CITY OF HENDERSONVILLE
CITY COUNCIL SECOND MONTHLY MEETING

City Hall 2nd Floor - Chambers | 160 6th Ave. | Hendersonville NC 28792
Wednesday, April 28, 2021 – 4:00 PM

AGENDA

1. **CALL TO ORDER**

2. **CONSIDERATION OF AGENDA**

3. **PRESENTATIONS**

   A. Discussion Regarding Bronze Statute Placement on Main Street – *Barbara Volk, Mayor*

   B. Budget Clarification – Special Appropriations – *Brian Pahle, Assistant City Manager*

   C. Stormwater Utility Ordinance & Policy – *Michael Huffman, Stormwater Administrator*

   D. Presentation of Draft Technology Plan – Brian Pahle, *Assistant City Manager*

4. **ADJOURN**

The City of Hendersonville is committed to providing accessible facilities, programs and services for all people in compliance with the Americans with Disabilities Act (ADA). Should you need assistance or an accommodation for this meeting please contact the City Clerk no later than 24 hours prior to the meeting at 697-3005.

CITY OF HENDERSONVILLE

AGENDA ITEM SUMMARY

SUBMITTER: John Connet **MEETING DATE:** 4/28/2021

AGENDA SECTION: PRESENTATIONS **DEPARTMENT:** Administrations

TITLE OF ITEM: Discussion Regarding Bronze Statute Placement on Main Street – *Barbara Volk, Mayor*

SUGGESTED MOTION(S):

None

SUMMARY:

Prior his death, Tom Orr contact Carey O'Cain regarding the placement of bronze statue of A.F. Barber Sr. on Main Street. This statute would be the first of several proposed statutes placed around Henderson County. The idea was presented to the Downtown Advisory Committee and they felt that they needed additional information prior to approving the request. Mayor Volk will update the City Council on item.

BUDGET IMPACT: $100,000 per statue. Money will be raised privately.

Is this expenditure approved in the current fiscal year budget? NO

If no, describe how it will be funded. NA

ATTACHMENTS:

None

CITY OF HENDERSONVILLE

AGENDA ITEM SUMMARY

SUBMITTER: John Connet **MEETING DATE:** 4/28/2021

AGENDA SECTION: PRESENTATIONS **DEPARTMENT:** Administration

TITLE OF ITEM: Budget Clarification – Special Appropriations – *Brian Pahle, Assistant City Manager*

SUGGESTED MOTION(S):

None

SUMMARY:

City Management has recommend removing the special appropriation process from the FY 21-21 Budget process and consider non-profit requests during the month of July. This will allow us to fully understand the requirements of the ARP funds. We would like to discuss this proposal with City Council to ensure you agree with this recommendation.

BUDGET IMPACT: $ 300,000 +/-

Is this expenditure approved in the current fiscal year budget? NA

If no, describe how it will be funded. NA

ATTACHMENTS:

None

CITY OF HENDERSONVILLE

AGENDA ITEM SUMMARY

SUBMITTER: Michael Huffman, Stormwater Administrator

MEETING DATE: April 28th, 2021

AGENDA SECTION: PRESENTATION

DEPARTMENT: Stormwater

TITLE OF ITEM: Stormwater Utility Ordinance & Policy – *Michael Huffman, Stormwater Administrator*

SUGGESTED MOTION(S):

Discussion

SUMMARY:

Staff would like Council Feedback on the following Stormwater Program documents:

- Hendersonville Stormwater Utility Ordinance
- Proposed Stormwater Service Charge Fee Schedule
- Stormwater Fee Credit Policy

BUDGET IMPACT: $N/A

Is this expenditure approved in the current fiscal year budget? N/A

If no, describe how it will be funded. N/A

ATTACHMENTS:

041921 AB-MSH Hendersonville Stormwater Utility Ordinance Clean.docx

Proposed Stormwater Service Charge Fee Schedule 041921 MSH.docx

stormwater fee credit policy 041921 Clean AB-MSH.docx

CHAPTER 24, ARTICLE IV. - STORMWATER UTILITY

DIVISION 1. - GENERALLY

Sec. 24-200. - Findings.

(a) Stormwater poses a threat to the public health, safety, and welfare because it floods properties, erodes watercourses and channels, and pollutes streams and rivers.

(b) By mapping, planning, constructing, operating, cleaning, regulating and maintaining natural and constructed stormwater management facilities, the city reduces the adverse effects of stormwater and improves the quality of groundwater, streams, rivers, and lakes in and around the city.

(c) Stormwater management programs, including both stormwater conveyance and drainage systems, educational and other programs, protect water quality by helping to control the level of pollutants in, and the quantity and flow of, stormwater and structural and natural stormwater and drainage systems of all types.

(c) Providing a stable source of funding for the programs and activities heretofore described can best be accomplished through the creation of a stormwater utility. Such a utility will benefit owners and occupants of developed land in the city and other citizens.

(d) The area of impervious surface on a property, the type of use (residential, nonresidential, and multi-family residential), the size of property, and other factors affect the peak rate of runoff, the total volume discharged, and pollutant loadings of stormwater that flows from property. It is equitable to fund a stormwater utility through a system based upon these factors.

Sec. 24-201. - Definitions applicable to article.

All definitions found elsewhere in this chapter apply in this article, in addition to the ones below, unless the context of the article language clearly indicates otherwise. The stormwater administrator is authorized to interpret and to apply these definitions. If a property could be interpreted to fall into more than one category the stormwater administrator shall determine the applicable category.

Customer or *consumer* means the person or entity to which a bill for stormwater service charges is sent. This may include the owner, occupant, or tenant of property, a homeowners' association with responsibility for property or for common areas associated with property, or a person or entity who has requested in writing to be billed for stormwater service charges for a property.

Developed land means property that contains impervious surface, and includes improved land without structures and land on which improvements are under construction, with the exception of city streets.

