

10. Ratification of Board Actions Taken at the January 29, 2009 Workshop on Stormwater/Transportation Improvements to Address Flooding Issues

The Board approved Option 1: Ratify the Board actions taken at the January 29, 2009 Workshop on Stormwater/Transportation Infrastructure Improvements to Address Flooding Issues



**Board of County Commissioners
Leon County, Florida**

www.leoncountyfl.gov

**Agenda Item
Executive Summary**

February 12, 2009

Title:

Ratification of Board Actions Taken at the January 29, 2009 Workshop on Stormwater/Transportation Infrastructure Improvements to Address Flooding Issues

Staff:

Parwez Alam, County Administrator *PA*
Vincent S. Long, Deputy County Administrator
Alan Rosenzweig, Assistant County Administrator *AR*

Issue Briefing:

This agenda item requests Board ratification of actions taken at the January 29, 2009 Workshop on Stormwater/Transportation Infrastructure Improvements to Address Flooding Issues (Attachment #1). The workshop included an extensive review of existing and possible changes to regulations and other policies related to stormwater management.

Staff presented an overview of the workshop, including description of the regulatory, policy, and infrastructure issues and recommendations. Following staff's presentation the Board discussed and considered, at length, a number of recommendations.

Fiscal Impact:

This item has a fiscal impact. In FY09, there is a total of \$5.084 million budgeted; and in FY10 \$2.416 million will be budgeted.

Staff Recommendation:

Option #1: Ratify the Board actions taken at the January 29, 2009 Workshop on Stormwater/Transportation Infrastructure Improvements to Address Flooding Issues.

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Report and Discussion

Background:

On January 29, 2009, the Board held a workshop on Stormwater/Transportation Flooding Issues. The workshop included an extensive review of existing and possible changes to regulations and other policies related to stormwater management.

Analysis:

Staff presented an overview of the workshop, including description of the regulatory, policy, and infrastructure issues staff identified regarding stormwater/transportation emergency capacity.

The issues presented during the regulatory portion of the workshop included the importance of a modernized flood map in the County's stormwater infrastructure, the impact of vested residential lots on stormwater management, and the advantages and disadvantages of volume and rate control. The policy issues portion of the presentation included the 2/3 program, Flooded Property Acquisition funding, City/County coordination, and the Local Mitigation Strategy.

Following the presentation of policy issues, staff provided detailed information regarding infrastructure issues that began with visual depictions of flooding in various areas of the County. Following this broad-level infrastructure discussion, staff presented individual projects and groups of projects for Board consideration, including Capital Improvement projects, joint activity projects, CARDS (Former 2/3) projects, flooded property acquisition parcels, and river basin flooding projects.

The following presents the Board actions taken on each staff recommendation during the workshop:

Regulatory:

#1: *Given the \$4 to \$5 million cost, direct staff to seek grants funding or other potential funding sources for a countywide flood study.*

The Board accepted staff's recommendation with the added caveat that staff seek internal funding sources to fund a countywide flood study, such as the stormwater fee.

#2: *No changes to floodplain regulations are recommended at this time.*

The Board accepted staff's recommendation without amendment.

#3: *No changes to the existing definition of closed basin are recommended.*

The Board accepted staff's recommendation without amendment.

#4: *No changes to the existing interbasin transfer Code provisions is recommended at this time.*

The Board accepted staff's recommendation without amendment.

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#5: Direct staff to develop a policy to require stormwater controls for future development on vacant vested lots in closed basins to achieve volume control.

The Board accepted staff's recommendation without amendment.

#6: Direct staff to amend the County's Land Development Code to eliminate or significantly reduce the opportunity to create new subdivisions that rely on privately maintained infrastructure, particularly within the Urban Services Area.

The Board directed staff to take out the phrase "particularly within the Urban Services Area" and passed the recommendation omitting that phrase.

#7: Direct staff to amend the Land Development Code to allow for the use of on-street parking where appropriate, so that significant area is not required for off-street parking (less impervious surface), thereby reducing stormwater management demand in new subdivisions.

