

May 10, 2023

The PUBLIC WORKS ADVISORY COMMISSION met in the Bell Building 2nd Floor Meeting Room at 215 "D" Street. Vice-Chair Kevin Kelly called the meeting to order at 12:01 p.m. Commission members present at the time Mr. Kelly called the meeting to order included Commissioner Wright, Councilor Forsmann, and Student Member Kayleigh Philippi; a quorum was met and official business was allowed to proceed.

Public Works Advisory Commission meetings are recorded live. To view the full video, go to <https://www.youtube.com/watch?v=t8-DBc8wiCI>.

I. CALL TO ORDER

COMMISSIONERS PRESENT: Laura Wright; Vice-Chair Kevin Kelly; Kayleigh Philippi; Ryan Rehder

CITY COUNCIL LIAISON PRESENT: Councilor Kasee Forsmann

CITY COUNCIL LIAISON ABSENT: Councilor and Chair Kathy Schroeder

STAFF MEMBERS PRESENT: Dustin Johnson, Public Works Director; Haley Kelley, Public Works Specialist; Neal Drury, IT

II. CITIZEN COMMENTS

None.

III. CONSENT AGENDA

Vice-Chair Kelly explained that all items on the Consent Agenda are considered routine by the Commission and will be enacted by one motion. There will be no separate discussion on these issues unless a Commissioner so requests, in which case the item will be removed from the Consent Agenda and considered under "Items Moved From the Consent Agenda".

Commissioner Wright and Councilor Forsmann moved and seconded, respectively, approval of the Consent Agenda. The motion carried 3-0.

A. APPROVAL OF APRIL 12, 2023 MEETING MINUTES: - Action Item

B. APPROVAL OF THE LEWISTON ORCHARDS IRRIGATION DISTRICT (LOID) AS A FUTURE AGENDA ITEM: This item is to formalize approval of Commissioner Rehder's request that the Lewiston Orchards Irrigation District (LOID) be added as an agenda topic. Mr. Rehder's request came after the motion to approve during the April 12, 2023 meeting. - Action Item

IV. DIRECTOR'S REPORT

A. HIGH RESERVOIR UPDATE:

Director Johnson provided highlights from the presentation provided at the May 1, 2023 City Council Work Session and answered clarifying questions from Councilor Forsmann. He explained the relationship between the current Irrigation Restrictions and the High Reservoir rupture which occurred in January 2023.

Vice-Chair Kelly suggested coordination with the Lewiston Tribune to have a standing publication regarding the restrictions. Commissioner Wright suggested that the Irrigation Restrictions should be clearly tied to the High Reservoir in public outreach.

Ms. Wright requested clarification regarding Well 7's operation and age to which Mr. Johnson answered that the capacity data was from a 24-hour span and that Well 7 is a new well in the center of the system with high production.

Ms. Wright requested clarification on the High Reservoir repairs. Mr. Johnson explained that the consultant was not able to find a solution within the City's desired timeline and that the City's path forward is to patch the concrete, install a liner, and install a floating lid to restore use of the reservoir; the system has a warranty of 20 years and both the liner and lid cost an additional one million dollars. Mr. Johnson stated that the critical path item is the floating lid and that the City is at the mercy of the supply chain, but the approximate manufacturing date for the lid is June with an estimate of July 31st for the finalization of the repairs. Mr. Johnson said that updates would be provided regularly on the status of the High Reservoir and thus the Irrigation Restrictions.

Mr. Kelly asked about a long-term solution for the High Reservoir due to the intermediate nature of this repair. Mr. Johnson explained that the water master plan is due for an update soon and that water capacity will be a focus. The CIP has since been adjusted due to the current failures and letters of interest for over \$30 million dollars of capital improvements to the water system have been submitted to the Idaho Department of Environmental Quality (IDEQ) for funding.

Ms. Forsmann asked what the practice moving forward would be for inspections. Mr. Johnson stated that underwater inspections were conducted on a five (5) year schedule with operations staff conducting inspections annually. Mr. Johnson explained that there was no evidence of leaking from the reservoir prior to this rupture.

V. DISCUSSION ITEMS

A. DRAFT ORDINANCE 4882 - STORMWATER DRAINAGE SYSTEM:

Director Johnson prefaced the discussion with an explanation that Ordinance No. 4882 had been introduced during the May 1, 2023 Work Session and describes the right and authority for the City to create a stormwater utility. He reiterated that the ordinance outlines the reasons a utility is necessary but does not set the rate. The rate will be established by a resolution in August with an effective date of January 2024.