Equivalent Residential Unit (ERU) is 3000 square feet of impervious surface, which is the average amount of impervious surface on a single-family property in the city.

Impervious surface means a surface which, because of its composition or compacted nature, impedes or prevents natural infiltration of water into the soil, including, but not limited to, roofs, solid decks, driveways, patios, sidewalks, parking areas, tennis courts, concrete or asphalt streets, or compacted gravel surfaces. Wooden slatted decks and the water area of swimming pools are considered pervious.

Other residential uses means any developed land not fitting the definition of a residential unit but being used for residential purposes. It includes, but is not limited to, land upon which there are residential structures that contain more than two units, such as triplexes, townhouses, condominiums, apartments, boardinghouses; and includes associated land containing improvements under construction or impervious surfaces that are not structures such as parking lots, private streets and driveways.

Nonresidential land means any developed land not fitting the definition of a residential unit or other residential uses, including but not limited to churches; institutional buildings, whether public or private;

commercial, office, and industrial buildings, including associated land containing improvements under construction or impervious surfaces that are not structures such as parking lots, private streets and driveways.

Property owner or *owner* means the owner of a parcel of land as shown on the county tax records.

Residential unit means a detached single-family house, a duplex, or a manufactured home or mobile home located on an individual lot or parcel of land rather than in a manufactured home park.

Stormwater means the runoff from precipitation that travels over natural or developed surfaces to the nearest stream, other conduit, or impoundment and appears in lakes, rivers, ponds, or other bodies of water.

Stormwater services means the city program for protection of stormwater quality and for the partial control and conveyance of stormwater. It includes, without limitation, public education; monitoring, removing, and regulating stormwater pollutants; other activities described in the state-issued NPDES permit; mapping; planning; regulating, reviewing and inspecting private stormwater infrastructure; and operating, cleaning, and maintaining the city's stormwater system. The existence of stormwater services does not extend the city's ownership or responsibility to portions of the stormwater system that are privately owned, nor does it allow the city to control the conveyance of stormwater so as to prevent property damage from flooding.

Stormwater system or *drainage system* means the system of natural and constructed conveyances for collecting and transporting stormwater, whether publicly or privately owned. It includes lakes, ponds, rivers, perennial and intermittent streams, connected wetlands, open ditches, catch basins and other inlets, pipes, sewers, drains, culverts, and, in addition, created stormwater management facilities that provide partial treatment by passive means such as wet detention ponds, detention basins, and stormwater wetlands.

Stormwater utility funds mean the stormwater service charges and the interest generated by those charges.

Secs. 24-202—24-250. - Reserved.

DIVISION 2. - ESTABLISHMENT OF STORMWATER SERVICE CHARGES AND CREDITS

Sec. 24-251. - Creation of stormwater account; activities of the stormwater services division.

Stormwater service charges and interest generated by such charges shall be placed in a separate city account and shall be used by the city solely for the operational costs, indirect costs, debt principal and debt service, and establishment of a reserve fund for stormwater services.

Sec. 24-252. - Stormwater service charges.

All developed land in the city, whether public or private, shall be subject to a stormwater service charge set by the city council. Exemptions shall not be allowed based on age, tax exemption, or other status of an individual or organization. Service charges may be subject to a credit system as further provided in this article. The stormwater service charges shall be adopted (and amended) by City Council after notice and a public hearing as required by N.C.G.S. § 160A-314. As set out in N.C.G.S. § 160A-314, the hearing may be held concurrently with the public hearing on the City’s proposed budget.

Sec. 24-253. - Billing method, responsible parties.

Bills for stormwater service shall be sent at regular, periodic intervals, which may range from monthly to yearly. Where a property owner is also receiving water and/or sewer services from the City, stormwater service charges may be billed on a combined utility bill that also contains charges for water and/or sewer service.

(b)

Sec. 24-254. - Payment provisions, utility termination.

(a) Where stormwater service charges appear on a combined utility bill, and a customer does not pay the service charges for all the utilities on the bill, the partial payment will be applied to the respective service charges in the following order: late fees and penalties on any account; delinquent stormwater charges; delinquent sanitation charges; delinquent sewer charges; delinquent water charges; current stormwater charges; current sanitation charges; current sewer charges; and current water charges.

(b) Billing and collection shall be in accordance with the City of Hendersonville Billing Policy & Procedures, as amended and approved by the City Council.

Sec. 24-255. – Credits and Exemptions.

(a) The city may provide a system of credits against stormwater service charges for properties on which stormwater facility construction or maintenance substantially mitigates the peak discharge or runoff pollution flowing from such properties or substantially decreases the city's cost of maintaining the public stormwater system. The engineering department will develop written policies to implement the credit system. Applicable credits shall be those approved in a stormwater service charge fee schedule, adopted by City Council in accordance with Sec. 24-252. Credits may be adopted, amended, or eliminated as the discretion of the City Council as part of the adoption or amendment of the stormwater service charge fee schedule.

(b) Exemption: The following properties are exempt from the payment of stormwater services charges:

(1) Improved public roads, sidewalks and greenways, not including internal roads within public facilities, which have been conveyed to and accepted for maintenance by the North Carolina Department of Transportation or the City and which are used by the public for motor vehicle or pedestrian transportation; and

(2) Railroad corridors and tracks. This exemption shall not be construed to apply to railroad stations, maintenance buildings, or other developed land used for railroad purposes.

(3) Undeveloped land, open space delineated on a recorded plat with less than 600 square feet of impervious surface, or land parcels with less than 600 sq feet of impervious surfaces.

(4) Private streets within a subdivision or planned residential development.

(5) Parcels maintained by homeowner associations as open space or with engineered stormwater control measures.

(6) Other parcels against which the stormwater utility service charge fee schedule adopted by City Council pursuant to Sec. 24-252 does not assess a stormwater fee.

