

VILLAGE OF LOMBARD
REQUEST FOR BOARD OF TRUSTEES ACTION
For Inclusion on Board Agenda

_____	Resolution or Ordinance (Blue)	_____	Waiver of First Requested
<u> X </u>	Recommendations of Boards, Commissions & Committees (Green)		
_____	Other Business (Pink)		

TO: PRESIDENT AND BOARD OF TRUSTEES

FROM: Scott R. Niehaus, Village Manager

DATE: October 10, 2018 (COW) (B of T) **Date:** October 18, 2018

TITLE: Request for Board Policy Variation – Backyard Drainage Program

SUBMITTED BY: David P. Gorman, Assistant Director of Public Works *DEL*

BACKGROUND/POLICY IMPLICATIONS:

A recommendation from the Public Works & Environmental Concerns Committee to approve a variation to the Village Board Policy #4D in order to allow a maximum reimbursement of \$15,000 rather than the \$5,000 for the residents of 100 South Blocks of Chase Avenue and Highland Avenue.

FISCAL IMPACT/FUNDING SOURCE:

Review (as necessary):

Village Attorney X _____	Date _____
Finance Director X _____	Date _____
Village Manager X _____	Date _____

NOTE: All materials must be submitted to and approved by the Village Manager's Office by 12:00 noon, Wednesday, prior to the Agenda Distribution.



MEMORANDUM

TO: Scott Niehaus, Village Manager

THROUGH: Carl Goldsmith, Director of Public Works

FROM: David Gorman, Asst. Director of Public Works *DRG*

SUBJECT: Request for Variation – Backyard Drainage Program

DATE: October 10, 2018

A group of homeowners on the 100 South Block of Chase and Highland are requesting a variation from the Board Policy for the Backyard Drainage Program in order to allow a reimbursement greater than the typical maximum of \$5,000.

BACKGROUND:

The Village of Lombard created the Backyard Drainage Grant program with the intent to eliminate flood-prone backyards through cooperative efforts by the Village of Lombard and effected residents. The program is created, and exists, through a Village Policy (4.D.). The program is jointly administered by the Public Works Department and the Community Development Department. The program is funded through the Water and Sewer Capital Fund at a level of \$20,000 annually.

Like all grant programs created by a Village Board Policy, the Backyard Drainage Grant program has established eligibility requirements and procedures that assist staff in administering the grant programs. A copy of the program guidelines are attached for your consideration and review. A summary of the criteria can be found below:

- The program requires that two or more contiguous properties are directly affected by backyard flooding and experience standing water for more than 72 hours following a storm event.
- Eligible costs may include surveying, engineering, permits, and construction work and restoration.
- Drainage systems must include an appropriate restrictor.
- After passage of final inspections, the Village will reimburse the applicants for 50% of the project costs up to a maximum of \$5,000.
- "Direct" or "indirect" connections to combined and sanitary sewer systems are prohibited by current Village ordinance and will not be eligible for the grant program.
- Improvements constructed on private property will be operated and maintained by the property owners.

The Village has been in discussions with the property owners in the 100 blocks of S. Chase and Highland on flooding and stormwater issues for many years. The property owners have held multiple meetings with Village staff and elected officials on possible solutions to address their concerns relative to the stormwater and flooding issues. The Village included the construction of a manhole at 750 E. Maple in the Gatz Pond Outfall Project that would allow for the connection of the private storm sewer to the Village's storm sewer system.

Through the course of working with the neighborhood group, it was determined that easements would be needed from a property owner(s) with frontage to Maple in order to route the private storm sewer from the depressional area and make the connection to the sewer. Easements were not available from either 750 or 754 E. Maple. The group, with significant input from Village staff, has developed a plan to route a private storm sewer in the rear yards of four (4) properties along S. Chase Avenue and make the connection in the parkway on the north side of Maple. The group has demonstrated that they have been granted the easements and that the plats will be amended to include a ten (10) foot drainage easement.

Due to the scope of the project and the need to directionally drill the private storm sewer, the estimate of the project, is \$30,000. John Erl, 125 S. Chase, on behalf of twelve (12) affected property owners has submitted a request for a deviation from the guidelines established by the Backyard Drainage Grant Policy. The residents are requesting that the Village grant a waiver from the requirements of the Backyard Drainage Grant Program. The requested deviation from the policy is as follows:

- A variation from Section II.F., which establishes the maximum amount of reimbursement at \$5,000 per project. The residents are seeking a 50% reimbursement for the estimated \$30,000 project for a total reimbursement of \$15,000.

Staff has reviewed the submitted material from the property owner/applicant. Please note that no formal application has been made to date. The request for additional funding has been submitted prior to the Village approving plans for the project. The Village established the Backyard Drainage Grant Program in December 1999. Since the establishment of the program, there have been fifty-three (53) grant applications funded by the Village. In each case, there were two or more properties that benefited and in each case, the maximum reimbursement was capped at \$5,000 per the policy. The policy was developed and is implemented in a manner to preserve consistency and equality.

In 2013, the Village staff and elected officials conducted a meeting with this neighborhood group and committed to provide additional funds towards a project due to the number of impacted properties. The attached map identifies the properties that would see direct benefit of the project. Given the policy requirement that any grant include a minimum of two (2) properties and a maximum of \$5,000 is available for a minimum of two benefiting properties, staff would support the higher funding threshold.

RECOMMENDATION:

Given the information demonstrating a unique set of circumstances as provided by the petitioning residents, Staff and the Public Works & Environmental Concerns Committee recommend that the Board of Trustees approve the variation to the Village Board Policy to allow a reimbursement from the Village not exceeding \$15,000, still based on 50% of qualifying expenses. Such approval may be made by simple motion and vote.