

CITY OF RALEIGH
STORMWATER MANAGEMENT ADVISORY COMMISSION (SMAC)

Minutes

Raleigh Municipal Building · 222 W. Hargett Street · Conference Room 305 3:00pm · Thursday, June 2, 2016

Commission Members Present: Marc Horstman (*chair*), Vanessa Fleischmann, Francine Durso, Kevin Yates, Marion Deerhake, Ken Carper, Evan Kane, and Chris Bostic

Stormwater Staff Present: Blair Hinkle, Suzette Mitchell, Kelly Daniel, Scott Bryant, Carmela Teichman, Veronica High, McKenzie Gentry, Wenju Zhang, Lauren Witherspoon, Justin Harcum, and Chris Stanley

Members Absent: Matthew Starr and David Webb

Guest:
Adam Martin, Lubin Prevatt, Jen Schmitz and Mark Senior

Meeting called to order: 3:05 by Marc Horstman

Motions (Absentees and Minutes)

- Absence: Mr. Horstman made a motion to excuse Matthew Starr and David Webb from today's meeting and Mr. Kane seconded. The motion was approved unanimously.
- May Meeting Minutes: Mr. Horstman made a motion to approve and Mr. Yates seconded. The motion was passed unanimously.

The following items were discussed with action taken as shown.

1. **Stormwater Staff Report**

- 1.1 Update on GI/LID Implementation – *Staff presented a presentation to Council work session on May 10th. The discussion was on changes related to GI/LID on how it would affect the watershed. Staff worked with TetraTech to ensure the proposed changes would not have any negative impact on the watershed. There was clear direction from Council that they were not interested in seeing anything related to up zoning properties in return for using GI/LID. Our proposal was not related to that, but they need clarity on what the work group/staff was proposing had anything to do with that. Staff is working to address Council questions and will take that back at a future work session.*
- 1.2 Update on Text Change (TC-2-16) Impervious Area Exemption Limitation – *At the Text Change Committee meeting on May 17th there were questions we need to provide information on. Staff is considering hosting an education session for the Text Change Commission members on what text change impervious limitations are, how they came about, and the direction SMAC received from Council.*
- 1.3 August Meeting – *Proposing to mirror the City Council agenda process for SMAC. We normally send out the front page agenda a week before the meeting. We want to start sending the entire agenda packet (including backup) later during that week and post on the web.*

2. **Open Data Discussion** (Adam Martin, Information Technology)

Adam Martin stated at the last meeting he gave a brief presentation on open data and the What Work Cities initiative program. He would like to institute different policies and practices across all city departments that look at data as a strategic asset. Our process is getting our data together, managing it and publishing it out to stakeholders and other parts of the city. Part of

the engaging process is to come to the Commission and show the universal data and inventory we have done as a group.

Ms. Deerhake wanted to know has there been any consideration for the criteria used to exclude data that's sensitive and may pose a security risk to the City (*Infrastructure details*).

Adam Martin responded that they are working on having a committee comprised of our legal team and City Manager's office that's a governance committee around the rubric.

Ms. Fleischmann asked about potential bio-terrorism, and what would be in place to allow, for instance, a trusted engineer to access information as oppose to someone that mat be accessing for the wrong reason.

Adam Martin responded that someone may make informational request for that data and we may or may not have to give it out because it still might be up to legal interpretation. We are creating a draft policy, that if you are a third party and you want sensitive data, there may be certain cases in which we can provide it under the law for certain purposes.

Mr. Kane commented the State Public Water Supply section had published the locations of water sources and made it public. If people know it's there, the more you have looking out for anything suspicious.

Comments from SMAC

- *Citizen science participation (Science museum hosting in 2017)*
- *Have information available to public in plain English*
- *Dataset for construction bid (need engineers feedback)*
- *Build a map of green infrastructure practices and structural installation*
- *Releasing data as GIS shape files*
- *Provide maps that show were drainage petition projects are, breakdown type of fields,*
- *Can it be incorporated into IMAP's*

Adam Martin asked the Commission are there categories that they think should be added and too provide any comments. Once the Commission look through the list and identify those, we could collect input and set-up a subcommittee.

Blair Hinkle added that this came out of the "What Works City Initiative". We had a 90 day timeframe to get through this initiative and KPI performance data. One of the reasons we have these tiers of priority for releasing data is because of what we have available now, that Adam can manipulate, to get out an initial push.

Mr. Horstman commented that with all the questions and feedback needed, we have an option to create a subcommittee to provide a clearer direction.

Mr. Carper, Mr. Kane and Ms. Deerhake volunteered to be on the subcommittee

Motion:

Mr. Horstman made a motion to create an open data subcommittee and Ms. Fleischmann seconded. The motion was approved unanimously.

3. **Lake Preservation Policy Revision** (*Scott Bryant*)

Scott Bryant started off by saying the table illustration (*shown on screen*) was updated. Based on the feedback, the propose policy will be renamed "Lake Management Evaluation Program" and all the other items are consistent with the previous discussions. We are talking about

capturing the value in the benefits from this program, increasing flexibility, have the ability to adapt to the program, identify effective and efficient alternatives, and fix solutions to the specific needs of the watershed.

Comments from SMAC

- *Page 6 (3rd paragraph) – suggest “non-preservation” instead of “non-lake preservation, and remove “including but not limited to”*
- *Page 8 (4th bullet) – remove the word “artificial”*
- *Page 8 (6th bullet) Ecosystem – suggest using “terrestrial”*
- *Page 10 (item 12) – Should the word be “will” or “shall (ask Attorney for legal wording)*
- *Page 10 (Item 12) – water quality is two words*

Blair Hinkle noted that before sending this to Council we would send it to the Attorneys to make sure the legal meanings are accurate.