(c) Any credits shall be contingent upon the property's stormwater SCMs complying with the standards of the City's stormwater control ordinance.

Secs. 24-256—24-283. - Reserved.

DIVISION 3. - USE OF STORMWATER UTILITY FUNDS FOR CONSTRUCTION, IMPROVEMENTS, AND MAINTENANCE[8]

Sec. 24-284. - Purpose and definitions.

(a) *Purpose.* This division establishes the conditions under which funds from the stormwater utility will be used for work on drainage system components located outside the city-owned drainage system or within city-owned rights-of-way and dedicated easements. Drainage system components located within city-owned rights-of-way play an essential function in carrying stormwater and the public impact when such components malfunction is generally greater than when such components are located outside the rights-of-way. Therefore, the first priority use of stormwater utility funds is for maintenance of and improvements to drainage system components within city-owned rights-of-way. Stormwater utility funds may also be used to fund drainage system construction, improvement, repair, or maintenance on property outside of city rights-of-way. The city

has an interest in helping to assure that components of the drainage system that have an impact on the overall system are maintained and/or improved, whether located inside or outside city rights-of-way. Such components are generally those that carry in whole or in part runoff from publicly maintained streets.

The intent of this section is not to transfer responsibility or liability to the city for drainage system components on property not owned by the city that carry such runoff. Rather, it is to establish criteria and priorities to be used when making available stormwater utility funds for work on drainage system components located outside of city-owned rights-of-way. No action or inaction of the city pursuant to this section shall impose upon the city, its agents, officers, or employees, any responsibility or liability of any kind, past or future, relating to any person or property. No action by the city, including but not limited to funding of work on drainage system components not owned by the city, shall be considered as a taking or appropriation of, or assumption of responsibility for any stream, drain, ditch or other drainage system feature that is outside city-owned property or right-of-way.

City participation in work on drainage system components outside of the right-of-way is limited to the extent to which funds are available for such purpose and no entitlement to receive funds for such work arises from this division.

(b) *Definitions.* In addition to definitions previously appearing in division 1 of this article, the definitions below also apply to this division. Interpretation and application of this division shall be by the director of public works, whose decisions are final and not subject to appeal.

Director means the city's director of the department of Engineering or any successor department in which primary responsibility for administering the stormwater services resides, and includes any individual to whom the director delegates responsibilities under this article.

Flood or *flooding* means a general and temporary condition of partial or complete inundation of normally dry land areas from the overflow of inland waters and/or, the rapid accumulation of runoff of surface waters from any source.

Public street means an area for vehicular traffic that is maintained by the city or North Carolina Department of Transportation and is within publicly owned right-of-way.

Routine maintenance means activities that allow the drainage system to function properly by keeping it clean and free of blockage. It does not include construction or major repair. Examples include but are not limited to, cleaning grates and inlets, flushing pipes, removing blockages in pipes, removing litter and debris from channels and ditches, minor clearing of overgrown vegetation and minor repair of erosion control measures.

Sec. 24-285. - Criteria for use of stormwater utility funds for drainage assistance projects located outside of city-owned rights-of-way.

(a) Work on drainage projects may be funded with stormwater utility funds provided that all of the following eligibility criteria are met:

(1) The drainage system carries, in whole or in part, runoff from public streets.

(2) The property on which the drainage system is located has not received any credit under section 24-255 for stormwater service utility charges within the preceding five years.

(3) The drainage system is not part of a water quality treatment facility or water quantity control device that was required to be constructed and maintained as part of an approved development.

(4) The drainage system is not located on property which is undergoing development or redevelopment unless the development/redevelopment project is funded in part by other city funds.

(5) The condition of the drainage system must impact or threaten an existing inhabited or occupied building or a public street, sidewalk, or other public pedestrian walkway.

Conditions that do not qualify include but are not limited to:

- Moisture or ponding not attributable to flooding;
- Groundwater seepage;
- Landscaping;
- Minor erosion;
- Minor ponding or standing water;
- Routine maintenance activities;
- Drainage conditions involving lot to lot drainage of private properties;
- Roof drains and downspouts.

(6) The drainage problem is not caused by flooding due to the periodic temporary inundation of stream flow on lands adjacent to open channels or within mapped floodplains or wetlands.

(7) A formal request for assistance complying with city requirements is submitted to the stormwater services division by the current property owner(s).

The application of the above factors and the determination as to eligibility for stormwater utility funding shall be made by the director and this decision is not subject to appeal. However, the director may bring any request for assistance to City Council for approval.

All authorized work referred to herein shall be performed by the city, its agents and/or contractors. The city will direct all necessary activities including but not limited to design, engineering, contracting, and construction.

(b) In addition, eligible projects must meet the following criteria:

(1) The property owner, if the owner is not the city, must dedicate a stormwater drainage easement of a width, length, and type as specified by the director. The dedication of such easement will be at no cost to the city and shall not relieve the property owner of responsibility or liability for drainage system maintenance;

(2) The property owner shall not owe delinquent fees, charges, assessments, or taxes to the city.

(3) The project shall be the most cost effective, reasonable and practical alternative to correct the existing problem, as determined by the director. Any excess costs shall be borne entirely by the property owner. Design criteria shall meet, but are not limited to, the following criteria:

- The proposed project shall meet current city stormwater design standards to the maximum extent practical;
- Existing open channels shall not be piped unless engineering reasons require such work or significant cost savings would be realized;
- Streams and their associated buffers shall be protected to the maximum extent practical.

(4) The owner must pay the applicable owner's share of the cost of the work as specified in section 24-287.

(5) The owner must execute an agreement with the city that meets city requirements prior to the city's proceeding with the project.

Sec. 24-286. - Priority categories for eligible requests for drainage assistance.

