



400 South Federal Hwy
Hallandale Beach, FL 33009

City of Hallandale Beach City Commission Agenda Cover Memo

Meeting Date:	March 1, 2017		Item Type: (Enter X in box)	Resolution X	Ordinance	Other	
Fiscal Impact: (Enter X in box)	Yes	No	Ordinance Reading: (Enter X in box)	1st Reading		2nd Reading	
		X	Public Hearing: (Enter X in box)	Yes	No	Yes	No
Funding Source:	N/A		Advertising Requirement: (Enter X in box)	Yes		No	
						X	
Account Balance:	N/A		Quasi Judicial: (Enter X in box)	Yes		No	
						X	
Project Number :	N/A		RFP/RFQ/Bid Number:	N/A			
Contract/P.O. Required: (Enter X in box)	Yes	No	Strategic Plan Priority Area: (Enter X in box) Safety <input type="checkbox"/> Quality <input checked="" type="checkbox"/> Vibrant Appeal <input type="checkbox"/>				
		X					
Sponsor Name:	Mayor Joy F. Cooper		Department: City Clerk	Mario Bataille, City Clerk			

Short Title:

A RESOLUTION OF THE MAYOR AND CITY COMMISSION OF THE CITY OF HALLANDALE BEACH, FLORIDA, SUPPORTING INTEGRATED PLANNING AND AFFORDABILITY MEASURES IN THE BI-PARTISAN WATER RESOURCES DEVELOPMENT ACT OF 2016; AND PROVIDING AN EFFECTIVE DATE.

Staff Summary:

Background:

Mayor Cooper requested staff bring a Resolution for consideration by the Commission supporting for integrated planning and affordability measures incorporated in the Water Resourced Development Act of 2016.

Capital costs that cities bear to address combined sewer overflows (CSO's), sanitary sewer overflows (SSOs), treatment plant upgrades, and stormwater controls (TMDL's) are unfunded federal mandates and are among the most costly burdens faced by local governments and their citizens. Upon the passage of the Clean Water Act (CWA), Congress authorized and funded over \$60 billion in grants that created partnerships between municipalities, states and the federal government to share the costs of upgrading publicly owned treatment works around the country to meet CWA mandates relating to secondary treatment. In 1987, Congress determined that large capital grants for municipal wastewater treatment were no longer affordable to the nations treasury, phasing out grants to local governments to be replaced by loan programs managed by the States. The Bureau of Census reporting in 2013 that local government now spends more than \$117 billion annually to provide water and sewer services to eighty (80%) percent of American households, an annual amount that is nearly double the total of all grants that the federal government provided in the first twenty (20) years of the CWA.

Over the years many unanticipated and extremely costly new CWA and Safe Drinking Water Act (SDWA) mandates have been imposed on local governments and indeed more are to be imposed on local governments in coming months and years which will create cumulative financial burdens that cannot be borne by municipalities.

The Mayors Water Council has published policy papers, conducted cost studies relating to the impacts unfunded federal mandates on poor and middle income households, and prepared draft legislation proposals to make Integrated Planning a part of the CWA in order to assure all the nation's cities the flexibility and affordability which such a mechanism can provide.

On April 26, 2016, the Senate EPW Chairman Inhofe and Ranking Member Boxer introduced the bi-partisan Water Resources Development Act 2016 which included many of the recommendations which had been articulated by the US Conference of Mayors, including incorporating Integrated Planning into the CWA, authorizing the flexible achievement of long term control plans via permits rather than consent decrees, discouraging a primary reliance on median household income as defining affordability, encouraging green infrastructure and providing for grants to local governments to address affordability concerns, creating an Ombudsman to facilitate the relationships between the regional offices and local governments.

On April 28, 2016 the Senate EPW Committee reported the Water Resources Development Act of 2016 (WRDA) (S 2848) out of committee with a bi-partisan vote of 19-1. The WRDA (S 2848) establishes Integrated Planning and Affordability Issues more formally in the development and implementation of federal and state water policy; local government gets a greater say in selecting solutions based on local priorities and local financial conditions.

By approving the attached Resolution, the City Commission would state their support for Integrated Planning and Affordability Measures incorporated in the Water Resources Development Act of 2016, S. 2848 and ask for urgent Congressional action on the following:

- Codification of Integrated in the Clean Water Act.
- Recognition that a joint environmental stewardship must be re-established between the federal, state and local governments.
- Assurances that the costs of sustaining the infrastructure and operations of water and wastewater systems of cities do not unjustly burden low and moderate income households nor create burdensome costs for business enterprises.

- Congressional authorization for and appropriation of capital grants to assist cities in meeting mandates imposed under the Clean Water Act and the Safe Drinking Water Act, thereby assuring the public of the health and safety of drinking water and the nation's rivers and streams.
- Without regard to the actual availability of federal grants or loans for addressing Clean Water Act and Safe Drinking Water Act mandates, increased flexibility for municipalities seeking to comply with the mandates and with this being achieved through permits based upon integrated plans developed by municipalities to prioritize actions providing the greatest environmental benefits for the funds expended, and to allow municipalities to evaluate their progress and any need for further actions to meet water quality standards through adaptive management processes.
- The removal of regulatory barriers to the use of adaptive management and permits to implement integrated plans by specifically determining that a municipality implementing an integrated plan will be in compliance with its permit as long as it is making reasonable progress towards achieving Clean Water Act goals.
- Prohibit USEPA from imposing civil or administrative penalties on a municipality for past violations if the municipality agrees to implement a plan to come into compliance with Clean Water Act obligations.
- Require USEPA to update its affordability guidance to provide a more realistic and complete review of the all financial burdens on municipalities and their ratepayers, including burden imposed by other federal laws and policies, and to justify flexible approaches to meeting all federal and state water-related mandates.

Why Action is Necessary:

Pursuant to Article V, Section 5.01 of the City of Hallandale Beach Charter, a Resolution adopted by the Commission is an expression of the Commission on matters of official concern and opinion.

Fiscal Impact:

There is no fiscal impact.

Proposed Action:

The City Commission consider the attached Resolution supporting the Integrated Planning and Affordability Measures incorporated in the Water Resources Development Act of 2016, S. 2848.

Attachment(s):