Motion:

Mr. Horstman made a motion for the Commission to send the revised policy to City Council and Ms. Fleischmann second. The motion was passed unanimously.

Mr. Horstman made a second motion that once the city attorney reviews this policy and make changes, it would come back to the Commission for review. Ms. Durso said she would second for discussion.

The Commission discussed if there are minor changes made by the Attorney, the Commission does not need to review. Staff will track and if there are substantial changes, staff will work with the City Attorney to resolve and make sure the intent of the Commission is reflected in what ultimately comes out of the Attorney’s office.

Mr. Horstman withdrew his second motion.

4. **Drainage Assistance Program – Project Approval Process Discussion**

Chris Stanley gave a brief presentation on the Drainage Assistance program. He noted the Commission has approved the policy, and it was presented to the Growth and Natural Resources Committee with follow-up questions on (1) How do we deal with projects with lower priorities that have been on the list for a period of time, and (2) What is the process of communicating back to the property owner on the progress of their issues. Staff will respond back to the committee on June 15th and if approved will take it back to Council in July.

Mr. Horstman asked if we approve projects every month, will that change the timeline of the amount of projects you add to the list, or is the confinement the budget.

Chris Stanley replied the budget will be the driver for us. We can only do what we can afford to do.

Ms. Bostic wanted to know if there is a higher priority project that wasn’t due to be seen for five months, yet we saw it that upcoming month will it get built any faster.

Chris Stanley answered that it should.

Blair Hinkle added that one to two years ago it probably would not have made a schedule impact. We are trying to eliminate barriers to the efficiency.

Mr. Carper asked if they can be heard anytime and if we have a group of them put them on the agenda.

Chris Stanley said we want the Commission comments on timing, frequency, how often we should present and the content of the reviews.

Ms. Durso commented if they are reviewed often, then focus on shortening the presentations, otherwise; it will take up half of the agenda. She feels you don't need to show the solution, since you have identified the problem and where it ranks on the list.

Ms. Deerhake suggested creating a template that profiles each project and send in advance to the Commission so they can review it and when meeting we will know what to vote on. Also, she wanted to know about the contracting process and if there are multiple contract awards that are on standby.

Chris Stanley replied they are unit price contracts. They bid on a menu of standard generic bid items. When we are ready for a job we will have the known quantities for it. We will tell them this is what you will be building and put into the bid schedule they prepared and there's your price.

Ms. Deerhake asked if there is a separate fund for low priority projects such as vector or mosquitos issues and how is it addressed.

Chris Stanley said it would depend on the nature of the problem and they may not qualify under this program.

Mr. Carper asked if they make it on the list (approved), then prioritized based on the model, will the goal be eventually to do them all, or only the top ones scored by a certain point. Will they ever be dropped from the list and what is the process of bringing them forward?

Chris Stanley replied if it qualifies it stays on the list until it's done, or until the property owner ask us to remove it.

Blair Hinkle stated we are not going to be ready to roll on all those projects on July 1st. It will be what the staff has the capability to pick up on July 1st and forward on. It gets us away from funding amounts of projects that we are not ready to move forward and contributing to our approved project backlog. It is a benefit to the property owner because their project is not approved until progress can be made on it.

Chris Stanley added that we need to map it out, because we don't want to use all that money in July. We want to bring forward the top one through four projects, the cost, and the remaining funds to see what's coming in the next few months. If a high priority project comes in, it could jump the next project on the list. We will have to strategically schedule throughout the year.

Ken Carper said it should be based on staff to determine the frequency in which we see these.

Blair Hinkle responded that we would like to see staff have that flexibility. However, the challenge right now is the biannual review cycle has a good control on the amount of money we are allocating with each cycle. Now, that will go away and it will either be up to staff or the Commission to determine the direction on how we manage it. We could be flexible and leave it up to staff. Another alternative is for each month that goes by and when we bring in projects that are \$100,000 or so, we could bring them at the next review cycle. That will place a limit on what staff can bring forward but it will be up to Commission to see if it's worth it.

Ken Carper commented if \$1.25 million will be enough. If you have the capacity and the need, the budget might need to be revisited and maybe changed to \$1.5 million next year.

Mr. Horstman said we could start by seeing these every other month and see how it goes.

Blair Hinkle added for odd months the ability exists for staff to put these projects on the agenda, and if there are none to move forward we can leave it off the agenda.

Motion:

Mr. Horstman made a motion to change the frequency of the future drainage projects to be reviewed in odd months to allow staff to bring those forward to the Commission and Ms. Fleischmann seconded.

The Commission discussed reviewing the projects in August of this year since there will not be a meeting in July.

Blair Hinkle summarized how this will be brought to the Commission. We will go by the list on the screen, utilize the template we have for project information, send that to the Commission prior to the meeting, and if you have any questions on the projects that are highlighted, we can delve in with details of that specific project without having to walk through details of every project.

Comments from SMAC

- *Provide photographs of the project*
- *Provide a brief description of the solution*
- *Provide a map of what was funded in the past*
- *Could several or more projects be lump together as a larger common project*

Amended Motion:

Mr. Horstman made a motion to change the frequency of the future drainage projects to be reviewed in odd months to allow staff to bring those forward to the Commission; however, the Commission will review projects this upcoming August since the Commission is not meeting in July, and Ms. Fleischmann seconded. The motion was approved unanimously.

Adjournment:

Mr. Horstman made a motion to adjourn and Ms. Fleischmann seconded. The meeting adjourned at 5:17 p.m.

Suzette Mitchell