

EXCERPT FROM OCTOBER 2004

Citizens' Stormwater Task Force
Final Report and Recommendations For
City-Wide Stormwater Management Program

The following section from the final report concerns the recommendations for how to address system improvements to both public infrastructure and private property.

Correct Existing Problems in the Public Drainage System

Responsibility for correcting existing drainage problems is dependent on the cause of the problem. The specific cause will be a primary determinant as to which party or parties is/are responsible for correcting the situation. Overall, owners are responsible for exercising due diligence in determining existing or potential problems when purchasing property. Failure of a seller to disclose such problems does not pass responsibility for corrections to the City. The City, however, could provide assistance to the property owner in evaluating problems and identifying possible solutions.

1. It is recommended the City invest in improvements to public infrastructure to correct problems due to:
 - An inadequate public drainage system that met standards in effect at the time it was constructed but that does not conform to current standards.
 - An inadequate public drainage system that was not designed or constructed in accordance with the standards in effect at the time the system was constructed.

2. It is recommended the private property owner address all problems not due to deficiencies in the public drainage system including, but not limited to:
 - Structure constructed below adjacent street grade without provisions to divert local drainage to protect the structure
 - Walkout basement that was constructed on a flat lot ("forced walkout"). The home builder may also be involved in this situation.
 - Lower level building openings that were added after the original construction
 - Overflow from open channels where property is adjacent to a regulatory floodplain
 - Overflow from open channels where a structure has been built close to the channel bank
 - Structure constructed in a floodplain before regulations restricting such projects were in place
 - Erosion of open channels on private property
 - Lot-to-lot local drainage problems

3. To address existing problems it is recommended that the City:
 - Establish a program to bring deficient parts of the system up to current standards i.e. a stormwater capital improvements program
 - For more immediate relief in many areas, establish a curb inlet program to add or upgrade inlets where additional inlet capacity would alleviate problems.

- Consider having new development help solve existing problems, possibly through such mechanisms as system upsizing agreements or development agreements.
 - Work with private utilities to relocate facilities out of or away from drainage ways.
 - Work with property owners to assist in analyzing the problem, identifying cause(s) and evaluating options for correcting the problem, even if the private property owners will be responsible for implementing the project.
 - Maintain a master list of properties with a history of flooding or other drainage problems to assist buyers with research.
4. It is also recommended the City, property owners, developers, utilities, HOA's, etc work together on problems due to:
- Increased flows from development that occurred after construction of the property experiencing problems but before detention requirements were in place.
 - Erosion in open channels that significantly impact the private property if the erosion is determined to be due to increased flows from upstream development
5. It is recommended the City establish a prioritization system for capital projects to address problems according to the following general priority categories:
- System deficiencies identified by the City's master plan that cause flooding of homes, businesses or other structures.
 - System deficiencies that cause street flooding to the extent that access for emergency response vehicles is impeded.
 - System deficiencies identified by the City's master plan that cause erosion in open channels that may threaten the stability of existing structures.
 - System deficiencies identified in the City's master plan that result in damage to private improvements such as landscaping and fencing.