



# Ad Hoc Stormwater Utility and Flood Mitigation Advisory Group

April 19, 2022 | 7:00 p.m. | Hybrid (Virtual and In-Person) Meeting

## Minutes

### Advisory Group Members Present:

A	John Chapman	P	Howard “Skip” Maginniss
P	Dino Drudi	A	Brian Sands
P	Charlotte Hall	A	Christine Thuot
A	John Hill	P	Katherine Waynick
V	Cheryl Leonard		

P = Present    A = Absent    V = Virtual (on call)

**Staff Present:** Dan Medina, Stormwater Program Manager, Jesse Maines, T&ES Division Chief, Stormwater Management; Mitch Dillon, DPI; Amanda Dolasinski, T&ES, Sabu Paul, DPI, Jonathan Whiteleather, DPI; Terry Suehr, Director of Project Implementation; Yon Lambert, Director of T&ES

**Staff Virtual:** Erin Bevis-Carter, T&ES Division Chief; Brian Rahal, Stormwater Program Section Lead

### Action Items are in bold

The meeting began at 7:06 p.m.

1. **Introductions**, with four Ad Hoc Group members present, quorum was not met for this meeting.

#### 2. **Electronic Meeting Notice**

Mr. Maginniss read the electronic meeting notice (amended for the hybrid meeting) and went over general housekeeping items. This meeting is an in-person meeting with option to listen in/ask questions virtually.

#### 3. **Approval of the February 16, 2022 Meeting Minutes**

Mr. Maginniss noted minutes are posted to the City’s website shortly after meetings. Moving forward, he has requested the City provide minutes to Mr. Maginniss as well, who will distribute to the Ad Hoc Group members or notify them of where the minutes are posted.

The Ad Hoc Group chair clarified that now that meetings are in-person, only members who are present in-person can count towards quorum. Since quorum for this meeting was not met, the February 16, 2022 meeting minutes will be voted on at the next meeting.

#### 4. **Chair’s Comments**

a. **Meeting Start Times:** There was an internal Ad Hoc Group request to shift meetings earlier to either 6pm or 6:30pm to better accommodate schedules and City staff. The intent is not to extend the meetings. The Ad Hoc Group will discuss and vote at the next meeting or agree prior to the next meeting. The City does not have any issues holding the meeting earlier.

b. **Meeting Type:** Mr. Maginniss noted that meetings will be in-person moving forward, with an option to call in to listen. Ms. Suehr stated that having in-person meetings is consistent



with current state mandates and that only Ad Hoc Group members present in person can be counted towards quorum. The City is also striving to support virtual options for the community to “listen in” as was possible during Covid. State mandates are under review and interpretation by the City. Ms. Hall commented that Ad Hoc Group members showing up in person is critical to meeting quorum and being able to make decisions.

- c. **Meeting Format:** Mr. Maginniss indicated meetings moving forward will be structured around questions by the Ad Hoc Group, will be more conversational, and will have streamlined information from the City.
- d. **Council Budget Q&A:** Mr. Maginniss sent the Ad Hoc Group Q&A’s regarding the stormwater budget prior to the meeting and requested review.
- e. **Annual Report:** Part of the Ad Hoc’s group mandate is to prepare an annual report. Mr. Maginniss has drafted a high-level outline and distributed it to the Ad Hoc Group for feedback. He requested feedback soon to finalize the outline and assign writing roles by the end of May. The Ad Hoc Group will target completing a first draft by the end of June and a final vote and submittal to Council at the end of July or early August. Dr. Medina requested the document be shared with the City. Mr. Maginniss noted that the Ad Hoc Group will forward the draft report to the City for accuracy review, comment, and input where requested.
- f. **Stormwater and Flooding Solutions Workshop, held by the Institute for a Sustainable Earth:** Mr. Drudi explained that this event brought together academic and civic groups to develop ways to address flooding challenges. The event was well attended by local jurisdictions and included breakout brainstorming sessions. Mr. Drudi advocated for an Improving Metrics group, but this topic was folded into a group primarily handling Civic Development Collaboration (called Improving Metrics/Civic Development Collaboration group). Other groups were Community Education, Outreach, and Resources; Technological Advancements in Stormwater Management; and Analyzing Funding Opportunities. There was considerable momentum behind the ideas that the problem of flooding is getting bigger, the issue is bigger than we previously understood, and density and development play a larger role in flooding than previously recognized. Dr. Medina also led engagement of academic groups. Dr. Medina indicated that the City wants to develop specific questions and applications for the researchers to work on. There was a meeting today (April 19) to discuss submitting an NSF grant for further study.

