removal – This activity is to be performed as needed or as required by the County to ensure proper working order of the Control Measure and its related Stormwater Control Measure features (channels, pipes, etc.). Sediment removal is also required to maintain the required storage volume according to the Land Development Code and those documents incorporated therein by reference.
- Structural Repairs and Replacement – Eventually, stormwater control structures will deteriorate and must be replaced. Major structural damage to outlet structures (i.e. cracks, leaks, or failure) must be repaired as soon as possible.

#### **4. Inspections / Right of entry**

Each Customer that has applied for and received a mitigation credit for a Stormwater Management System has the private responsibility to inspect and repair

their system to ensure that it is functioning as credited. In addition, the County reserves the right to inspect any system receiving a credit at any time. If the field inspection proves that any of the annual documentation submitted for continuation of the Credit is not accurate, or the system is not maintained, or if the system is not operating as credited, the Credit will be forfeited, and the Customer must repay the County in the form of a surcharge the amount of Credit received during the period for which the County determines the system was out of compliance.

Inspections will be performed at the discretion of the County to assure that a Stormwater Management System is operating as credited (no blockage due to excessive sediment accumulation, logs, or debris; proper vegetative coverage, etc).

In order to be eligible for a mitigation credit, the owner of the parcel must agree to allow the County to inspect the Stormwater Management System to ensure that they are maintained and functioning properly.

### **C. Mitigation Credit Renewals**

Mitigation Credits granted to a Customer for an existing or new Stormwater Management System are in effect for two years. In order to continue receiving Credit in future years, a Customer must renew their application every 24 months from the original date of acceptance. **Reapplications shall be submitted between October 1st and April 1st.** The required documentation consists of the following:

- Biennial inspection report from an independent Professional Engineer licensed to practice engineering in the State of Florida – SWFWMD recertifications less than 1 year old may be submitted to fulfill this requirement.
- Recently dated photographs showing the condition (including any known damage or disrepair) of a Stormwater Control Measure. For stormwater ponds and other devices, these photos should include views of the outlet structure, all side slopes, vegetated littoral zones, a view from the downstream channel looking upstream at the dam and emergency spillway, a view from the dam showing the condition of the downstream channel, and a view of areas designed to catch sediment (if possible).

# Appendix A - Instructions and Forms for Adjustments

## Instructions

Applicants must fill out the Adjustment Form contained in Appendix A.1 and submit the items listed in the Checklist. Please note that the County reserves the right to request additional information if necessary to determine the adjustment.

Applicants should fill out the entire form as completely as possible. The following directions apply to each section of the form.

### Section A

Please submit the information requested by the Application including Property Owner, Physical Address, Contact Information and a copy of the most recent Assessment from the Pinellas County.

### Section B

Please submit the information requested concerning the Applicant's Engineer or Surveyor (if applicable) including the Name, Physical Address, and Contact Information.

### Section C

Please submit the information requested concerning the Applicant's Property. If the property address is different from the Owner address in Section A, please include in Section C.

### Section D

Please list your requested change of impervious area in the appropriate spaces. In addition, please attach all documentation needed to justify your claim for an adjustment. Additional information may include:

- A map and/or aerial photograph of the property – Google Maps or Pinellas County Property Appraiser Website are acceptable sources.
- Official property measurements such as site plan, building plans, etc. Official property measurements shall be determined from surveys, certified as-builts or plans, or similar types of documents.
- If necessary for more complex sites, a complete site survey by a registered surveyor or engineer



**Section E**

A checklist for completion of the application is included in Section E. Please check the boxes next to each item to signify that you have completed the entire form. If the form is not complete, the County may request that you re-submit the form before making a determination on the adjustment.

**Section F**

Please place your initials in the appropriate spaces to signify that you will comply with the statements in this section. This section must be complete in order for your application to be processed.

**Section G**

Please sign and date that you have completed the application for an adjustment. If multiple owners exist for the property, all owners must sign this form in order to grant the adjustment.

**Section H**

Section H is for office use only by Pinellas County staff.

# Appendix B - Instructions and Forms for Mitigation Credits

Applicants applying for a Stormwater Facility Mitigation Credit for the first time must fill out the Credit Application contained in Appendix B.1 and submit the items listed in the Credit Application Checklist. Please note also that the County reserves the right to request additional information if necessary to determine the Credit. Applicants or a Professional Engineer hired by the Applicant should fill out the entire form as completely as possible. The following directions apply to each section of the form.

## **Section A**

Please submit the information requested by the Application including Customer Name, Physical Address, Contact Information and a copy of the most recent Assessment from the County.

