

APPENDIX J: City of Minnetonka Stormwater Funding Policies

City of Minnetonka Water Resources Management Plan

Policy Number 12.6 Storm Water Utility

Purpose of Policy: This policy establishes a storm water utility system pursuant to Minnesota Statute Section 444.075, from which revenues will be derived subject to the provisions of this policy, applicable city ordinances, and Minnesota Statutes.

Introduction

This policy is applicable to all parcels of land within the city of Minnetonka.

The following guidelines set forth the procedures for calculating storm water fees for individual parcels.

Guidelines

- Rates and Charges
Fees for the use and availability of the storm sewer system will be determined through the use of a "Residential Equivalent Factor" ("REF"). A REF is the ratio of the volume of runoff generated by one acre of a particular land use to the volume of runoff generated by one-half acre of single/two/three-family residential land use, assuming Soil Conservation Service (SCS) "Type B" soil conditions, during a standard one-year rainfall event, as determined by the engineering director.
- Determination of REF's for Land Uses
The REF's for the following land uses within the city are as follows:

- Open Space, Golf Courses, Undeveloped	0.45
- Single-Family, and Two/Three-Family Residential	1.00
- Churches, Schools, and Government Buildings	2.70
- Apartments, Condos, and Railroad R/W	3.00
- Commercial and Industrial	7.56
- Other Land Uses
Other land uses not listed in the foregoing subsection will be classified by the engineering director by assigning them to the most similar classes from the standpoint of probable hydrologic response.
- Establishing Basic Rate
In determining charges, the council will, from time to time, by resolution establish a basic system rate to be charged against one-half acre of single/two/three-family residential land having a REF of one. The charge to be made against each parcel of land will then be determined by multiplying the REF for the parcel's land use classification times the parcel's acreage times the basic system rate.
- Standardize Acreage
For the purpose of simplifying and equalizing charges against property used for single/two/three-family residential purposes, each of such properties will be

considered to have an acreage of one-half acre and will not be eligible for an acreage adjustment.

- Adjustments of Charges

The city council may by resolution, from time to time, adopt policies providing for the adjustment of charges for parcels or groups of parcels, based upon hydrologic data supplied by affected property owners, demonstrating an actual hydrologic response substantially different from the REF being used for the parcel or parcels. Such adjustment will be made only after receiving the recommendation of the Engineering Director and will not be made effective retroactively. If the adjustment would have the effect of changing the REF for all or substantially all of the land uses in a particular classification, such adjustment will be accomplished by amending the REF table in subsection (b).

- Exceptions

The following land uses are exempt from storm water utility fees: (a) public rights-of-way; (b) private roads (c) wetlands and public waters as defined by state law; (d) city owned property, and (e) conservation easements.

- Adjustments of Acreage

The total parcel acreage will be used to calculate the parcel charge. It is the responsibility of the owner of any premises to supply the city with any necessary information required to determine if a parcel or portion of a parcel qualifies as an exception and is eligible for an acreage adjustment. The city will review the proposed adjustments upon receipt of a complete submittal package. The adjustment must be approved by the engineering director and will become effective at the beginning of the next billing cycle.

- Supplying Information

For the purpose of evaluating acreage adjustment requests, the owner, occupant, or person in charge of any premises will supply the city with such information as the city may reasonably request related to the use, development, and the area of the premises. If the owner, occupant, or person in charge of any premises fails or refuses to provide the information requested, the charge for such premises will be billed in accordance with information available to the city.

- Billing Method

Storm water utility fees will be computed and collected by the city along with other utilities such as sewer and water. Payment will be required on or before the due date established for such other billing. Delinquent accounts will be treated the same as sewer and water accounts.

Adopted by Resolution No. 2003-0006
Council Meeting of January 27, 2003

Amended by Resolution No. 2003-077
Council Meeting of August 25, 2003

Amended by Resolution No. 2003-077
Council Meeting of August 25, 2003

**Policy Number 12.2
Storm Water Improvements**

Purpose of Policy: This policy establishes standards for the construction of storm water improvement projects identified in the Capital Improvements Program.

Introduction

This policy is applicable to all storm water improvements that have been included in the Capital Improvements Program.

The following policies will be observed in the city council's consideration of funding for storm water improvement projects:

Capital Improvements Program

Unless necessary for emergency purposes, only those storm water improvement projects contained in the city's Capital Improvements Program will normally be considered. Projects will be constructed in the year designated in the Capital Improvements Program.

Water Resources Management Plan

The Water Resources Management Plan will serve as the city's guide in defining the nature of storm water alternatives. While recommended improvements need not necessarily be totally consistent with the system defined in the Water Resources Management Plan, those alternative solutions that do not conflict with or that are more compatible with the plan will normally receive preference.

Selection of Projects

In determining whether to include a project in the Capital Improvements Program, the council will consider the following:

- Whether the project is designed to remedy storm water problems which have previously caused, or have the potential to cause, damage to residences or other private use buildings;
- Whether the project is designed to remedy storm water problems which previously caused, or have the potential to cause, damage to any other improvements to real estate;
- Whether the project, when compared with other projects, is designed to remedy storm water problems that cause or have the potential of causing greater property damage.
- The total cost of the project;
- The availability of financing for the project;

- The area which would contribute drainage to the improvement;
- Whether the city has received a petition for construction of the improvement;
- Whether the petitioners have agreed to grant easements required for the project at no cost to the city; and
- The impact the project will have on adjacent wetland or floodplain.

Method of Financing

It is the city's policy that the cost of storm water improvement projects be funded by the city's storm water utility.

Procedure

The following procedure will be used in developing storm water improvement projects:

- Petitions from property owners will be received until January 1 and referred to the engineering department for review. The engineering department will consider such requests, along with projects which have not been petitioned, for inclusion in the annual Capital Improvements Program. The city manager will evaluate such recommendations by the engineering department in preparation of his recommended annual Capital Improvements Program.
- When the Capital Improvements Program is presented to the city council, a listing of all petitioned storm water improvement projects, including estimated costs and funding recommendations, along with any other information desired by the city council, will be submitted.
- Following adoption of the Capital Improvements Program, the engineering department is authorized to perform feasibility studies for the storm water improvement projects being considered for the first year of the Capital Improvements Program. As a part of the feasibility process, informational meetings will be held with affected property owners to explain the nature of the petition, suggest possible solutions, and request input from the area residents to help arrive at an ultimate solution to the problem.
- If the project is found to be feasible by the city council, the council may authorize the preparation of plans and specifications.
- Upon approval of plans and specifications, the council may direct notice to bidders. Upon receipt of the bids, the council may award the contract or may continue action on the bids until such later specified date as may be determined by the council.

Adopted by Resolution No. 82-6870
Council Meeting of April 26, 1982

Amended by Resolution No. 82-6941
Council Meeting of July 19, 1982

Amended by Resolution No. 85-7660
Council Meeting of January 21, 1985

Amended by Resolution No. 86-7992
Council Meeting of January 6, 1986

Amended by Resolution No. 89-8832
Council Meeting of March 20, 1989

Amended by Resolution No. 2003-008
Council Meeting of January 27, 2003

Amended by Resolution No. 2003-077
Council Meeting of August 25, 2003