

 <p style="text-align: center;">Council Communication Office of the City Manager</p>	Date	October 12, 2009
	Agenda Item No. 29 Roll Call No. <u>09-</u> Communication No. <u>09-707</u> Submitted by: Larry Hulse, Community Development Director	

AGENDA HEADING:

Approving Melbourne Condominiums Stormwater Facilities Maintenance Covenant and Permanent Easement Agreement.

SYNOPSIS:

Recommend approval of the required stormwater facilities agreement for Hubbell Realty Company’s Melbourne Condominiums project located at 5515 S.E. 14th Street. The agreement ensures that the owner is responsible for maintenance of their facilities in perpetuity and gives the City the right to enter the site and restore the facilities, if the owner fails in this regard. Any City costs incurred will be assessed against the private property.

FISCAL IMPACT: NONE

Amount: N/A

Funding Source: N/A

ADDITIONAL INFORMATION:

Per Code 106-136, developments and significant redevelopments, one acre or larger in size, shall reduce projected storm runoff from a project by controlling rain events that total 1.25” or less in a 24-hour period, with the resulting volume being released at a rate that allows for a detention time of 24 hours, through incorporation of stormwater management facilities. These stormwater management facilities may consist of many infiltration-type best management practices (BMPs) including bioretention cells, bioswales, rain gardens, infiltration trenches and porous pavements. Each project must include a stormwater management facilities maintenance agreement that is binding on all benefited property. This agreement must include proper maintenance guidelines for all facilities located within the project.

PREVIOUS COUNCIL ACTION(S): NONE

BOARD/COMMISSION ACTION(S): NONE

ANTICIPATED ACTIONS AND FUTURE COMMITMENTS:

This is the first such agreement to come before Council with numerous similar agreements to follow for any proposed development one acre or larger in size.

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