The Board accepted staff's recommendation without amendment.

#8: Direct staff to amend the Land Development Code to facilitate compact development, to generally reduce the amount of impervious surface generating stormwater runoff to allow more land area to remain available for stormwater management capacity.

The Board accepted staff's recommendation without amendment.

#9: Direct staff to amend the Land Development Code to establish a process providing developers credits to meet natural/landscaped area requirements in exchange for purchasing and conveying to the County, vested, flood prone property, precluding that property from future development.

The Board accepted staff's recommendation without amendment.

#10: Direct staff to amend the County's Land Development Code to enhance stormwater volume regulations by requiring a county-wide standard that increased volume produced by a development site be retained on-site and not be allowed to discharge through a sand filter or a rate control structure.

The Board accepted staff's recommendation without amendment.

#11: Direct staff to amend the County's Land Development Code to include stormwater runoff rate control regulations for all duration storms with return period frequency of up to and including the 100-year storm period.

The Board accepted staff's recommendation without amendment.

#12: Direct staff to schedule a public hearing to consider adopting the proposed residential flood prone disclosure ordinance.

The Board accepted staff's recommendation and directed staff to add the \$500 penalty to the ordinance.

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Policy:

#13: Direct staff to schedule a public hearing adopting the Stormwater Management Special Assessment Program Ordinance which specifically creates a new 2/3 program to address stormwater and drainage projects, that allows for properties benefiting from the project to be assessed.

The Board accepted staff's recommendation without amendment.

#14: Action related to the flooded property acquisition program is dependent upon funding. If funding is pursued under the infrastructure recommendation, it is recommended that the Board direct staff to prepare a revised flooded property acquisition policy that would address the existing flooded property list and any new properties to be added.

No action was taken by the Board on this item (refer to item #20).

#15: Accept staff's report on coordination efforts with the City and support the on-going functional consolidation efforts.

The Board accepted staff's recommendations without amendment.

#16: Continue to utilize the Local Mitigation Strategy (LMS) to identify solutions that better prepare Leon County to address disasters.

The Board accepted staff's recommendations without amendment.

Infrastructure:

#17: Direct staff to proceed with \$6.5 million in capital projects that provide relief to public subdivisions; given the required lead time for design and property acquisition, authorize the funding to be phased (\$4.084 million in the current year and \$2.416 million be included in next fiscal year) to complete the project list.

The Board accepted staff's recommendations without amendment.

#18: Authorize \$1.0 million in funding be set aside to be utilized as a 20% matching fund for the County Accepted Roadways and Drainage Systems (CARDS; old 2/3s) and direct staff to contact neighborhoods that have been identified for this program.

The Board accepted staff's recommendation without amendment. Based on Board discussion, staff will address the issue of the percentage threshold for petition, for Board consideration as part of the public hearing on the Stormwater Management Special Assessment Program Ordinance.

#19: Direct staff to work with the CSX Railroad and United States Forestry Service to develop joint participation agreements to address stormwater issues involving these two entities.

The Board accepted staff's recommendation without amendment.

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#20: Provide direction to staff regarding a General Obligation (GO) bond referendum for the purpose of acquiring \$95 million in flooded property in the unincorporated area of Leon County.

The Board directed staff to agenda this item and consider alternatives to issuing a GO bond for \$95 million to fund acquisition of the properties. Staff was directed to compare what other communities are doing on this issue, also. In addition to funding concerns, the County Attorney expressed legal concerns regarding the 'public purpose' acquisition of these properties when the sole purpose is relieving flooding.

Options:

1. Ratify the Board actions taken at the January 29, 2009 Stormwater/Transportation Infrastructure Improvements to Address Flooding Issues Workshop.
2. Do not ratify the Board actions taken at the January 29, 2009 Stormwater/Transportation Infrastructure Improvements to Address Flooding Issues Workshop.
3. Board direction.

Recommendation:

Option #1.

PA/VSL/AR