Forming a Stormwater District in Ohio: Easy as ABC!

Presented by:
Who is ABC?
Change of Perception:

Stormwater Shwm-ormwater! Stormwater Rules!

> Do you have stormwater issues such as flooding, stream erosion, or impaired stream water quality?

> Do you have insufficient $$$ to operate, maintain, and improve your system?

A 6119 District may be right for your community.
Overview

1. Increasing regulation vs. diminishing budgets
2. ORC 6119 opens the door for dependable stormwater management
3. How to: Forming a 6119 District
4. Challenges along the way are manageable – but plan ahead!
Increasing Regulation vs. Competing Interests

> If we want to fix our stormwater issues, we must commit financially.

> Financial commitment is difficult when there are competing interests.

> Stormwater Districts enable communities to generate dedicated revenue.
Administrative Hurdles

> Find a Stormwater Champion
> Local and dependable technical defensibility
> Legal support you can trust
> Financial configuration
> Administrative duties
> Billing & Collections
> Local relationships
> Public education and outreach
Find a Stormwater Professional

- Some knowledge of stormwater
- Local/Historical knowledge
- Good communicator
- Motivated
- Project management skills
- Financial skills
Local & Technical Defensibility

- Knowledgeable professionals
- Dependable and committed (can be a slow process at times)
- Understanding of the local issues
- Ownership
- Present when needed
Legal Support

- Experienced in 6119: Regional Water and Sewer Districts
- Experienced in stormwater rules/regulations

(more on this coming up from Albers and Albers)
Setting Up a New Financial Entity

- Relationship with County Auditor
- Understands billing process
- Fiscally aware/responsible
- Accounting system set up
Administrative Duties

- Could include billing
- Could include impervious/credit application processing
- Resolving complaints
- Preparation of agendas & meeting minutes
- Meeting scheduling
- Marketing & advertising
Billing Decisions

> Watch out for third-party services!
  - As high as 10% of the bill!
> Utility Companies
> In-house
> County Auditor
> How to collect?
  - ABC collection ratios
  - Tax bill mechanism
  - Collection frequency (bi-annual collections)
Water Knows NO City, Municipal, or Political Boundaries
Local Relationships...Partnering

- Neighboring communities
- Park Districts
- County
- DOT
- Turnpike
- Watershed groups
- OEPA
- Army Corps of Engineers
More taxes!? Must bring folks along to a new way of thinking

News/Media outreach (press releases & other news articles)

Managing complaints, yet being receptive to valuable information

Preparation and ownership of technical approaches
Legal Hurdles
What is a Regional Water, Sewer, and Storm Sewer District?

An independent political subdivision of the State of Ohio established under to provide water, sewer and/or Ohio Revised Code Chapter 6119 storm sewer services to users of the District.
Who Can Establish Such A District?

Basically, any political subdivision or combination of political subdivisions of the State of Ohio, including one or more townships, counties, villages, and cities.
Why Are They Established?

1) To provide needed central sanitary sewer, water, and/or storm sewer services to residents.

2) To provide for administration of water, wastewater, and storm water facilities by local government instead of by privately owned companies or associations.

3) To prevent and abate pollution and protect the environment and natural resources located within the District.
Continued…

4) To promote and encourage economic growth, population growth and the overall quality of life in the District.

5) To promote fire protection and decreased insurance rates.

Additional benefits: increased property values where central services are provided; lower cost of services to individual users; promote and encourage local government.
How Are They Established?

1) Legal analysis and a preliminary feasibility study is prepared to determine the feasibility of establishing the District.

2) The entity(ies) adopt a resolution approving and authorizing the filing of a Petition in the County Court of Common Pleas.
Continued…

3) Notice provided to all electors residing in the territory of proposed District via public meeting to receive comments on the proposal. Preliminary study of reason presented.

4) The petition and other documents are filed in the Court of Common Pleas.

5) A Plan of Operation of the District is prepared.