## **Section B**

Please submit the information requested concerning the Applicant's Engineer including the Name, Physical Address, and Contact Information.

## **Section C**

Please submit the information requested concerning the Applicant's Property for which Credit will be applied. If the property address is different from the Customer's address in Section A, please include in Section C.

## **Section D**

Please indicate the number of acres of onsite and upstream tributary drainage area (if applicable) controlled by the Applicant's Stormwater Facility by entering the correct amount in the boxes provided. The Applicant shall receive this information from the Professional Engineer that was hired to design the new facility or who has performed the study of an existing facility. The applicant shall submit a drainage plan showing the contributing drainage areas on the parcel and their outfall locations.. In addition, the engineer should signify the appropriate design storm events controlled by the Stormwater Facility.

## **Section E**

A checklist for completion of the application is included in Section F. Please check the boxes next to each item to signify that you have completed the entire form. If the form is not complete, the County may request that you re-submit the form before making a determination on the adjustment.

## **Section F**

Please place your initials in the appropriate spaces to signify that you will comply with the statements in this section. For facilities with multiple owners or customers, the owner having primary responsibility for the management of the facility should sign this section. A Professional Engineer registered in the State of Florida is also required to sign this section. This section must be complete in order for your application to be processed.

## **Section G**

Please sign and date that you have completed the application for a Credit. If multiple customers exist for the property, all customers must sign this form in order to grant the Credit. For development with common area Stormwater Facilities such as condominiums, townhomes or cluster unit developments, where Assessments are pro-rated to the lot owners, the Association may sign and complete the application on behalf of its members.

## **Section H**

Section I is for office use only by Pinellas County staff.

# Appendix C - Instructions and Forms for Mitigation Credits Renewals

Customers applying for a Renewal of an existing Mitigation Credit must complete the Surface Water Assessment Mitigation Credit Renewal Application in this Section and submit the items listed in the Credit Renewal Checklist on the application form every two years. A Licensed Engineer needs to complete the certified inspection report required for the type of Credit being applied for. The following Section provide instructions for completing the Credit Renewal form. **Most of this information can be copied by the applicant directly from the Initial Credit Application Form.**

## Section A

Please submit the information requested by the Application including Customer Name, Physical Address and Contact Information.

## Section B

Please submit the information requested concerning the Applicant's Engineer including the Name, Physical Address, and Contact Information.

## Section C

Please submit the information requested concerning the Applicant's Property. If the property address is different from the Customer's address in Section A, please include in Section C.

## Section D

Please indicate the number of acres of onsite and upstream tributary drainage area (if applicable) controlled by the Applicant's Stormwater Facility by entering the correct amount in the boxes provided. The Applicant shall receive this information from the Professional Engineer that was hired to design the new facility or who has performed the study of an existing facility. The applicant shall submit a drainage plan showing the contributing drainage areas on the parcel and their outfall locations.. In addition, the engineer should signify the appropriate design storm events controlled by the Stormwater Facility.

## Section E

A checklist for completion of the application is included in Section F. Please check the boxes next to each item to signify that you have completed the entire form. If the form is not complete, the County may request that you re-submit the form before making a determination on the adjustment. The items in the Renewal Application Form are intended to certify that the facility has been

maintained properly throughout the past year and that that facility continues to operate as designed for the Credit.

#### **Section F**

Please place your initials in the appropriate spaces to signify that you will comply with the statements in this section. For facilities with multiple owners or customers, the owner having primary responsibility for the management of the facility should sign this section. A Professional Engineer registered in the State of Florida is also required to sign this section. This section must be complete in order for your application to be processed.

#### **Section G**

Please sign and date that you have completed the application for a Credit. If multiple customers exist for the property, all customers must sign this form in order to grant the Credit. For development with common area Stormwater Facilities such as condominiums, townhomes or cluster unit developments, where Assessments are pro-rated to the lot owners, the Association may sign and complete the application on behalf of its members.

#### **Section H**

Section I is for office use only by Pinellas County staff.

# Appendix D - Example Mitigation Credit Calculations

The method for calculating a Mitigation Credit will depend on many factors, such as the existence of a primary drainage system component on a property, and the extent to which a Facility provides runoff control during storm events. Examples contained in this section are intended to familiarize Customers with concepts governing the Mitigation Credits and the manner in which they are calculated so that they might be able to determine the amount of Credit that may be available to them.

