

ACTION ITEMS 8

MIAMI BEACH

COMMITTEE MEMORANDUM

TO: Land Use and Sustainability Committee Members

FROM: Eric Carpenter, City Manager

DATE: September 5, 2024

TITLE: **DISCUSS A POSSIBLE ORDINANCE TO REQUIRE PROPERTY OWNERS TO PROPERLY DISPOSE OF YARD TRIMMINGS/LEAVES TO AVOID CLOGGING OF STORMWATER DRAINS**

BACKGROUND/HISTORY

At its June 26, 2024 meeting the Mayor and City Commission (City Commission) approved a referral to the Land Use and Sustainability Committee (LUSC) (item C4 AC) to discuss a possible ordinance to require property owners to properly dispose of yard trimmings/leaves to avoid the clogging of stormwater drains.

The referral stems from a severe weather/flooding event that affected the City during the week of June 12, 2024. There were multiple calls from residents on Alton Road, North Bay Road and throughout North Beach who reported drainage blockage in their neighborhoods. Residents stated that once they removed leaves from drain openings, water would flow through the drains and consequently flooding would subside.

While some foliage will naturally drop and impact stormwater drains during events like these, sponsoring Commissioners Tanya Bhatt and David Suárez believe that excess blockage (from either leaf trimming or blowing from private residences into the drains) can greatly exacerbate the clogging of the drains.

Commissioners Bhatt and Suárez would like to incorporate best practices from cities like Miami and Coral Gables into our ordinance, which require gardeners to remove and dispose of any yard trimmings/leaves as part of their service.

ANALYSIS

It is important to note that the most effective way to address flooding is through a robust stormwater system containing pump stations and large diameter pipes to be able to convey and carry the large volume of Rainwater that has to be collected, treated and discharged. Minimum roadway elevation is also a key part of the strategy to address tidal flooding, which can exacerbate rainfall flooding.

The City has most of its stormwater pump stations located from 47th Street south, with two (2) stormwater pump stations at the northern end. Most of the drainage systems north of 47th Street work by older gravity collection pipes and outfall discharges. Many of the pipes are undersized based on current standards.

In April 2024, the City Commission approved adoption of the Update to the Stormwater Master Plan. This plan included the implementation of 20 stormwater Critical Needs Projects to be constructed over a 10-year period. Many of the areas severely impacted by Invest 90L will be significantly improved with these Critical Needs Projects.

CITY CODE:

There are existing sections of the Code with regards to the prohibition of litter in the City, including gutter, drain or sewer:

Sec. 46-92 - Litter; definitions; prohibitions on litter; penalties for litter and commercial handbill violations; commercial handbill regulations, fines, and rebuttable presumptions; seizure and removal of litter by the city; enforcement; appeals; liens.

Sec. 46-224 - Management of grass clippings and vegetative matter; In no case shall grass clippings, vegetative material and/or vegetative debris either intentionally or accidentally be swept, or blown off into stormwater drains, ditches, conveyances, water bodies, wetlands, or sidewalks or roadway. Any material that is erroneously so deposited shall be immediately removed to the maximum extent practicable.

Sec. 46-238 - Sediment and erosion control requirements, which mentions any person conducting a land-disturbing activity shall take all reasonable measures to protect all public and private property from damage caused by such activity. These sections can be a starting point for discussion at Committee, and should it be the will of the body, additional language can be implemented in order to establish the City's desired best practices.

At its July 9, 2024 meeting, LUSC members discussed the item at length, concluding the discussion with a motion, directing the Administration to look into the possibility of a small pilot program with about 4-5 locations that have been severely affected by flooding, (i.e a type of technology that can trigger a signal whenever a storm drain has been clogged), and to come back at the September meeting with a proposal, including estimated costs.

Public Works has identified five locations to be considered for the pilot program:

1. 790 W. 50th Street
2. 4805 Cherokee Avenue
3. 5501 La Gorce Drive
4. 3909 Garden Avenue
5. 4300 Sheridan Avenue

Staff has researched existing technology as requested at Committee, however, has not yet found a technology that can successfully be used to identify the blockage of storm drain inlets. We were hopeful that the technology used on the sanitary sewer system to detect overflows SmartCover could be converted for use on the stormwater system but so far the new utilization has been unsuccessful.

In the interim, the Department's plan of action is to deploy staff to monitor and clean debris from stormwater drains and catch basins, pre and post heavy weather events.

FISCAL IMPACT STATEMENT

Will be determined once effective technology has been identified.

CONCLUSION

The following is presented to the members of the Land Use and Sustainability Committee for discussion and further direction.

Applicable Area

Citywide

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| <u>Is this a "Residents Right to Know" item, pursuant to City Code Section 2-17?</u> | <u>Is this item related to a G.O. Bond Project?</u> |
| | |

Yes

No

Department

Public Works

Sponsor(s)

Commissioner David Suarez
 Commissioner Tanya K. Bhatt

Condensed Title

DISCUSS A POSSIBLE ORDINANCE TO REQUIRE PROPERTY OWNERS TO PROPERLY DISPOSE OF YARD TRIMMINGS/LEAVES TO AVOID CLOGGING OF STORMWATER DRAINS