Councilor Forsmann said that she was not aware of what was included in the flyer issued to the public but that there seemed to be confusion among the public about the permit that initiated this utility. Public Works Specialist Kelley provided copies of the flyer that were issued with the April utility bill to all members present.

Vice-Chair Kelly requested clarification on the calculation to determine the fees. Mr. Johnson explained that the utility establishes an Equivalent Residential Unit (ERU) equal to 4,500 square feet of Impervious Surface Area (ISA). He explained that when it comes to commercial properties, the ERU rate is spread across the entire amount of ISA on the property.

Commissioner Wright asked how many customers this would impact and where the location of 21st Street stormwater line is located. Mr. Johnson explained that he doesn't have that customer information on hand but that the 21st Street stormwater infrastructure is primarily beneath private

properties.

Wright said that 60-100% of the system was in need of replacement to which Mr. Johnson agreed. Ms. Wright inquired about the cost should this infrastructure fail and stated that according to the master plan, the estimated cost in 2018 was 2.7 million dollars and that the cost would surely be higher now.

Commission members provided the following feedback to Ordinance No. 4882:

Reference	Public Works Advisory Commission Comments
Page 4 of 17, Sec. D.2.c.	Vice-Chair Kevin Kelly requested clarification on which monies would fund street cut patching and similar roadway maintenance during stormwater infrastructure repairs and improvements
Page 5 of 17, Sec.D.3.c.	Vice-Chair Kelly requested clarification on what “stormwater drainage services” entails
Page 7 of 17, Sec.36-253	Commissioner Laura Wright expressed concern that “100-year storm” and/or “100-year flood” is not provided in the definitions and suggested adding it.
Page 7 of 17, Sec.36-253(3)	Commissioner Wright expressed concern that the MS4 permit was identified in the definitions but only called out a single time in the rest of the document (see Sec.36-260(e)). Ms. Wright believes that the MS4 permit should be highlighted throughout the Ordinance to emphasize that the driving force behind the formation of this utility is these federal requirements.
Page 7 of 17, Sec.36-253(4)	Commissioner Wright suggested changing “City-maintained system” to “City-maintained infrastructure system” to reiterate that this utility is equivalent to the water and sewer utilities
Page 7 of 17, Sec.36-253(4)	Commissioner Wright suggested the removal of “municipal” from “municipal stormwater runoff” as the stormwater drainage system will be collecting, conveying, treating, and disposing of all stormwater, not just stormwater which may qualify as “City” stormwater i.e. runoff from streets, sidewalks, City facilities, etc.
Page 8 of 17, Sec. 36-255(a)	Commissioner Wright suggested adding “NPDES programs and education” for the analysis, public education and outreach, illicit discharge program creation, revision of engineering standards for construction activities, etc. that is included in the MS4 permit compliance requirements.
Page 10 of 17, Sec.36-258(f)	Commissioner Wright suggested clarifying this language as, in her opinion, it’s unclear if the user fee credits require an annual application.
Page 10 of 17, Sec.36-258(g)	Commissioner Wright shared the opinion that unless every homeowner has a massive detention basin, stormwater will flow into the City stormwater drainage system. She emphasized the importance of adding 100-year storm language to Sec.36-253 and referencing it here.
Page 13 of 17, Sec.36-260(d)	Commissioner Wright expressed concern that this section does not include the items outlined in Sec.36-255(a) and suggested adding “MS4 permit activities and requirements” to cover future compliance required by DEQ and/or the EPA.
Page 13 of 17, Sec.36-260(e)	Commissioner Wright recommended including the “MS4 permit activities and requirements” to this section as well for continuity purposes.
Pages 13 and 14 of 17, Sec.36.5-1	Commissioner Wright suggested changing “drainage service” to “stormwater service” for clarity and consistency as the Ordinance refers to stormwater services, stormwater fund, etc. but doesn’t consistently use “drainage service”

Mr. Kelly requested estimated annual expenses and revenues for the enterprise fund. Mr. Johnson explained that the budget is currently in the works but that Council directed the City to pursue the fully funded Capital rate that was proposed. He expressed concern on the

impact to budget preparation should Council pursue a lower rate at a later date.