Prioritization of eligible requests shall be based on the severity of the problem, the cost, and the number of properties affected and shall be assessed using written criteria approved by the director. The determination as to the priority a drainage project located outside of city-owned rights-of-way receives shall be made by the director and this decision is not subject to appeal. The following priority categories shall be used, with priority A the highest priority:

(1) *Priority A.* The condition of the drainage system affects the ability of the system to function under normal design conditions and causes structural impacts to an existing inhabited or occupied building or a public street, sidewalk, or other public pedestrian walkway. Examples include but are not limited to failed systems that cause:

- Sustained street flooding;
- Living space flooding of residential structures; or
- Flooding of an occupied building constructed on a permanent foundation connected to utility services (electric, gas, water, sewer).

(2) *Priority B.* The condition of the drainage system poses an imminent threat of constituting a priority A project. Examples include but are not limited to failed systems that cause:

- Crawlspace flooding that has not affected the structure's integrity;
- Flooding of attached garages to residential structures.

Sec. 24-287. - Amount of funding from stormwater utility funds.

The amount of funding from stormwater utility funds for projects meeting criteria in section 24-285 shall be limited as set forth below. City funding shall be based on the cost estimate prepared for the most cost-effective alternative as determined by the Director, and this decision is not subject to appeal. Estimated costs shall include, but are not limited to, expenditures for services performed by any agents and/or contractors of the city for survey, design, contracting, construction, and other professional services needed to complete the project. The following funding criteria and formulas apply:

(1) Single-family residential properties. The city will pay for 80 percent of the estimated project cost not to exceed $25,000.00 per property per project. The owner shall pay the remaining cost.

(2) All other properties. The city will pay for 24 percent of the estimated project cost not to exceed $35,000.00 per property per project. The owner shall pay the remaining cost.

(3) Stormwater utility funding for drainage assistance requests shall not exceed $35,000.00 per property owner in a ten-year period.

Sec. 24-288. - Installment payments.

(a) The property owner share of the stormwater drainage repair or improvement project cost, as determined in sections 24-287 and 24-286, may be paid in installments.

(b) The property owner shall submit a request in writing and a completed application for payment of the cost in installments prior to scheduling the stormwater repair or improvement.

(c) The property owner share of the cost shall be payable in eight equal annual installments. The first installment is due and payable 50 days from the date the city manager approves payment of the cost in installments. Subsequent installments, with accrued interest, shall be due and payable on the same date in each successive year thereafter until the property owner share of the stormwater drainage project cost and interest thereon is paid in full. Installment payments shall bear interest at a rate fixed by the city council in the fee schedule.

(d) From and after the date that the city manager or designee approves payment of the cost in installments, the unpaid portion of the owner's cost shall be a lien on the property as provided in section 35 of the Charter of the city and any other applicable law.

(e) The monies collected shall be used by the stormwater services division solely for stormwater services.

Sec. 24-289. - Other projects not prohibited.

This division does not prohibit or otherwise limit the use of stormwater funds on private property to alleviate or remedy a public nuisance, or to comply with permitting, regulatory, or statutory requirements.

Sec. 24-290. - Severability.

If any section, subsection, paragraph, or clause of this article is held to be invalid or unenforceable, all other sections, subsections, paragraphs, and clauses shall nevertheless continue in full force and remain in effect. In

addition, if the city's use of funds for any portion of its stormwater program is held invalid, all other funded portions of the program shall continue in full force and remain in effect.

Proposed Stormwater Service Charge Fee Schedule
Hendersonville, NC

Property Type	Stormwater Service Charge
Residential unit: detached single-family house, duplex, or a manufactured home or mobile home located on an individual lot or parcel of land rather than in a manufactured home park.	1 ERU ($5.00) per month
Other residential uses: , land upon which there are residential structures that contain more than two units, such as triplexes, townhouses, condominiums, apartments, boardinghouses	1 ERU ($5.00) per dwelling unit per month
Non-Residential: including but not limited to churches; institutional buildings, whether public or private; commercial, office, and industrial buildings, including associated land containing improvements under construction or impervious surfaces that are not structures such as parking lots, private streets and driveways	1 ERU per 3000 SF Impervious area per month
Cap	Stormwater service charges shall be capped at a $250.00 per month for all non-residential parcels
Credit	Non-residential parcels with permitted stormwater control measures that are being properly maintained to ensure long term operation are eligible for a 50% reduction in monthly stormwater service charges. *A Stormwater Service Charge Credit Application must be submitted to the Stormwater Administrator to receive a credit on monthly stormwater service charges. **NOTE: Property owners are eligible for EITHER a cap or credit, NOT both the cap and credit.
Stormwater Service Charge Credit Application Fee	$50 per parcel

Stormwater Management Utility Service Charges and Credits Policy

Authority

Authority for the stormwater management utility service charge credit is found in the City of Hendersonville's Code of Ordinances, reference Chapter 24, Article IV of the City of Hendersonville Code of Ordinances. Furthermore, the enactment of standard utility policies requires the approval of the City Council. As fee schedules, rates and other specific policies are updated, it will be the responsibility of the Finance Department to ensure this policy manual is revised in accordance with City Council action.

Introduction and Background

The City of Hendersonville, North Carolina has implemented a stormwater management utility service charge to fund the operation, maintenance, and capital investments of the City's stormwater program. With the stormwater management service charge, a non-residential property owner pays a rate proportional to the amount of impervious surface on the parcel. *Impervious surface* shall mean developed areas of land that prevent or significantly impede the infiltration of stormwater into the soil. Typical impervious surfaces include, but are not limited to: Roofs, sidewalks, walkways, patios, swimming pools, private driveways, parking lots, access extensions, alleys and other paved, engineered, compacted or gravel surfaces containing materials that prevent or significantly impede the natural infiltration of stormwater into the soil.