## 5. Staff Update:

- a. **Large capacity projects:** Per Dr. Paul, the Commonwealth/Ashby RFQu was released in January, and the Hooff’s Run RFQu will be released by the end of April. Mr. Maginniss asked how long the solicitation process will be for these projects. Dr. Medina indicated about six months for development of proposals, evaluation, checking references, and negotiation.
- b. **Sanitary projects:** Per Mr. Whiteleather, the Pitt and Gibbon and Nethergate projects are under procurement for an alternatives analysis that builds upon existing concept design reports. The alternatives analysis will then be used to support full design.
  - i. Mr. Drudi asked if Pitt and Gibbon is now considered a large capacity improvement project. Dr. Medina noted the name “large capacity projects” comes from the CASSCA study. Since Pitt and Gibbon was not identified during the CASSCA study, the City is instead calling it a “Combined Sewer” project. These combined sewer



projects are a third type of project (added to large capacity and spot projects), defined by the fact that they manage stormwater in the combined sewer area. The projects manage stormwater ideally before it enters the combined sewer system. These projects are not impacted by river flooding downstream and are driven by capacity limitations in the separate storm/combined sewer.

- c. **Spot Improvements:** Per Mr. Dillon, 32 spot improvement projects are identified. 14 are in motion, either in planning, design, or construction. There is an inlet project currently in construction. Two projects are completed (1345 Hancock Alley and Hume Ave Curb Inlets).
- d. **Master Schedule:** The Master Schedule has been posted to the City's website. Ms. Waynick noted this is a great tool and that the City provided a good explanation of the projects in a public meeting on March 22, 2022. Mr. Maginniss and Ms. Waynick may establish a subcommittee to consolidate comments on the schedule for the City.
- e. **Federal and State Grant/Funding:** Mr. Maines noted the City has been awarded state Community Flood Preparedness Fund (CFPF) grants, including for the waterfront and smaller projects. Federal funding includes ARPA funding for the Hume Ave Bypass and Mount Vernon Cul-de-sac Inlets, and HUD funding for Fulton/Manning Green Alley. New grant applications were submitted April 8, 2022 for a Citywide Inlet Program (likely starting near Park Fairfax) and the Mount Vernon Double Culvert Expansion (near Sherman Williams Site). These projects are funded by the REGGI program, which is currently under consideration for defunding at the state level.
  - i. Mr. Maginniss asked if the projects can still be funded if REGGI is defunded. Mr. Maines indicated that since the grants funded by REGGI are reimbursement grants, the City has already allocated funds for the projects. Ms. Waynick encouraged Ad Hoc Group members to organize trips to Richmond since REGGI has provided significant benefit to the City.
  - ii. Mr. Drudi noted that only ~\$0.57M of the CFPF grant awarded remains for inland flood mitigation after allocations for the waterfront project. Per Mr. Maines, the \$0.57M is slated for a green infrastructure pilot associated with the Commonwealth/Ashby Glebe large capacity project. The other CFPF award of \$516,000 is for inlets on Reed Avenue, and Edison and Dale (the fourth large capacity project). By having this grant, the City can move parts of the fourth large capacity project forward sooner.
- f. **City Flood Action Grant Program:** Mr. Maines noted that the City is getting better at processing applications in a timely manner. Of 181 submissions to date, 136 applications have been paid out (\$428,330). Based on feedback, the Apex permitting system, which applicants must navigate to submit their application, is confusing. The City is working to streamline the application process, make application requirements more clear, reduce administrative review time, update the application manual, and update materials online. The City is also considering holding another informational webinar. The City is exploring expanding the grant program to multi-family properties, considering Mr. Drudi's proposed formulas for reimbursement. In the budget response, the City said updates to the program would be complete by fiscal year 2023. To meet this deadline the City is aiming to draft ideas in May/June 2022. The City is also re-evaluating/simplifying the



Stormwater Utility Credit Manual and expanding the list of acceptable floodproofing practices, which could be another way to benefit multi-family properties.