## **Example Standard Fee Calculation:**

$$1 \text{ ERU} = 2,339 \text{ SF} = \$116/\text{yr}$$

$$\text{ERU} = \text{Impervious Area} / 2,339 \text{ SF (ERUs are rounded to the nearest decimal)}$$

$$\text{Fee} = \text{ERU} * \$116$$

Example Site: Commercial Property

Impervious Area = 20,000 SF, No retention of stormwater runoff

$$\text{ERU} = 20,000 \text{ SF} / 2,339 \text{ SF} = 8.6 \text{ ERU}$$

$$\text{Fee} = 8.6 \text{ ERU} * \$116/\text{yr} = \$997.60 / \text{yr}$$

## **Example Credited Fee Calculations:**

### **1. Case 1: Zero discharge from 100yr/24hr event. 75% Reduction**

Parcel may not have a stormwater management system onsite, but still no runoff reaches the County maintained System or receiving waters, or parcel may have a retention facility onsite that retains 100% of the 100yr/24hr storm event.

Example Site: Commercial Property

Total Site Area = 40,000 SF

Impervious Area = 20,000 SF; Runoff Coefficient = 0.90

Pervious Area = 15,000 SF; Runoff Coefficient = 0.45

Basin Area (@100yr/24hr elevation based on as-built plans)  
=5,000 SF; Runoff Coefficient = 0.95

100% Retention of 100yr/24hr storm event runoff from as-built plans

Fee Before Credit = 20,000 SF / 2,339 SF = 8.6 ERU    8.6 ERU \* \$116/yr = \$997.60 / yr

$$\text{Weighted Runoff Coefficient} = \frac{(20,000 \text{ SF})(0.90) + (15,000 \text{ SF})(0.45) + (5,000)(0.95)}{40,000}$$
$$= 0.74$$

$$\text{Runoff from } \frac{100\text{yr}}{24\text{hr}} \text{ event} = 12" \text{ of rain} * \text{total site area} * \text{weighted runoff coefficient}$$
$$= 12" * 40,000 * 0.74 * 1 \text{ FT} / 12" = 29,600 \text{ CF}$$

The as-built plans show the volume retained in the basin before any discharge is greater than 29,600CF., or more than the 100 yr storm event. Therefore the credit will be maxed out at 75%. The new ERU will be:

$$\text{New ERU} = \text{Old ERU} * (1 - \% \text{ Credit}) = 8.6 * (1 - 0.75) = 2.1$$

$$\text{New Fee} = \text{New ERU} * \$116 = 2.1 * \$116 = \$243.60$$

## **2. Case 2a: Certified private stormwater detention facility - Up to 75% Reduction**

Parcel retains a percentage of the runoff generated from the 100yr/24hr storm event

Example Site:            Commercial Property  
Total Site Area = 40,000 SF  
Impervious Area = 20,000 SF; Runoff Coefficient = 0.90  
Pervious Area = 15,000 SF; Runoff Coefficient = 0.45  
Basin Area (@100yr/24hr elevation based on as-built plans)  
                                     =5,000 SF; Runoff Coefficient = 0.95  
50% Retention of 100yr/24hr storm event runoff from as-built plans

$$\text{Fee Before Credit} = 20,000 \text{ SF} / 2,339 \text{ SF} = 8.6 \text{ ERU} \quad 8.6 \text{ ERU} * \$116/\text{yr} = \$997.60 / \text{yr}$$

$$\begin{aligned} \text{Runoff from 100 yr 24 hr event} \\ &= 12" \text{ of rain} * \text{total site area} * \text{weighted runoff coefficient} \\ &= 12" * 40,000 * 0.74 * 1 \text{ FT} / 12" = 29,600 \text{ CF} \end{aligned}$$

$$\text{New ERU} = \text{Old ERU} * (1 - \% \text{ Credit}) = 8.6 * (1 - (0.75 * 0.5)) = 3.2$$

$$\text{New Fee} = \text{New ERU} * \$116 = 3.2 * \$116 = \$371.20$$

**a. Case 3a: Community with privately maintained roads and stormwater management facility - Up to 75% Reduction**

$$\begin{aligned} \text{Fee for Entire Subdivision Before Credit} &= \text{Medium Home ERU Fee} * \# \text{ of Lots} \\ &= \$116 * 10 \text{ lots} = \$1,160 / \text{yr} \end{aligned}$$



$$\begin{aligned} \text{Weighted Runoff Coefficient} &= \frac{(30,000 \text{ SF})(0.90) + (50,000 \text{ SF})(0.45) + (20,000)(0.95)}{100,000} \\ &= 0.69 \end{aligned}$$

*Runoff from 100 yr 24 hr event*  
 = 12" of rain \* total site area \* weighted runoff coefficient  
 = 12" \* 100,000 \* 0.69 \* 1 FT / 12" = 69,000 CF

The as-built plans show the volume retained in the basin before any discharge is 34,500CF (or 50% of the runoff generated). The Credit will be:

$$\begin{aligned} \text{Credited Fee} &= \text{Fee} * (1 - 0.75 * \text{Percentage of 100 yr 24 hr storm event retained}) \\ &= \$1,160 * [1 - (0.75 * 0.5)] \\ &= \$697.50 / \text{yr} \end{aligned}$$

Therefore each lot will pay \$69.75 per year.

