

MEMO

To: John Larch, P.E., City of Fayetteville Stormwater Program Director
From: Jennifer Fitts, Project Manager
Keith Readling, P.E., Executive Vice President, Raftelis Financial Consultants
Date: May 31, 2018
Re: Stormwater Program Assessment Project

The City of Fayetteville (City) engaged Raftelis Financial Consultants, Inc. (Raftelis) to perform a high-level program assessment of the City's stormwater management program. The project was contracted December 15, 2017 and will include the provision of a formal report at conclusion. This memorandum is meant to summarize our actions and findings to date and accompany a presentation to be made to City Council on June 4th, 2018.

PROJECT SCOPE

Task 1: Initial Program Evaluation

Raftelis consultants met with City staff and held interviews over the course of two days to learn about the program, including the level and extent of services provided, and the people and processes behind service provision. Raftelis also gathered detailed information about staff accomplishments, stormwater program finances, and future service plans. As part of these individual and small group conversations, we acquired information from a variety of perspectives about the development processes and perceived or known difficulties. The findings from Task 1 became the baseline for comparison in Task 2, and were the inputs for the final program evaluation.

Staff involved in Task 1 interviews included: City Engineer, Stormwater Manager, Deputy City Manager, Stormwater Inspectors, Drainage Investigations & Spot Repair Program Staff, Project Managers, Engineering Specialists, Construction Inspectors, Finance/Budget, Development Serves Director and Assistant Director, Development Advocate, Zoning Officer, Building Official, Public Services Coordinator, Stormwater Hotline Attendant, and Assistant City Attorney.

Task 2: Development Process Review for Peer Communities

The City is interested in learning how its development process compares to the processes implemented in peer communities. Raftelis selected the following 5 North Carolina jurisdictions from a peer group based on size, locale, and regulatory environment: City of Durham, City of Greensboro, City of Winston Salem, Cumberland County, and City of Greenville, NC.

We designed a survey focusing on understanding processes as implemented, and on internal and undocumented policies and norms. During the initial interviews, we got a good sense of development requirements and the review process in each jurisdiction. Results were developed as an input for Task 3.

Task 3: Identify Immediate Program Refinements

Based on the knowledge Raftelis obtained from Task 1 and Task 2, we identified a set of quick program tweaks that could make the program more efficient or alleviate concerns identified through interviews.

Task 4: Identify Follow-Up Evaluations and Scheduling for Phase II

The work described in Tasks 1 to 3 focused on the immediate concerns of the Stormwater Program, but there are other areas related to Program evaluation the City is interested in exploring. Task 3 addressed immediate action items, while Task 4 involves identifying more involved recommendations coming out of this Phase that require additional effort. City staff and Raftelis have discussed follow-up evaluations. The scope and level of effort will be finalized as a part of Task 4.

Task 5: Conclusions and Reporting

The formal report that will follow this memorandum falls under Task 5. This task also includes four final meetings to debrief program staff and management on the findings and engage in discussion that will influence the Phase II goals and Task 4 estimations. Raftelis has met with City staff, has worked with the City Manager's Office and City Council, and has drafted a formal report, which will be finalized after a presentation to and feedback from City Council.

PEER REVIEW FINDINGS

The City was interested in how its development process compares to the processes implemented in peer communities. Raftelis initially selected 5 jurisdictions within North Carolina from a peer group based on size, locale, and regulatory environment: City of Durham, City of Greensboro, City of Winston Salem, Cumberland County, and City of Greenville.

The formal report summarizes conversations held with stormwater plan review staff in each jurisdiction, supplemented where necessary with information available online. We discussed with each jurisdiction the stormwater regulatory requirements, design standards for treatment, the process and timeline for stormwater reviews, enforcement, and developer feedback.

Broadly speaking, all program representatives interviewed identified some areas for improvement. Stormwater management as part of the development process is intensive and technically complex, and each jurisdiction has designed a structure and process to work within its organizational context. As all peer cities continue to grow and change much like Fayetteville, their stormwater review processes are aiming to keep up. Fayetteville's stormwater requirements tend to be less stringent than those of its peer communities, which are often subject to additional nutrient sensitive watershed rules above and beyond statewide or MS4 requirements. The stormwater-related permit review time for most communities is shorter than that for Fayetteville, but more tends to be asked of developers in terms of submittal and resubmittal organization. Most peer communities have a locally delegated Erosion Control Program, which allows for

some additional integration with the stormwater permit and treatment, but there is often an organizational divide between the management of that program and the stormwater-related permit review so the two are not entirely streamlined. Notably, almost all communities deal with dissatisfaction from some developers, though for varying reasons.

PROGRAM OBSERVATIONS

Raftelis' stormwater program review resulted in several initial observations that will be further discussed in the formal report. The first set of observations addresses the stormwater development review process. The second set addresses the capital program.

Development Review Process

First and foremost, the City's stormwater treatment standards and thresholds are not overly onerous, and indeed are often less stringent than the peer municipalities reviewed. Raftelis observed that there are relatively few staff performing stormwater reviews in support of the City's infrastructure permit required for development. Staffing levels have not changed much over the past decade, though the City has grown tremendously and development is likely to continue to do so. Because developers or their engineers are allowed to submit partial stormwater plan packages and provide incomplete responses to plan comments, staff spend precious time compiling complete packages and re-reviewing information only to provide the same comments over again. Raftelis recommends that submitters be required to a) submit complete packages, b) address each reviewer comment in a comment response sheet, and c) pay the established re-submittal fee, each of which will make the process more organized and efficient.

City staff are already working toward creating checklists and documentation for use internally. Raftelis recommends creating comprehensive documentation for those embarking on the development process to ensure that developers are informed of the steps, timelines, fees, and requirements throughout the entire process. This undertaking is bigger than the stormwater program, but would include the stormwater piece and any requirements adopted from this set of recommendations.

Capital Program

To date, the City has been operating a highly reactive capital program, and it currently has a backlog of close to \$20 million in funded stormwater capital projects, and another approximately \$28 million in unfunded projects. These identified projects represent needs around the City that were largely identified through watershed studies, neighborhood studies, customer complaints and subsequent drainage investigations. The stormwater program seems to be working at capacity according to current funding and staffing levels. However, the program needs to evolve into a more sustainable, proactive program. The City recently opted to raise the stormwater rate for FY2019, which will fund numerous watershed studies over the next four years. Through these studies, additional capital projects can be identified and prioritized, and with the additional funding, more resources can be applied to tackling the growing list of needs. Addressing major flooding issues in a targeted and organized way will not only improve public perception of the stormwater program, it will further support the City's ability to grow while mitigating flooding concerns for existing or new development.