As used in Chapter 24, Article IV of the City of Hendersonville Code of Ordinances uses are classified as Residential Units, Other Residential Uses and Nonresidential Land. These terms have the following definitions:

> *Other Residential Uses* means any developed land not fitting the definition of a residential unit but being used for residential purposes. It includes, but is not limited to, land upon which there are residential structures that contain more than two units, such as triplexes, townhouses, condominiums, apartments, boardinghouses;; and includes associated land containing improvements under construction or impervious surfaces that are not structures such as parking lots, private streets and driveways.
>
> *Nonresidential Land* means any developed land not fitting the definition of a residential unit or other residential uses, including but not limited to churches; institutional buildings, whether public or private; commercial, office, and industrial buildings, including associated land containing improvements under construction or impervious surfaces that are not structures such as parking lots, private streets and driveways.
>
> *Residential Unit* means a detached single-family house, a duplex, or a manufactured home or mobile home located on an individual lot or parcel of land rather than in a manufactured home park.

Stormwater Management Utility Service Charges

In order to apply a consistent and equitable basis for determining the City's stormwater management utility service charge, the City of Hendersonville is using an Equivalent Residential Unit (ERU) approach. An ERU is a unit of measure of impervious surface (in square feet) that represents the impervious surface area on the average single-family residential parcel in the City as a unit of comparison. For the City of Hendersonville, the average single-family residential property contains approximately 3,000

square feet of impervious area. So, for the City of Hendersonville one (1) ERU equals 3,000 square feet of impervious surface.

Residential units – each Residential unit will be billed the monthly fee for 1 ERU.

Other Residential Uses - Each dwelling unit that is part of an Other Residential Use will be billed the monthly fee for 1 ERU.

Nonresidential Land - In order to calculate the stormwater management utility service charge for Non-Residential Land, the City will divide a parcel's total impervious surface area by 3,000 sq ft (City's ERU) to determine the number of ERUs specific for that parcel. Then the parcel specific number of ERUs will be multiplied by the City's current fee for 1 ERU.

The fee for 1 ERU is as adopted by City Council as part of the City of Hendersonville Stormwater Management Utility Service Charges Fee Schedule ("Fee Schedule").

No public or private property shall be exempt from paying the City of Hendersonville stormwater management service charge, aside from those outlined in Chapter 24, Article IV of the City of Hendersonville Code of Ordinances. The City has developed a credit program for non-residential users to reduce their stormwater management utility service charge through the implementation of Stormwater Control Measures (SCMs). An SCM is a permanent structural device that is designed, constructed, and maintained to reduce annual runoff volume and/or remove pollutants from stormwater runoff by promoting settling or filtration or mimic the natural hydrologic cycle by promoting infiltration, evapo-transpiration, post-filtration discharge, reuse of stormwater, or a combination thereof.

The Credit Program

The credit program provides the opportunity to recognize and credit innovative stormwater practices that reduce stormwater runoff volumes, enhance water quality, or provide other stormwater benefits. Under this program, innovative practices and corresponding credits will be evaluated on a case by case basis at the discretion of the Stormwater Administrator so that credits provided will be based on a sound and consistent practices. This document provides relevant information and instructions necessary to apply for a stormwater management utility service charge credit. Credits will not be allowed for properties classified as Residential Units. Also, credits will not be allowed where a property owner has opted to take advantage of the Stormwater Management Utility Service Charge monthly cap, if a cap has been set by City Council. Applicants should use this policy as a guide in submitting an application for the stormwater management utility service charge credit.

Allowable Credits

Nonresidential Land that designs and implements privately owned SCMs that reduce annual water runoff volume and/or provide a water quality benefit to the City, and meet the general engineering design requirements set forth in the City's ordinance, in accordance with 15A NCAC 2H.1008(c), and the current NCDEQ Stormwater Design Manual and SCM Credit Document, may be eligible for a stormwater management utility service charge credit.

Qualifying and approved applications will result in a fifty percent (50%) reduction in the monthly Stormwater Management Utility Service Charge for the parcels included within the application. This credit will continue for so long as a parcel remains qualified under the terms of this Policy.

General Guidelines

- This document shall be used in conjunction with the Chapter 24, Article IV of the City of Hendersonville Code of Ordinances,, the City's current Billing Policy and Procedure, NCDEQ Stormwater Design Manual and SCM Credit Document.
- The City of Hendersonville has the right to inspect the SCM at any time to ensure that it is functioning per the design documents and is being properly maintained. If at any time the SCM ceases to function in the manner for which it was intended, or no longer operates in a manner which yields the maximum benefits it was designed to produce, the City of Hendersonville reserves the right to reduce the credit amount or eliminate the credit altogether, both at its discretion. If a credit is reduced or eliminated, the property owner must make a new application to have the SCM reconsidered. Stormwater Management utility service charge credits will continue as long as inspection, maintenance, and record keeping are current and there are no significant changes to the SCM that would require reevaluation of the proper functioning of the facility.
- In consideration for permission to construct or install an SCM, and by nature of applying for a stormwater management utility service charge credit, the property owner/applicant is hereby legally acknowledging and agreeing to the following:
    - After completion of the construction or installation by the applicant and approval by the City, the construction or installation of a SCM shall remain a privately owned and maintained stormwater control mechanism and shall not be accepted by the City and shall not become a part of the City's stormwater maintenance program or the Department of Public Works. All maintenance responsibility and liability shall be and remain with Owners, their personal representatives, heirs, grantees, successors, and assigns as set forth in the City's Stormwater Ordinance referenced above.
    - Owners, their personal representatives, heirs, grantees, successors, and assigns shall indemnify and hold harmless the City of Hendersonville, its officers, agents, and employees from any and all claims, actions, causes of action, judgments, damages, losses, costs, and expenses (including attorney's fees) arising out of or resulting from the construction, installation, maintenance, review, inspection or operation of the stormwater control mechanism.
- It is the responsibility of the property owner to apply for a credit.
- Only the property owner paying the stormwater utility service charge can apply for a credit.
- Credits are non-transferrable between parcels or owners.
- Credits will be applied on a parcel-by-parcel basis.
- Credits are available for non-residential parcels only
- Temporary or retroactive credits will not be considered nor allowed.