**b. Case 3b: Community with County-maintained roads and private stormwater management facility - Up to 37.5% Reduction**

**Example Site:** Residential Subdivision, 10 lots, 3,000 SF footprint each  
 Total Site Area = 100,000 SF  
 Impervious Area = 30,000 SF; Runoff Coefficient = 0.90  
 Pervious Area = 50,000 SF; Runoff Coefficient = 0.45  
 Basin Area (@100yr/24hr elevation based on as-built plans)  
 =20,000 SF; Runoff Coefficient = 0.95  
 50% Retention of 100yr/24hr storm event runoff from as-built plans

$$\begin{aligned} \text{Fee for Entire Subdivision Before Credit} &= \text{Medium Home ERU Fee} * \# \text{ of Lots} \\ &= \$116 * 10 \text{ lots} = \$1,160 / \text{yr} \end{aligned}$$

$$\begin{aligned} \text{Weighted Runoff Coefficient} &= \frac{(30,000 \text{ SF})(0.90) + (50,000 \text{ SF})(0.45) + (20,000)(0.95)}{100,000} \\ &= 0.69 \end{aligned}$$

$$\begin{aligned}
 &\text{Runoff from 100 yr 24 hr event} \\
 &= 12" \text{ of rain} * \text{total site area} * \text{weighted runoff coefficient} \\
 &= 12" * 100,000 * 0.69 * 1 \text{ FT} / 12" = 69,000 \text{ CF}
 \end{aligned}$$

The as-built plans show the volume retained in the basin before any discharge is 34,500CF (or 50% of the runoff generated). The Credit will be:

$$\begin{aligned}
 \text{Credited Fee} &= \text{Fee} * (1 - 0.375\% * \text{Percentage of 100 yr 24 hr storm event retained}) \\
 &= \$1,160 * [1 - (0.375 * 0.5)] \\
 &= \$942.50
 \end{aligned}$$

Therefore each lot will pay \$942.50 per year.

#### **4. Case 4 (a): Zero discharge from 100yr/24hr event. All discharge to tidal waters. 75% Reduction**

Parcel does not discharge to the County's MS4 and discharges to tidal waters under the 100-year, 24-hour storm event. Parcel has a wet detention pond designed to meet the OFW criteria.

Example Site: Commercial Property

Total Site Area = 40,000 SF  
 Impervious Area = 20,000 SF; Runoff Coefficient = 0.90  
 Pervious Area = 15,000 SF; Runoff Coefficient = 0.45  
 Basin Area (@ treatment elevation based on as-built plans)  
 = 5,000 SF; Runoff Coefficient = 0.95  
 The entire parcel discharges to tidal waters and no discharge to the County's MS4 or surface waters.

Water quality treatment volume based on OFW criteria  
 = 1.5" of runoff (1" plus 50%) \* total site area

$$= 1.5" * 40,000 * 1 \text{ FT} / 12" = 5,000 \text{ CF}$$

The as-built plans show the provided water quality treatment volume in the basin before any discharge is greater than 5,000CF. Therefore the credit will be:

% Credit = (75%) \* (water quality treatment provided)/(water quality treatment based on the OFW criteria)\*(% of the site discharging to tidal waters under the 100-year event)

$$(75\%) * (5,000 \text{ CF}) / (5,000 \text{ CF}) * (100\%) = 75\% \text{ credit}$$

$$\text{New ERU} = \text{Old ERU} * (1 - \% \text{ Credit}) = 8.6 * (1 - 0.75) = 2.1$$

$$\text{New Fee} = \text{New ERU} * \$116 = 2.1 * \$116 = \$243.60$$

**Case 4 (b): Partial discharge from 100yr/24hr event and partial discharge to tidal waters.**

Parcel partially discharges to the County's MS4 and partially discharges to tidal waters under the 100-year, 24-hour storm event. Parcel has a wet detention pond not designed to meet the OFW criteria.

