

**CITY OF RALEIGH**  
**STORMWATER MANAGEMENT ADVISORY COMMISSION (SMAC)**

Minutes

Raleigh Municipal Building · 222 W. Hargett Street · Conference Room 305 3:00pm · Thursday, October 6, 2016
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**Commission Members Present:** Francine Durso, Matthew Starr, Vanessa Fleischmann, Ken Carper, Marion Deerhake, David Webb, Chris Bostic, Marc Horstman, Evan Kane and Kevin Yates

**Stormwater Staff Present:** Blair Hinkle, Suzette Mitchell, Kelly Daniel, Carmela Teichman, Kevin Boyer, Lory Willard, Jennifer Schmitz, Wenju Zhang, Carrie Mitchell, Sheila Thomas-Ambat , Ben Brown, Ashley Rodgers and Scott Bryant

**Guest:** DeeDee Haines, Katherine Lowman, Ken Trefzger, Peter A., Mark Senior, R. Jay Jayakrishnan and Ross McLarnon

**Meeting called to order:** 3:02 by Marc Horstman

**Motions** (Minutes)

- September Meeting Minutes: Mr. Horstman made a motion to approve and Mr. Starr seconded. The motion was approved unanimously.

The following items were discussed with action taken as shown.

1. **Stormwater Staff Report**

- 2017 Environmental Awards Update
  - **Carmela Teichman** informed the Commission that each participating party will do their own determination and judging this year. The online registration opens on November 18, 2016 and closes on February 14, 2017. This award is open to any High School student in City of Raleigh and Raleigh's ETJ or service area. The top prize is \$500 with the gala being held on Tuesday, April 25, 2017. Stormwater will need a volunteer from the Commission to represent the Division.
  - **Blair Hinkle** noted that at the March 2017 meeting, the one item the Commission has to take up is the election for a new chair and vice chair. The idea is to put that on the agenda, and the only other item on the agenda would be to have a closed session to review the Stream and Stormwater videos.
- Staffing Update
  - Stormwater Monitoring Technician- *Jennifer Schmitz started on September 19<sup>th</sup>*
- City Council Meetings (3 items)
  - TC-2-16 – *Impervious area exemption limitation text change is scheduled for public hearing on November 1<sup>st</sup> in the evening*
  - Annual Report and Work Plan – *was received and approved*
  - Vanessa Fleischmann - *reappointed to another term*

2. **Stormwater Quality Cost Share Project**

**Lory Willard** informed the Commission she will be presenting one project for review. The project is for a 1,790 gallon below ground cistern, when empty will capture more than 1" of runoff from the roof. The water will be used for landscaping and vegetable garden irrigation. The agreed maintenance term is 10 years.

Petition Request	Project	Budget	Cost Share	Funding Request
1201 Watauga St	1,790 Gallon Below Ground Cistern	\$12,647	90/10	\$11,383

**Mr. Kane** asked if the maintenance agreement shows anything about making sure the tank empties.

**Lory Willard** replied staff will work with the petitioners to teach them how to properly use the cistern and draw it down when necessary.

**Ms. Durso** asked how oversized is this cistern compared to previous cost share, and what is the funding spent and remaining?

**Lory Willard** said they are about the same ratio and this treats a little smaller area than the previous one. The current Stormwater Quality Cost Share budget is \$500,000.

**Blair Hinkle** added this line item is funded in the budget at \$250,000 per year. We have spent \$100,000 or less than that over the last two years.

**Mr. Kane** wanted to know will future homeowners be tied to maintaining the device and what does the maintenance agreement spell out.

**Lory Willard** explained if the project is under \$30,000, they can buy-out the rest of the project. If they stay for five years and then move they can pay back 50% of the city's contribution. If it's over \$30,000 they have to sign a deed restriction (*ties future homeowner to maintaining the device or they can buy it out*). We have a yearly reporting (checklist) where the homeowner fills out a short report and send photos to make sure they are keeping up with the maintenance.

**Mr. Kane** requested a copy of the water quality cost share policy or include a hyperlink to the policy in the agenda packet when these requests are brought forward.

**Ms. Deerhake** asked if there are any other applicants for the remaining fiscal year.

**Lory Willard** reported that a permeable payment application is expected to be presented at next month's meeting. In addition, she's working with a church to install a bio-retention device in the parking lot. We had other people potentially interested, but thus far nothing has materialized.

**Ms. Deerhake** asked if there are any tax breaks/incentives that homeowners receive.

**Lory Willard** said she is not aware of any.

**Motion:**

Mr. Horstman made a motion to approve the stormwater cost share project, and Mr. Bostic seconded. The motion was approved unanimously.