Commissioner Rehder requested clarification from Mr. Kelly on whether his question pertained to rates or the enterprise fund itself. Mr. Kelly clarified that his question pertained to the projected annual budget for the enterprise fund. Mr. Johnson explained that expenses would entail acquisition of equipment, operations, maintenance, permit compliance, etc. and that whatever remains is appropriated for Capital improvements. Mr. Kelly asked what the frequency of review and updates to the rates would be; Mr. Johnson answered that it would be reviewed and updated the same as the other enterprise funds which follow Council adopted master plans.

Mr. Kelly inquired about how the enterprise would function and whether monies would be restricted to the utility. Mr. Johnson explained that monies collected through utility bills are dedicated to their associated enterprise fund and that it is not legal to spend enterprise monies for non-enterprise expenses.

Mr. Rehder expressed that capital reserves are important to set aside in order to coordinate projects within a single location at one time such as an "Opportunity Fund". Mr. Johnson explained that the "Opportunity Fund" is a reserve but it's intended for non-emergency project. Mr. Rehder proposed that this commission evaluate proposed projects in order to help coordinate opportunity projects to minimize disruption and expense. Mr. Johnson expressed that the City's investment in GIS and Asset Management helps better educate how we approach projects.

Ms. Wright questioned whether the funds currently appropriated to stormwater within the Transportation Fund would go towards street projects with the creation of the utility. Mr. Johnson answered that it would free up property tax money within the General Fund which could be budgeted towards Streets but that it is not a guarantee.

Mr. Johnson explained that the ordinance would not be returning to this group but that the feedback provided today would be compiled and reviewed by City staff. The first reading of the Ordinance will be at the May 22, 2023 City Council.

VI. ITEMS MOVED FROM THE CONSENT AGENDA - Action Item

None.

VII. UPCOMING EVENTS/MEETINGS

A. REGULAR MEETING: JUNE 14, 2023

Director Johnson informed the commission that Ordinance No. 4881 was approved at the May 8, 2023 City Council which resulted in an increase to seven (7) voting members in the commission. He shared that he had received applications and interest in applying and that his preference would be to interview and onboard the two available positions at the same time.

Commissioner Wright asked whether the increase to the group size would result in longer regular meetings. Mr. Johnson said that it was a possibility.

B. PUBLIC WORKS EXPO: MAY 25, 2023: The event will be held at the Nez Perce County

Fairgrounds from 9am to 2pm and a *Notice of Possible Quorum* will be issued.

C. FISCAL YEAR 2024 BUDGET SESSION #2: MAY 22, 2023:

Director Johnson shared that budget sessions occur during May and June with this session focusing on the Public Works Other Fees rate proposal which does not include utility rates. He stated that he is not requesting members to attend this session and that the schedule regarding the Public Works focused budget session on June 27, 2023 would be provided to the group should they wish to attend.

Commissioner Wright requested information on Transportation's share of the General Fund for FY23 which Mr. Johnson agreed to provide to the group.

VIII. UNFINISHED AND NEW BUSINESS

- A. BOARD MEMBER COMMENTS:** Comments should not be related to an item currently before the Commission or an item that may come before the Commission in the foreseeable future, and should be limited to comments, not discussion.

None.

B. STAFF LIAISON COMMENTS

Director Johnson reiterated that new members would be joining in the coming months and that budget season would be ramping up. He appreciated the discussions and feedback received during the meeting.

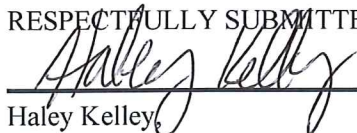
- C. FUTURE AGENDA ITEM:** Per the April 12, 2023 meeting, future agenda topics include: Budget, Stormwater Utility, Streets/Roads, Design Standards (which would encompass right-of-way, engineering, stormwater, and development code) and regular High Reservoir Updates. – Action Item

Commissioner Wright requested an update on the Downtown construction projects be added as an agenda item.

IX. ADJOURNMENT - Action Item

There being no further business, Commissioner Wright and Rehder moved and seconded, respectively, to adjourn the meeting. The motion carried 3-0 and the Public Works Advisory Commission adjourned at approximately 1:20 p.m.

RESPECTFULLY SUBMITTED,



Haley Kelley

Recording Secretary



Kasey K. Schroeder

Chairperson or Acting Chairperson
Public Works Advisory Commission

Approved this 14 day of June, 2023