Example Site: Commercial Property

Total Site Area = 40,000 SF

Impervious Area = 20,000 SF; Runoff Coefficient = 0.90

Pervious Area = 15,000 SF; Runoff Coefficient = 0.45

Basin Area (@ treatment elevation based on as-built plans)  
= 5,000 SF; Runoff Coefficient = 0.95

50% of the parcel discharges to tidal waters and 50% of the parcel discharge to the County's MS4 or surface waters.

Water quality treatment volume based on OFW criteria

$$= 1.5" \text{ of runoff (1" plus 50\%)} * \text{total site area}$$

$$= 1.5" * 40,000 * 1 \text{ FT} / 12" = 5,000 \text{ CF}$$

The as-built plans show the provided water quality treatment volume in the basin before any discharge is 2,000CF. Therefore the credit will be:

$$\% \text{ Credit} = (75\%) * (\text{water quality treatment provided}) / (\text{water quality treatment based on the OFW criteria}) * (\% \text{ of the site discharging to tidal waters under the 100-year event})$$

$$(75\%) * (2,000 \text{ CF}) / (5,000 \text{ CF}) * (50\%) = 15\% \text{ credit}$$

$$\text{New ERU} = \text{Old ERU} * (1 - \% \text{ Credit}) = 8.6 * (1 - 0.15) = 7.31$$

$$\text{New Fee} = \text{New ERU} * \$116 = 7.31 * \$116 = \$847.96$$

**APPENDIX D**

**FORM OF GOVERNMENT PROPERTY BILL**

## APPENDIX D

### FORM OF BILL FOR GOVERNMENT PROPERTY

Pinellas County  
[ADDRESS]

Owner Name  
Address  
City, State Zip

Tax Parcel #: \_\_\_\_\_  
Legal Description: \_\_\_\_\_

#### \*\*\*THIS IS A BILL\*\*\*

Pinellas County has imposed an annual Surface Water utility fee for the fiscal year October 1, 2015 - September 30, 2016 (FY15-16). The purpose of this charge is to fund the County's provision of Surface Water Management Services, facilities, and programs benefiting property located within the unincorporated area of the County. The annual Surface Water Fee on your property is based on the amount of impervious area on your property, as expressed in Equivalent Residential Units (ERUs).

The total number of ERUs on the above parcel is \_\_\_\_\_

The annual Surface Water Fee for the above parcel is \$ \_\_\_\_\_ for FY15-16 and future fiscal years.

The total amount due is \$ \_\_\_\_\_.

The FY15-16 Surface Water Fee is due and payable on or before March 31, 2016. Payments are subject to the following discounts when paid by the date indicated (please pay only one amount):

		<u>Amount</u>
November 30, 2015:	4%	\$
December 31, 2015:	3%	\$
January 31, 2016:	2%	\$
February 28, 2016	1%	\$

Payments received after March 31, 2016 will be considered delinquent. Failure to pay may cause the institution of mandamus proceedings to compel payment.

Please remit the below portion with your payment. Payment in person may be made at the Pinellas County Administration Building, [ADDRESS], Clearwater, Florida [ZIP CODE].

Remit to: Pinellas County  
[MAILING ADDRESS]

Tax Parcel ID#: \_\_\_\_\_

Payment Amount: \_\_\_\_\_

**APPENDIX E**

**FORM OF CERTIFICATE TO  
NON-AD VALOREM ASSESSMENT ROLL**

**CERTIFICATE  
TO  
NON-AD VALOREM ASSESSMENT ROLL**

I HEREBY CERTIFY that, I am the Chairman of the Board of the County Commissioners, or authorized agent, of Pinellas County, Florida (the "County"); as such I have satisfied myself that all property included or includable on the non-ad valorem assessment roll for Surface Water Management Services (the "Non-Ad Valorem Assessment Roll") for the County is properly assessed so far as I have been able to ascertain; and that all required extensions on the above described roll to show the non-ad valorem assessments attributable to the property listed therein have been made pursuant to law.

I FURTHER CERTIFY that, in accordance with the Uniform Assessment Collection Act, this certificate and the herein described Non-Ad Valorem Assessment Roll will be delivered to the Pinellas County Tax Collector by September 15, 2015.

IN WITNESS WHEREOF, I have subscribed this certificate and directed the same to be delivered to the Pinellas County Tax Collector and made part of the above described Non-Ad Valorem Assessment Roll this \_\_\_\_ day of \_\_\_\_\_, 2015.

**PINELLAS COUNTY, FLORIDA**

By: \_\_\_\_\_  
Chairman

**[to be delivered to Tax Collector by September 15]**