- i. Mr. Drudi clarified that the two formulas provided to the City are for grant allocations to multi-family properties. Mr. Maginniss noted that flood mitigation on multi-family properties could be much more expensive than solutions for a single-family home, which may pose issues for the grant program. Mr. Drudi noted that the grant program is not equitable since it gives preference to single-family owners and disadvantages multi-family owners. He requested that the formulas be discussed at the next Ad Hoc Meeting. This was seconded by Mr. Maginniss. Ms. Waynick noted that multi-family units are impacted in many ways, including damage to HVAC systems and common areas.
- ii. Mr. Maginniss noted he went on a site visit to homes that have been floodproofed. He believes that the improvement projects are very effective. He asked whether the City could consider reaching out to those who have noted problems to let them know about the grant program, rather than waiting for individuals to find out and apply for a grant. Mr. Maginniss noted that the homeowners on the tour did not know about the grant program. The City liked this idea.
- iii. Mr. Maines indicated two new engineers are being added to City staff who can help residents navigate the grant process.
- iv. Ms. Waynick asked if an applicant did not meet the maximum \$5,000 reimbursement, could they submit a second application at a later date to claim the difference? Mr. Maines indicated that questions like this and questions of how frequently owners can apply year after year for the grant is currently being considered. Ms. Waynick also noted that funding allocations increase over time in the budget. Mr. Maines recognized this potential to expand and refine the grant program.
- v. Ms. Leonard expressed concern that upstream flood mitigation by homeowners through the grant program is going to exacerbate flooding in downstream properties, such as near Commonwealth/Glebe where she lives. The large capacity project near her home will not be complete for three years. She also noted that homes have doubled and tripled in size. She asked if there is information regarding whether renovations and development are causing flooding and whether a moratorium on development can be instated to halt the exacerbation of existing flooding. Mr. Maines responded that the City intends to expand the grant program to help with short-term alleviation and that the City asks developers to do more than required by local stormwater ordinance if there are existing flooding issues. The City also already has lots of impervious surface, which means developers oftentimes do not need to make significant improvements to maintain the status quo and meet requirements. The City is evaluating adding improvement factors to the stormwater requirements while balancing development. Ms. Waynick also noted the Dillon Rule limits City regulation over development that impacts less than 2,500 square feet. At least one delegate in Richmond is pushing to lift this restriction. Mr. Maginniss suggested that the City provide notifications in the permitting system regarding flood protection for those development projects impacting less than 2,500 square feet.



- g. **Communications Update:** Per Ms. Dolasinski, the City is making changes to their website to improve clarity and navigation. On the spot improvement page, the projects have been listed with phase. The master schedule is posted. An interactive Map of projects is coming soon. A new “resident success story” section has been added to the newsletter. The hope is this section encourages other residents to make modifications and communicate with each other to share ideas and best practices. Note that the Flood Action program does not have their own social media page. Generally, the program’s audience is growing and engagement is increasing. The most popular video recently was of a sanitary sewer inspection. Ms. Dolasinski also invited the Ad Hoc Group to public Stormwater Day at the Park on April 30th (including a rain barrel giveaway and other educational activities).
- i. Mr. Maginniss emphasized the importance of communication. The public has given feedback that it is important to see their public dollars at work. Ms. Dolasinski also noted it is critical to document what is happening since some improvements happen quickly and are buried underground. Mr. Maginniss noted that the aggregate statistics the City presented today are helpful for communication.
  - ii. Ms. Waynick noted that some members of the public are complaining about the raising of the stormwater fee, but pointed out that the increase was planned from the start. This negative feedback and confusion from the public is another reason to include project funding in the schedule and show where grant funding is being allocated. Mr. Maines indicated that this coming Saturday is the second reading of the ordinance to increase the stormwater fee, and the City is has used the Ad Hoc Group’s letter of support for the budget in their stakeholder engagement. Ms. Hall asked if there is value in sending another letter of support. Mr. Maginniss indicated the Ad Hoc Group did send a letter supporting the fee increase this year.
  - iii. Mr. Maginniss suggested placing banners within the community where improvements are made.
  - iv. Ms. Waynick asked if a vendor fair is occurring. Mr. Whiteleather noted there will be three stormwater/floodproofing vendors for homes at the City’s Building Safety kickoff event on May 6th. The City may host a larger vendor fair event in the future. Ms. Leonard asked if the City could reach out to vendors who could construct more sustainable, floodproofed homes during redevelopment. The City will look into this.
  - v. Mr. Drudi asked if many City grant applicants have been rejected based on an article he read. Mr. Maines asked Mr. Drudi to talk offline to understand which article he read. Mr. Maines indicated some applicants were rejected because applications were incomplete, or the request was for backflow preventors or for mitigation of damage, which are not covered by the grant program.