6) The hydrogeological report is prepared, if necessary.
Continued…

7) Legal counsel prepares evidence showing the District is necessary and conducive to public health, safety, convenience and welfare and the Plan for Provision of Services is economical, feasible, fair and reasonable.

8) Legal counsel prepares briefs and/or witnesses for a hearing.

9) The court establishes the District.
What Is The Cost?
A Board of Trustees is appointed to govern the District.

The Board has very extensive powers to, for example, acquire systems, build systems and lines, issue bonds, assess property, take property by eminent domain, pass rules and regulations governing the utilization of resources within the District, buy and sell services, set rates within the District, etc.

Basically, the District may do all things necessary and proper to carry out plans for providing water, sewer, and/or storm sewer services residents of the District. The District is not regulated by the Public Utilities Commission of Ohio.
How to Get Started
Engineering Hurdles

- Develop a feasibility study
- Document current budgets
- Identify billing approaches
- Determine rate structure
- Complete Equivalent Residential Unit (ERU) study to justify billings
- Select a fee amount
- Develop adjustments, credits, and appeals policies
- Develop a billing file
- Support public education/outreach
Feasibility Study

Purpose | Background | Criteria | Funding | General Plan

Project Area | Financial Analysis | Conclusions

Mapping
## Developing a Starting Point Budget

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<th>Qty</th>
<th>Units</th>
<th>Inspection</th>
<th>Cleaning (qty)</th>
<th>Cleaning cost/unit</th>
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Billing Approach

Which options are right for you?
- Flat Rate
- Exclusions
- ERU
- Residential vs. non-residential
- Tiered residential and multi-family

Don’t forget to consider:
- Level of Service
- Neighboring Communities

<table>
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<tr>
<th>Single Family Residential (SFR)</th>
<th>Parcel Type/Tier</th>
<th>Estimated Impervious Area (ft²)</th>
<th>Billing Unit Rate</th>
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<td>SFR/Tier 2</td>
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<td>SFR/Tier 3</td>
<td>X = 6332</td>
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<td>Parcel Type</td>
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<td>Two Family (5/10)</td>
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<td>Three family (5/30)</td>
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<th>Multi-family Residential</th>
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<td>Parcel Type</td>
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<td>Multi-Family Parcel - Individual Dwelling Unit</td>
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<th>Multi-Family Parcel Class (Use Code)</th>
<th>Average # of Dwelling Units</th>
<th>Billing Unit Rate per Class</th>
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<td>Apartments 20+ family (403)</td>
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Non-Residential

The impervious area of each non-residential property was estimated using relevant GIS Data. The estimated impervious area (square feet) was divided by the average square feet of a single family residence, or 1 ERU (4,764 square feet). The result is the billing unit rate for each individual non-residential property.
ERU Study

> Measure a sample set
> Determine the value of one (1) equivalent residential unit
> Average Single Family Residence from sample = 1 Equivalent Residential Unit
> Sample size can be determined based upon a regression analysis
> Other approaches include Intensity of Development & Equivalent Hydraulic Area methodologies.

(4,764 ft²)
Total Impervious Area per Parcel
ABC Stormwater District (2019)
Select a Fee Amount

Primary Considerations

> Budgetary needs
> Neighboring community fees
> Level of service
Adjustments, Credits, Appeals

> Impervious area of parcels changes with development and redevelopment
> Detention can be added, and various BMPs can mitigate on-site stormwater runoff
> Adjustments & credits must be defensible
> District must be comfortable with maximum credit’s allowable
> Policies must reflect consistent and practical approaches that can be supported by the District’s financial capabilities
Developing a Billing File

- Determine file structure requirements
- File updates & frequency
- Document update process
- Account for adjustments & credits
Public Education & Outreach

- Prepare technical material
- Attend public meetings
- Keep calm and carry on!
  
  Stormwater issues can lead to frustrated/emotional crowds – acknowledging this ahead of meetings can lead to better preparation for & management of tense situations
Stay on your toes!

- Sanitary sandbag motes
- Basement Cave-ins
- Boat requests
- Street rafting
- “Stream-thru-the-house”
Questions?!

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