



CITY OF DOVER

CITY OF DOVER - RESOLUTION

Agenda Item#: 13.B.1.

Resolution Number: **R - 2022.02.23 – 045**

Resolution Re: Accepting the Recommendation of the Ad Hoc Committee to Study Stormwater and Flood Resilience Funding and Statement of Intent to Form a Stormwater Utility by Future Ordinance

WHEREAS: On October 28, 2020, the Council approved resolution [R-2020.10.28-182](#) forming the Ad Hoc Committee to Study Stormwater and Flood Resilience Funding (“the Committee”).

WHEREAS: The Committee was tasked with reviewing data, options, and other information, and ultimately recommend to the City Council and City Manager whether to pursue one or more funding options with respect to existing needs and future stormwater and flood resilience management planning.

WHEREAS: The Committee now recommends the Council form a stormwater utility, and direct staff to develop a plan to implement a Stormwater Utility.

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND DOVER CITY COUNCIL THAT:
The recommendation of the Committee is hereby accepted. The Council hereby states its intent to form a stormwater utility in the future, by way of a forthcoming ordinance, which is to be developed by City staff in consultation with the Dover Utilities Commission and the Ordinance Committee, and to be brought forward for consideration by City Council when ready. The City Council hereby directs the City Manager or designee to commence developing a proposal for a Stormwater Utility ordinance, together with a plan to implement the Stormwater Utility, to include public outreach efforts with the intent to both inform, and receive feedback from, the public.

AND, FURTHER BE IT RESOLVED;

The intent of the Council is to implement the proposed Stormwater Utility by FY2024.

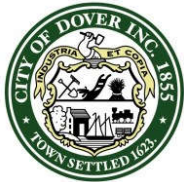
AUTHORIZATION

Approved as to Funding: Daniel R. Lynch
Finance Director

Sponsored by: Deputy Mayor
Dennis Shanahan

Approved as to Legal
Form and Compliance: Joshua M. Wyatt
City Attorney

Recorded by: Susan M. Mistretta
City Clerk



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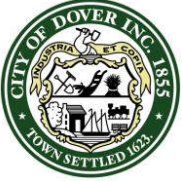
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DOCUMENT HISTORY:

First Reading Date:	Public Hearing Date:
Approved Date:	Effective Date:

DOCUMENT ACTIONS:

VOTING RECORD		
Date of Vote:	YES	NO
Mayor Robert Carrier		
Deputy Mayor Dennis Shanahan		
Councilor Michelle Muffett-Lipinski, Ward 1		
Councilor Robert Hinkel, Ward 2		
Councilor Deborah Thibodeaux, Ward 3		
Councilor Debra Hackett, Ward 4		
Councilor Fergus Cullen, Ward 6		
Councilor Linnea Nemeth, At Large		
Councilor Lindsey Williams, At Large		
Total Votes:		
Ordinance does does not pass.		



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RESOLUTION BACKGROUND MATERIAL:

The City of Dover is surrounded by a multitude of natural resources making the need for effective stormwater management high. Stormwater runoff is rainfall or meltwater that travels across rooftops, roads, parking lots, and other impervious surfaces. It picks up and carries pollution, which ends up in local water bodies such as Willand Pond and the Great Bay Estuary, as well as groundwater aquifers that are used for drinking water. Heavy rainfall in the state has increased over the last several decades and is projected to continue increasing in frequency and intensity. Heavy rainfall can lead to excess stormwater runoff, which can also overwhelm the capacity of the City's storm drains and put public health and safety at risk due to inundated roads and public and private property. For example, the City has identified 24 critical facilities and transportation assets worth over \$78 million in high flood risk areas alone.

To reduce the risk of flooding and impacts to water quality, the City operates and maintains an extensive stormwater management system. Maintaining, operating, and constructing upgrades to this system is expensive and represents a significant, ongoing, and increasing cost to City taxpayers. Funding needs are also increasing due to aging and undersized infrastructure, increasing development and impervious surfaces, increasing flood risk, and regulatory requirements. Dover already has a growing list of deferred stormwater and flood resilience projects due to insufficient funding. Insufficient funding forces deferred action on projects, which can lead to those project costs growing. Immediate investment in stormwater and flood resilience infrastructure is necessary to avoid costs becoming insurmountable. The average residential property owner currently contributes approximately \$58.04 from their property taxes to the Stormwater Program, but this amount would increase substantially if the stormwater management and flood resilience continues to be funded by the General Fund. In August 2020 the Council established the Committee to investigate, study, and identify and make recommendations to the City Council concerning various funding opportunities that may exist with respect to existing needs and future stormwater and flood resilience management planning.

The Committee was established with a diverse group of citizens representing a variety of aspects of the City, including homeowners, large property owners, non-profit organizations, professional engineers, and environmental advocacy groups. Since its establishment, the Committee assessed current and future stormwater management and flooding challenges, analyzed the related cost of services, explored numerous funding options, and identify a potential funding solution that is sustainable, fair and equitable. The Committee presented their findings to the Council on February 2, 2022 during a workshop session. The Committee unanimously recommended the development and implementation of a stormwater utility.

Similar to other common utilities based on use or impacts (e.g., water, sewer, electricity, etc.), stormwater and flood resilience fees are based on impervious area of each property, a proven surrogate for stormwater impacts. The Committee recognized that increasing costs for stormwater management and flood resilience cannot be met solely through supplemental funding sources such as grants and development fees, and repeated bonding would substantially add to debt service fees and weaken City bond ratings. Also, adequately funding the Stormwater Program through the general fund would require a substantial increase in property taxes and/or reallocating general funds away from other City services and programs. Since stormwater runoff and flooding impacts all property owners, a utility is a method by which everyone shares in expenses and benefits of stormwater management and flood resilience.