THE CITY OF ASHEVILLE

Staff Report

Council Meeting Date: April 25, 2023

Subject: Local Assistance for Stormwater Infrastructure Investments (LASII) Grant Opportunity

Staff Resource(s): Greg Shuler, Public Works Director
Amy Deyton, Assistant Public Works Director

Action Requested: Adoption of a resolution authorizing the City Manager to apply for a Local Assistance for Stormwater Infrastructure Investments (LASII) Grant with the N.C. Department of Environmental Quality - Division of Water Infrastructure for Stormwater asset inventory and assessment services; and authorizing the City Manager to sign all documents associated with the acceptance of funds if awarded.

Background:

- The Local Assistance for Stormwater Infrastructure Investments (LASII) Program, which is a competitive grant program administered by Department of Environmental Quality – Division of Water Infrastructure (NCDEQ-DWI), has approximately $6.3 million remaining from an initial $24.6 million assigned in 2022 specifically for planning grants.
- These planning grant funds can be used to conduct stormwater asset inventory and assessments, stormwater modeling (hydrologic and hydraulic), and engineering concept plans or designs.
- The funding request limit per entity is $400,000. No match is required, but the State requires an authorizing resolution from its governing body as a component of the application package.
- Although the source of the LASII funds are from the American Rescue Plan Act (ARPA) and the City received APRA funds from NCDEQ-DWI for its water system, the programs are separated in the enabling legislation; therefore, the City's ability to receive additional ARPA funds through the LASII program for stormwater is not impacted if selected.
- If the planning grant is awarded, the Public Works Department - Stormwater Division will use the funds to conduct a Stormwater Asset Inventory and Assessment project.

Council Goal(s):

- A Clean and Healthy Environment
- A Financially Resilient City

Committee(s):

- N/A

Pro(s):

- This is a great opportunity to leverage state grant funds (no match) to move forward with the capital priority that has been established related to system mapping and infrastructure assessment.
- The integration of the inventory and assessment would support the need for infrastructure rehabilitation and replacement and also address stakeholder desires for resiliency, equity, and water quality protection.

Con(s):

- This planning grant award will not fund the entire Stormwater Asset Inventory and Assessment services project, but the grant funds will be directed toward mapping the areas of the stormwater system that are underserved or in the greatest need.
- A small fiscal impact is likely in the form of staff time to administer a contract for Stormwater Asset Inventory and Assessment services.

Fiscal Impact:

- If awarded, the grant would partially offset the cost of a planned project in the Stormwater Fund.
- Matching funds are not required for this grant.

Suggested Motion:

- Motion to adopt a resolution authorizing the City Manager to apply for a Local Assistance for Stormwater Infrastructure Investments (LASII) Grant with the N.C. Department of Environmental Quality - Division of Water Infrastructure for Stormwater Asset Inventory and Assessment services; and authorizing the City Manager to sign all documents associated with the acceptance of funds if awarded.

Attachment(s):

- Certification by Recording Officer
- Resolution

CERTIFICATION BY RECORDING OFFICER

The undersigned duly qualified and acting City Clerk of the City of Asheville does hereby certify: That the attached resolution is a true and correct copy of the resolution authorizing the filing of an application with the State of North Carolina, as regularly adopted at a legally convened meeting of the City Council of the City of Asheville duly held on the 25th day of April, 2023; and, further, that such resolution has been fully recorded in the journal of proceedings and records in my office.

IN WITNESS WHEREOF, I have hereunto set my hand this _____ day of _____, 2023.

_____
(Signature of Recording Officer)

_____
(Title of Recording Officer)

RESOLUTION NO. 23-____

RESOLUTION AUTHORIZING THE CITY MANAGER, ON BEHALF OF THE CITY OF ASHEVILLE, TO APPLY FOR A LOCAL ASSISTANCE FOR STORMWATER INFRASTRUCTURE INVESTMENTS (LASII) GRANT WITH THE NORTH CAROLINA DEPARTMENT OF ENVIRONMENTAL QUALITY - DIVISION OF WATER INFRASTRUCTURE

WHEREAS, the City of Asheville has authority pursuant to N.C.G.S. §160A-312 to operate a public enterprise; and

WHEREAS, pursuant to N.C.G.S. §160A-17.1, the City of Asheville is permitted to apply for and accept grant-in-aid funding from State governments and their agencies for performing any function the City of Asheville may be authorized by law to perform or provide; and

WHEREAS, the Federal Clean Water Act Amendments of 1987 authorizes the making of grants to aid eligible units of government in financing the cost of construction and studies; and

WHEREAS, the City of Asheville has need for and intends to conduct Stormwater asset inventory and assessment services; and

WHEREAS, the City of Asheville intends to request State grant assistance for the project of Stormwater asset inventory and assessment services; and

WHEREAS, this action aligns with Council goals for a clean and healthy environment;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF ASHEVILLE THAT:

City Council hereby authorizes the City Manager, on behalf of the City of Asheville, to apply for a Local Assistance for Stormwater Infrastructure Investments (LASII) Grant with the North Carolina Department of Environmental Quality - Division of Water Infrastructure (NCDEQ - DWI) for Stormwater asset inventory and assessment services, and further authorizes the City Manager to sign all documents associated with the acceptance of funds if awarded. The City shall comply with the following in connection with the approved action:

1. That City of Asheville (the "City") will arrange financing for all remaining costs of the project, if approved for a State grant award.
2. That the City will adopt and place into effect on or before completion of the project a schedule of fees and charges and other available funds which will provide adequate funds for proper operation, maintenance, and administration of the system and the repayment of all principal and interest on the debt.
3. That the governing body of the City agrees to comply with the terms of the grant agreement.
4. That the City will ensure proper operation and maintenance of the stormwater system.
5. That the City Manager, the Authorized Official, and successors so titled, is hereby authorized to execute and file an application on behalf of the City with the State of North Carolina for a grant to aid in the study of or construction of the project described above.
6. That the Authorized Official, and successors so titled, is hereby authorized and directed to furnish such information as the appropriate State agency may request in connection

with such application of the project; to make the assurances as contained above; and to execute such other documents as may be required in connection with the application.

7. That the City has substantially complied or will substantially comply with all Federal, State, and local laws, rules, regulations, and ordinances applicable to the project and to Federal and State grants pertaining thereto.

Read, approved and adopted this the 25th day of April, 2023, at Asheville, North Carolina.

City Clerk

Mayor

Approved as to form:

City Attorney