3. **Stormwater Utility Fee Credit Program**

**Scott Bryant** and **Kelly Daniel** facilitated a presentation on the Stormwater Utility Fee Credit Program. The presentation contained the suggested framework and schedule for the crediting program review, overview of the current fee and crediting program, early findings from review of crediting programs and practices, highlights of the Stormwater program revenue and budgeted costs, and the Commission's vision for the enhanced crediting program.

**Mr. Yates** noticed not many of the commercial properties are applying for credits. He asked if they were to go above the 2- 10 year detention requirements what mechanism would be in place for compliance.

**Kelly Daniel** said they would have to renew every 3 years.

**Mr. Carper** wanted to know how the horizontal blue line on the stormwater fee investigation slide relates to staff level.

**Kelly Daniel** said the staff level since 2010 has remained the same. He explained that the technology we have now, in addition to the nightly process that runs between systems, new daily and monthly reports and other information we can pull has greatly increased our Stormwater Fee reviews. He went on to say that in the past two years, staff has done enough that we have actually increased our annual revenue.

**Blair Hinkle** commented the red line in the presentation represents demand for service, while the blue line represents the provision of service. This is one of the key performance indicators we use in our report to the City Manager staff. It demonstrates that over the past seven years demand for service has remained constant, but through the Business Service good work, the level of service we provide has significantly increased.

**Mr. Horstman** wanted to know how much the revenue has increase.

**Kelly Daniel** answered \$500,000 annually.

**Ms. Deerhake** asked where that annual increase goes.

**Blair Hinkle** stated back to Stormwater.

**Ms. Deerhake** asked if the city is well suited for a credit trading program.

**Blair Hinkle** commented that we are one of the few cities in the state that currently has legal authority to do so; however, he doesn't believe the framework is in place to do that.

**Ms. Deerhake** expressed that it would be a good opportunity to set an example and promote trading. She also stated that with your efficiency and success, you could reach out to smaller communities so they can benefit from what you have learned.

**Mr. Yates** asked if existing commercial lots that were developed before potential requirements and new commercial lots that have a 2-10 year retention requirements billed the same rate for impervious surface.

**Scott Bryant** said yes.

**Ken Carper** asked about those participating in the cost share program would they be able to get a credit.

**Scott Bryant** commented that a question was recently asked about ongoing incentives, and if the concept of just a device would be eligible for an ongoing credit. He doesn't know but it could be a possibility. These are the type of questions we would want feedback from the Commission on.

Commission Comments

- Review potential for developing Single-Family Residential (SFR) credits
  - *Consider technology to support*
  - *SFR was discussed as part of the original utility fee setup*
- Review credits (and credit options) for existing developments with stormwater control measure retrofits
- Impact of individual lots
  - *Differences in % impervious between properties*
  - *Other ways to potentially differentiate between properties?*
- Multi-family residential / apartment complex example mentioned
  - *Is there an opportunity for renters to potentially receive individual credits?*
- Quantify the benefits to the city/community (to an extent practicable) to justify ranges and levels of potential credits
- Importance noted of City wide master planning for watersheds, in general
- Need to incorporate water quality control into the future crediting program
- Review non-structural measures that may be potentially credit worthy for the future crediting program
- Review GI/LID as potential part of future crediting program
- Note potential reduced demand for potable water over time as more cisterns, rainwater harvesting, and similar installed
  - *This would also be consistent with treating stormwater as a water resource asset, for example*

#### 4. **Stormwater Quality Cost Share Policy**

**Kevin Boyer** provided a brief recap of the program and possible changes to the policy to make it more effective and gain more participation.

- Simplify: *petition process for “smaller-scale” measures*
- Make eligible: *contributing to the cost of “off-property” measures within street right-of-way*
- Clarify/reconsider: *the policy’s “above and beyond” requirement*
- Make eligible: *contributing to the cost of installing required measures when the cost of a “preferable” measure is more than the cost of the minimum required measure*
- Continue/improve: *promoting public awareness of and participation in the program*
- Others: *as offered by SMAC, past and current participants, and citizens on how we can make this more attractive and a good deal*

**Ms. Deerhake** asked if the cost share could be applied to post construction. The church she attends installed permeable pavers on the parking lot and she doesn’t believe they pursued a cost share request and this may be something to consider in the policy.

**Kevin Boyer** remarked the policy is silent on that. There have been two properties owners that were aware of the program while in construction or completed and applied fast and were approved. Your church can bring this forward, but you would have to recuse yourself when voting. That’s something we could address when we take a look at the policy.

#### 5. **Other Business**

- GI/LID item we presented to the City Council at May’s work session is going back to Council work session next Tuesday, October 11<sup>th</sup> at 4pm.

#### **Adjournment:**

Mr. Horstman made a motion to adjourn and Mr. Kane seconded. The meeting adjourned at 5:13 p.m.

Suzette Mitchell (10/17/16)