Credit Application Process, Review and Appeals

Applications for stormwater management fee credits must:

- Be made in writing, on the City's current credit application form. All applications must be complete and have all calculations, plans and other supporting data attached to be considered. Incomplete applications will be returned without being reviewed and will need to be resubmitted once complete.
- Each credit for which a customer applies shall be subject to review and approval by the stormwater administrator. The stormwater administrator may approve or reject any application for a credit in whole or in part, consistent with this Policy.
- Submitted with the corresponding application fee, as set forth in the City's annual adopted budget of approved rates, fees and charges. The application fee is a nonrefundable and is a required part of the application package. If this fee is not included at the time of application submission, the application will be deemed incomplete and will not be reviewed.
- Submitted with such documentation, drawings, engineered plans, or other documentation reasonably required by the stormwater administrator in order to evaluate the application.
- Submitted in conjunction with the stormwater management plan for new construction; Or as a separate application in the case of existing SCMs or retrofit applications.
- Submitted to the following address, with checks made payable to the City of Hendersonville:

  City of Hendersonville
  Stormwater Division
  City Operations Center
  305 Williams Street
  Hendersonville, NC 28792

Any application for credit is an acknowledgement of the indemnification statement outlined above in this document, and acknowledgement of the City of Hendersonville's right to enter to inspect and verify the information submitted in the application is true and reliable.

The City of Hendersonville will review application packages within thirty (30) days of receipt. If the application is complete and accurate, a letter will be sent to the applicant notifying them of the City's review outcome. If upon the City's review, deficiencies or inaccuracies are found, the City will send a letter outlining its findings to the applicant. The applicant will need to provide a revised application or supplemental information to address the stated deficiencies/inaccuracies. An additional review fee may be charged for subsequent application reviews beyond the initial application. The City will review the amended/resubmitted application package within thirty (30) days of receipt of the revised submission. If the application is complete and accurate, a letter will be sent to the applicant notifying them of the City's review outcome. If a credit application package is approved, the City will apply the credit to the applicant's next billing cycle (generally within 45 days of written approval) for SCMs that have already completed construction and passed inspection, or on the first billing cycle for the property following construction completion of the SCM and subsequent inspection and approval by the City.

If an applicant wishes to appeal the outcome of an application decision, appeals should be made in writing within fifteen (15) days from the date cited on the City's review outcome letter. Written appeals letters should be addressed to the City Engineer and should specify the grounds of the appeal. The City

Engineer will review the appeal and provide a written response within thirty (30) days of the written appeal.

CITY OF HENDERSONVILLE

AGENDA ITEM SUMMARY

SUBMITTER: John Connet **MEETING DATE:** 4/28/2021

AGENDA SECTION: PRESENTATIONS **DEPARTMENT:** Administration

TITLE OF ITEM: Presentation of Draft Technology Plan – Brian Pahle, *Assistant City Manager e*

SUGGESTED MOTION(S):

None

SUMMARY:

The City Technology Committee has been working to draft a Technology Plan for the City. Assistant City Manager will present the proposed plan to the City Council for additional input.

BUDGET IMPACT: $TBD

Is this expenditure approved in the current fiscal year budget?

If no, describe how it will be funded.

ATTACHMENTS:

Draft Technology Plan

Technology Committee Workplan

City of Hendersonville

IT Strategic Plan

Vision

The City of Hendersonville leverages smart, strong, secure, integrative, and innovative technology to make informed and transparent decisions, increase citizen engagement, empower its staff, and improve ease and reliability of service delivery.

Principles

Although technology evolves rapidly, these principles will guide and ground us as we enhance the City's IT system.

- **Mobile access and multiple options**: Residents can interact with the City without physical interaction if they choose. However, to be as accessible as possible, both old and new models will be available (ex: paying a utility bill online vs. coming into City Hall).
- **Ease of use for staff and citizens**: Technology is intuitive and user-friendly; it allows staff and citizens to easily accomplish what they need to. Systems are simple and allow for greater participation in the government process.
- **Staff has the tools and training to do their job well**: City employees feel empowered to use technology. We work as a team across departments to create IT solutions that enhance the experience of all.
- **Secure and resilient systems**: Cybersecurity and resiliency are top priorities. With redundant systems, staff and residents can be assured of business continuity in the event of a breach or emergency.
- **Forward-looking and always re-evaluating**: In a rapidly changing world and market, we stay informed about emerging technologies and continuously assess how we can utilize technology to improve governance and service delivery. The City is considered innovative and adaptable. We take proactive and creative approaches to problem-solving.
- **Using technology to deliver services and understand needs**: We leverage technology to learn what our residents and customers want and deliver on our promises in an effective and efficient manner.
- **Transparency**: The City uses technology and data to make informed decisions while avoiding unnecessary "data overload" so that it is clear to citizens that public resources are being put to good use. The City is a responsible steward of taxpayer resources and the implementation of technology.
- **Respect and Support**: We value and respect each other, our community, and our vendors as we strive for an IT system that best serves Hendersonville.

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Current Context

This chart provides an overview of how different aspects of the City's technology are currently managed.

