



CITY COUNCIL AGENDA ITEMS

To: Mayor and City Council
From: Walter Denton, City Administrator
Dennis Sullivan, Director of Engineering & Public Works
Date: November 5, 2007
Subject: RESOLUTION – Stormwater Utility

List of committees that have reviewed: Public Works

Background: Infrastructure funding generated by a utility would address stormwater collection including reconstruction of existing roadways that do not currently have curb, gutter, inlets, or associated underground stormwater piping; stormwater control including stream rehabilitation; reconstruction of alleyways to promote better drainage; re-profiling of property lot line easements to improve over-land drainage; and replacement of existing stormwater infrastructure found to be inadequate or deteriorated. The stormwater fee would be \$3.45 for the average (or equivalent) residential unit property's impervious surface per month. Commercial, institutional, and other properties would have fees based on their equivalent residential unit number (from an analysis of their impervious surface as compared to the average residential unit) multiplied by the equivalent residential unit fee. For example, a commercial property has 10 times the impervious surface that the equivalent (average) residential unit has. Then that commercial property will pay 10 times the residential rate.

Legal Considerations, if any: Stormwater Utilities are becoming more common with every passing year. The utility as conceived in O'Fallon documentation has been upheld in Illinois courts when challenged.

Budget Impact: Creation of a utility will mean another enterprise fund to support stormwater initiatives. The utility as conceived would collect \$765,000 in additional stormwater funding in the first full year of operation. Providing information to the voters on a referendum vote will be limited to mailings such as were made during consideration of Proposition S.

Staff Recommendation: Staff recommends Council pass a resolution supporting the inclusion of a question on the creation of a stormwater utility on a referendum vote to be held in conjunction with the February 2008 primary vote in St. Clair County, as a minimum. Most stormwater utilities are created in Illinois by City Council ordinance without referendum. O'Fallon with home rule can put a utility in-place without a referendum vote.