## 6. Public Comments

- a. Ms. Jan R discussed South Gibbons Street concerns. She is concerned the new Heritage Project that has been approved will impact the sewer system, which already floods. She asked if the developer needs to address both sewer issues and stormwater issues, and whether the sanitary sewer department is aware of the stormwater flooding. Mr. Maines indicated that the developer must meet stormwater regulations and cannot increase stormwater runoff. Ms. Bevis-Carver noted there is a Memo to Industry for developers to mitigate combined sewer



- overflows. Developers can meet the memo requirements by separating the sanitary and storm sewer systems, or by mitigating 50% of their stormwater runoff using green stormwater infrastructure. The developer for the Heritage Project met the memo requirements using the 50% green infrastructure requirement. Ms. Jan R asked if the memo accounts for existing flooding and is up to date. Ms. Bevis-Carver indicated the memo is dated 2014 and is used for development across the combined sewer system regardless of recent flooding. The City acknowledges that the memo can be updated. Mr. Drudi asked if the 50% reduction required by the memo is just for stormwater or also for sanitary flows. Ms. Bevis-Carver noted that the 50% reduction is applied to stormwater and the sanitary sewer is required to have capacity. Ms. Bevis-Carver noted sanitary flow is approximately only five percent of combined sewer flows, so stormwater is causing the flooding issue, not the sanitary flow. Ms. Bevis-Carver can provide additional data to Ms. Jan R after the meeting.
- b. Mr. Jim Burnhardt asked if the land near Hooff's Run Culvert can be restored to its original condition before the maintenance crew cleaned the culvert. He would also like maintenance to occur for inlets while the Hooff's Run large capacity project is designed. He has reached out to numerous City officials and submitted 311 tickets that have been closed without being completed. Dr. Medina reiterated that the large capacity projects take time to study and design. Mr. Maines indicated the City will follow up to see what maintenance has been completed and not completed, then will follow up with Mr. Burnhardt. The person formerly overseeing the maintenance (Mark Gunderson) does not work for the City currently.
  - c. Ms. Melanie De Cola indicated Park Fairfax is experiencing flooding but does not appear on the master schedule. Mr. Maines indicated this area is a good candidate for further investigation for the inlet program pilot. The City recently submitted a grant application for this project. Ms. De Cola requested the City set up another meeting to inform residents of updates. The City agreed to this and Ms. De Cola can help coordinate.

## 7. Adjourn

- a. Meeting adjourned at 8:56 p.m.

## Meeting Chat Transcript

**Jan R 07:32 PM**

What is different than Feb infor on pitt and gibbon. How long can this take?

**Jonathan Whiteleather 07:34 PM**

This has been updated on the master baseline schedule for full length of project to completion

**Jan R 07:34 PM**

I dont think pitt and gibbon was earlier discussed. Why arent we a capital project?

**Jonathan Whiteleather 07:39 PM**



Pitt and Gibbon was discussed on slide 10. This project is currently under design procurement along with Nethergate

**Jan R 07:36 PM**

I hope sewer issues at Pitt and Gibbon are addressed, as this water floods us

**Jonathan Whiteleather 07:40 PM**

This project is moving forward for design procurement.

**Jonathan Whiteleather 07:42 PM**

Private answer

Jan, we have public comments as agenda item #5. We will open it up for you to talk.

**Jim 07:47 PM**

The open Hooffs Run culvert between E Linden and E Maple is also a huge risk area that isn't being discussed. We have dozens of emails with the city that have gone on for over a year. We have 311 tickets to maintain the culvert that have been closed without any work and without explanation. The residents in the neighborhood appreciate a response.

**Melanie De Cola 08:33 PM**

Wondering what level of property damage, or number of 311 reports, is/are required to appear on the list of spot improvement projects? I never see Park Fairfax on the schedule and yet we keep flooding and losing cars every year and soon it'll be homes flooding. I heard Park Fairfax mentioned tonight, would like more info on plans here.