Software	VC3 (an IT Manage Service Provider that contracts with the City of Hendersonville) manages VOA (Virtual Office Advantage – our primary way of accessing our systems) and works with vendors for some business applications. However, City departments manage other areas. For example, service agreements, SCADA, access and door controls, audio/visual technology, and business applications.
Training	VC3 may pass along resources but does not conduct formal training. They are currently curating and compiling training resources, and the second phase of this initiative would be proactive, including webinars and Q&A sessions. The City works with vendors and within departments for training on business applications.
Database administration	City staff maintains data throughout departments/business applications.
Maintenance and repair	The Police Department manages some of their maintenance and repair, along with the Fire Department. The City handles its hardware replacement for City-owned equipment. VC3 will troubleshoot City-owned items and will work with vendors for business-critical items.
Security	VC3 and the City work in tandem to maintain security.
Network	VC3 manages the City's network and maintains critical network infrastructure.
Other infrastructure	City manages telephones, cabling (with vendors), cell phones and tablets, access control, cameras
IT consulting	VC3 has subject-matter expertise and acts as a "Tech Czar" and works with City staff on best practices, alignment of technology to the City's needs and applications of technology, as well as developing the technology budget.
IT support	VC3 manages helpdesk support for VOA and SA (Service Advantage – our support agreement with VC3), but business applications are handled on a case-by-case basis. Individuals from different departments which deeper knowledge of their specific business applications serve as resources when questions or problems arise.
City website	City staff is in charge of the day-to-day updating of content. VC3 developed the site and set up the content management systems.

	They also manage any major changes, hosting, archiving, analytics, and updates.

Future Trends

These trends and challenges may impact the way the City of Hendersonville operates its technology and will be considered as the City makes decisions and explores new initiatives over the next few years.

Community/External Trends:

- As an impact of COVID-19, there is an increasingly apparent need for dependable Internet access as more business, teaching, and healthcare services are conducted virtually.
- Models of work and citizen engagement may change. The City may adopt hybrid models of virtual and in-person engagement.
- There is a nationwide trend of increasing mistrust in government.
- Hendersonville has an influx of new residents from all over the country, many of whom may be used to different ways of interacting with their local government.
- People expect that they should be able to do everything online. At the same time, the City needs to be able to "meet people where they're at" in relation to technology, offering options where residents are already comfortable.
- Internet of Things (IOT) means that there are more connected devices present in homes, businesses, and the community at large.
- An increase in the number of emergencies will mean that emergency response, disaster recovery, and business continuity plans are of the utmost importance.
- ADA accessibility will always be an important consideration.
- The public expects more services while keeping costs down.
- There is increased attention and focus on the value of diversity and inclusion.

Organization/Internal Trends:

- A workplace with modern technologies and systems will improve employee recruitment and retention.
- Retaining and recruiting talent will be challenging if salaries are unable to keep up with cost-of-living demands.
- More of our work will be mobile.
- Workers depend on having reliable hardware (cameras, microphones, etc.) for virtual meetings.
- There are always going to be multiple potential solutions, but the City will need to choose a path and stick with it in order to create a stable workspace.
- Data transparency and performance indicators are critical for trust and accountability.

Strategic Focus Areas and Priorities

To be successful over the next few years, here are some major initiatives that the City should explore:

Build a Safe and Resilient IT System

Hendersonville will face increasing security issues ranging from ransomware to targeting of infrastructure. Technology used throughout the City is to be secure and able to continue operating even in the event of a crisis, breach, or power outage. We mitigate our risk of such events to the best of our ability.

- **Strengthen awareness and training about technology and security**
  - Users are up-to-date on how to best, and safely, use technology.
- **Establish, and test, a disaster recovery/business continuity plan** for technology
  - In case of an emergency or security breach, how exactly would the City work to continue operations?
- **Implement Advanced Endpoint Detection tools**
- **Continue to invest in networking equipment**, as part of an ongoing five-year investment plan
- **Establish a clear electronic usage policy** for City employees that will encompass internal control (e.g., sharing passwords verbally rather than via email)

Create a Coordinated Approach to IT Solutions

City staff and consultant partners are aligned on how to best use technology.

- **Hire an IT Director** who will direct IT projects and work with staff and consultants to explore potential applications of technology and stays abreast of emerging tools and solutions
- **Continue utilizing the City's relationship with VC3** as a knowledge base to provide strong infrastructure and other critical resources
- **Develop an understanding of City user roles and needs**
- **Explore creating a position for an in-house "Power User/Business Application Czar"** who is a subject-matter expert and can ensure business applications are being effectively utilized
- **Explore creating a position for an in-house database administrator** who understands systems across departments and breaks down silos to help the City streamline data across applications and improve general data intelligence

Develop a Culture of Ownership, Innovation, and Collaboration

City staff feel invested in the City's technology plan and consistently work together to improve their use of systems and tools.

- **Build a culture of ownership** around the City's technology vision so that staff feel involved in how the vision becomes a reality
    - Establish departmental champions
- **Establish the tech committee as a representative voice of City staff** that are educated about our technology solutions
- **Improve clarity around communication channels**
    - How should staff best use channels like email, video conferencing, file management and sharing, chat platforms, and other software applications to effectively communicate with one another?
- **Employees communicate with each other about best practices in IT, helping each other learn and improve, and understand how changes affect others**

Provide Easy, Transparent, and Effective Options for Community Access and Engagement

The City leverages technology to offer improved, and multiple, ways of participating in government. These tools are easily understood by the public and help increase citizen engagement.

- **Expand the City's public Wi-Fi**
- **Support policies, practices, and organizations that result in the betterment of broadband access** within the community
- **Use and promote easily accessible tools and channels** to meet residents where they are at and increase participation in government
- **Continue to streamline processes and expand online options for service delivery requests** while maintaining more traditional options like in-person and phone
- **Empower citizens and increase transparency by making government information and processes available online** (examples: municode for agendas/minutes/records, citizen reporter app, development project information)
- **Continue to offer and improve virtual meeting access for public meetings**

Hendersonville Technology Committee

Annual Work Plan FY21-22

Objective

Create a working plan to fulfill the priority areas of the City's IT Strategic Plan.

Vision

The City of Hendersonville leverages smart, strong, secure, integrative, and innovative technology to make informed and transparent decisions, increase citizen engagement, empower its staff, and improve ease and reliability of service delivery.

Structure & Schedule

The Technology Committee will work in teams of four to develop, monitor, and implement the focus areas of the IT Strategic Plan. Pat Spampinato will serve as liaison to each team and attend all meetings. The full committee will meet quarterly starting July 2021. Each team will report on their focus area at each meeting and share direction in accomplishing an annual workplan. Team leaders will be responsible for setting sub-committee meetings.

May – June 2021

- Teams develop their annual workplan for FY22

July 7th, 2021 at 10:00am

- First Tech. Committee meeting
- Teams report on annual workplan and share direction for year

July – September 2021

- Team meetings and workplan implementation

October 6th, 2021 at 10:00am

- Tech. Committee meeting

October – December 2021

- Team meetings and workplan implementation

December 8th, 2021 at 11:30am

- Tech. Committee Holiday Lunch

January 5th, 2022 at 10:00am

- Tech. Committee meeting

January – March 2022

- Team meetings and workplan implementation

April 6th, 2022 at 10:00am

- Tech. Committee meeting

May 25th, 2022

- Report on Accomplishments to City Council

May – June 2022

- Teams develop their annual workplan for FY23

SMART Goal Setting Framework

The SMART framework is a performance management strategy to create accountability in working towards achieving a goal. SMART stands for:

- S – Specific
- M – Measurable
- A – Achievable
- R – Results-Based
- T – Time Bound

In developing each team's workplan please make sure to check all your goals for this framework. This will ensure success in developing your plan.

Some examples are presented below:

Priority 1

- Strengthen awareness and training about technology and security
  - Goal 1
    - Understand which employees are prone to phishing attempts by developing a program to test, and report on those who are more likely to click on a phishing attempt by February 2022.
  - Goal 2
    - Develop a reporting system to understand who is most at-risk for phishing attempts and implement training for specific users by June 2022.

Priority 4

- Employees communicate with each other about best practices in IT, helping each other learn and improve, and understand how changes affect others
  - Goal 1
    - Develop an annual "City Technology Fare" day where departments showcase how they are using technology in the field and share ideas with one another on November 15th, 2021.

These are just examples of the type of goal. Notice how for each one you can identify specifically what the goal is (ex. "Develop a reporting system"), you can measure the result (ex. Was a system developed or not?), you can determine if it is achievable, you can see that it is results-based (ex. Results in training for those at-risk employees), and is time-bound (ex. Aiming to implement by June 2022). Using this framework will keep your workplan focused and achievable for the year. Goals can be as intricate or simple as makes sense. The overall goal is that we are working to accomplish our priorities.

A template for developing and reporting goals is provided as an appendix.

Team 1 – Build a Safe and Resilient IT System

- Angela Reece (Lead)
- Jay Heatherly
- Garrett DeMoss
- Jesse Ivens

Build a Safe and Resilient IT System

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Team 2 – Create a Coordinated Approach to IT Solutions

- Ashley Staton (Lead)
- Brent Detwiler
- Brian Pahle
- Ricky Levi

Create a Coordinated Approach to IT Solutions

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Team 3 – Develop a Culture of Ownership, Innovation, and Collaboration

- Jeremy Poss (Lead)
- Tracey Cox
- Justin Ward
- Lew Holloway

Develop a Culture of Ownership, Innovation, and Collaboration

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Team 4 – Provide Easy, Transparent, and Effective Options for Community Access and Engagement

- Allison Justus (Lead)
- Travis Penland
- Tammy Ledford
- Jamie Carpenter

Provide Easy, Transparent, and Effective Options for Community Access and Engagement

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Appendix A – Goal Setting Template Team 1

Build a Safe and Resilient IT System

Priority 1 • **Strengthen awareness and training about technology and security**

- Goal 1 -
- Goal 2 -

Priority 2 **Establish, and test, a disaster recovery/business continuity plan**

- Goal 1 -

Priority 3 **Implement Advanced Endpoint Detection tools**

- Goal 1 -

Priority 4 **Continue to invest in networking equipment**

- Goal 1 -

Priority 5 **Establish a clear electronic usage policy**

- Goal 1 -

Appendix B – Goal Setting Template Team 2

Create a Coordinated Approach to IT Solutions

Priority 1 • **Hire an IT Director**

- Goal 1 -
- Goal 2 -

Priority 2 **Continue utilizing the City's relationship with VC3**

- Goal 1 -

Priority 3 **Develop an understanding of City user roles and needs**

- Goal 1 -

Priority 4 **Explore creating a position for an in-house "Power User/Business Application Czar"**

- Goal 1 -

Priority 5 **Explore creating a position for an in-house database administrator**

- Goal 1 -

Appendix C – Goal Setting Template Team 3

Develop a Culture of Ownership, Innovation, and Collaboration

Priority 1 • **Build a culture of ownership**

- Goal 1 -
- Goal 2 -

Priority 2 **Establish the tech committee as a representative voice of City staff**

- Goal 1 -

Priority 3 **Improve clarity around communication channels**

- Goal 1 -

Priority 4 **Employees communicate with each other about best practices in IT, helping each other learn and improve, and understand how changes affect others**

- Goal 1 -

Appendix D – Goal Setting Template Team 4

Provide Easy, Transparent, and Effective Options for Community Access and Engagement

Priority 1	**• Expand the City's public Wi-Fi**
• Goal 1 -	
• Goal 2 -	
Priority 2	**Support policies, practices, and organizations that result in the betterment of broadband access**
• Goal 1 -	
Priority 3	**Use and promote easily accessible tools and channels**
• Goal 1 -	
Priority 4	**Continue to streamline processes and expand online options for service delivery requests**
• Goal 1 -	
Priority 5	**Empower citizens and increase transparency by making government information and processes available online**
• Goal 1 -	
Priority 6	**Continue to offer and improve virtual meeting access for public meetings**
• Goal 1 -	