

Engineering and Public Works
Memorandum

File Category: FIN.CON.INF.
File Folder: Clegg Street, 14th Avenue and N.Railway, Contract No. 2011-005
Storm Sewer Works

To: Chief Administrative Officer
From: Director of Engineering and Public Works
Date: November 19, 2011
Subject: **Clegg Street, 14th Avenue Storm Sewer Works**

Recommendation

That additional work for contract 2011-005 be approved in the amount of \$186,932

That funding of the additional costs of \$186,932 be as follows:

- Transfer budget savings from the North Railway project of \$10,793 (account 43117, funding from the General Capital Reserve Fund))
- Financial Stabilization Reserve Fund - \$176,139

Background

The Clegg St/14th Ave storm sewer upgrade project was undertaken to resolve a flooding issue in the back yards on the east side of Clegg St. The attached sketch references the storm sewer sections that Council previously approved and the new section requested now.

Previously staff presented three options to Council with the full Clegg St and 14th Ave storm sewer upgrade costing an estimated \$529,000. As a cost saving measure staff believed the reduced cost option could be completed with minimal risk and could be monitored in the future and additional works recommended only if required. It is now evident there is a significantly higher risk of flooding on 14th Ave.

The report going to Council today requesting approval to complete the full storm sewer upgrade is estimated to cost approximately \$187,000 which when added to the already approved budget of \$356,000 brings the total cost to \$543,000. The updated cost is very close to the original estimated cost.

Issues

1. Additional detailed survey work has shown that the storm-water ponding depth along 14th Ave, east of Orchid Crescent, during a 25 year or higher storm event will be higher than anticipated. Depths could reach 0.5m to 0.7 m within the area noted on the attached sketch which is twice what was anticipated and would likely flood private properties in the area. A small level of ponding for a short period of time during extreme events is acceptable however this exceeds that, so an option to extend the storm sewer from Clegg St to the outfall was investigated and is recommended.
2. There has been additional cost for the work within the backyards of 8044 & 8048 Clegg St.

Discussion

The Clegg St/14th Ave drainage improvement project is approximately 50% complete. The section along Clegg St has been completed including the work within the backyards of the 4 residents who originally had the flooding problems. The storm water inlet in the back yards was constructed per the design

drawings but left quite a large hole between 8044 & 8048 Clegg St taking up a significant portion of their back yards. The residents did not realize the way it would be left and were not pleased with it and asked for it to be changed. A revision was made to raise the inlet structure walls and significant landscaping and bank stabilization. The contractor provided a quote of \$40,000 to complete the change. Staff reviewed the work at that time and approved the work with the following rationale:

- The two residents in question are located at the top of the old storm sewer system and never experienced flooding issues themselves. They were being cooperative with their downstream neighbour in allowing the work to be done on their property. For them to be left with a significantly altered backyard seemed unfair.
- The rainy weather was upon us and the work needed to be done right away while the other work was done.
- There was a projected savings of approximately \$10,000 on the Railway Ave project which was being done jointly with this project and \$10,000 savings from shortening the 14th Ave outlet pipe, and there were some other potential savings that were felt could make up the difference.

Then, when the contractor was working on other priority District projects, staff took some additional time to review & survey the 14th Ave section of the work as there was some lingering concern by 14th Ave residents about potential downstream flooding. This is when it became evident that there would be a higher risk of flooding during a 25 year or higher storm event.

There are three options that could be considered, 1) continue the works as designed and accept the risk of flooding along 14th Ave, 2) complete the full storm sewer upgrade which brings the 25 year storm flows below ground level and 3) cancel the contract and accept an even greater risk of flooding along 14th Ave. The third option would not save any money since all the materials for the existing design have been purchased and the contractor would claim for lost profits so therefore it was not considered further.

Option one.

Continue the works as designed and accept higher risk.

- | | |
|--|-----------------|
| • Additional cost to contract, associated to backyard works. | \$30,388 |
| • Contingency (used only if absolutely necessary) | <u>\$20,000</u> |
| • Total | <u>\$50,388</u> |

Proposed funding:

- | | |
|--|-----------------|
| • Transfer savings from North Railway project (account 43117, funding from the General Capital Reserve Fund) | \$10,793 |
| • Financial Stabilization Reserve Fund | <u>\$39,595</u> |
| • Total | <u>\$50,388</u> |

Option two.

Complete the full storm sewer upgrade bringing the 25 year storm flows below ground level.

- | | |
|-------------------------------|------------------|
| • Additional cost to contract | \$161,932 |
| • Contingency | <u>\$ 25,000</u> |
| • Total | <u>\$186,932</u> |

Proposed funding:

- Transfer savings from North Railway project (account 43117, funding from the General Capital Reserve Fund) 10,793
- Additional funding from the Financial Stabilization Reserve Fund 176,139

Total \$186,932

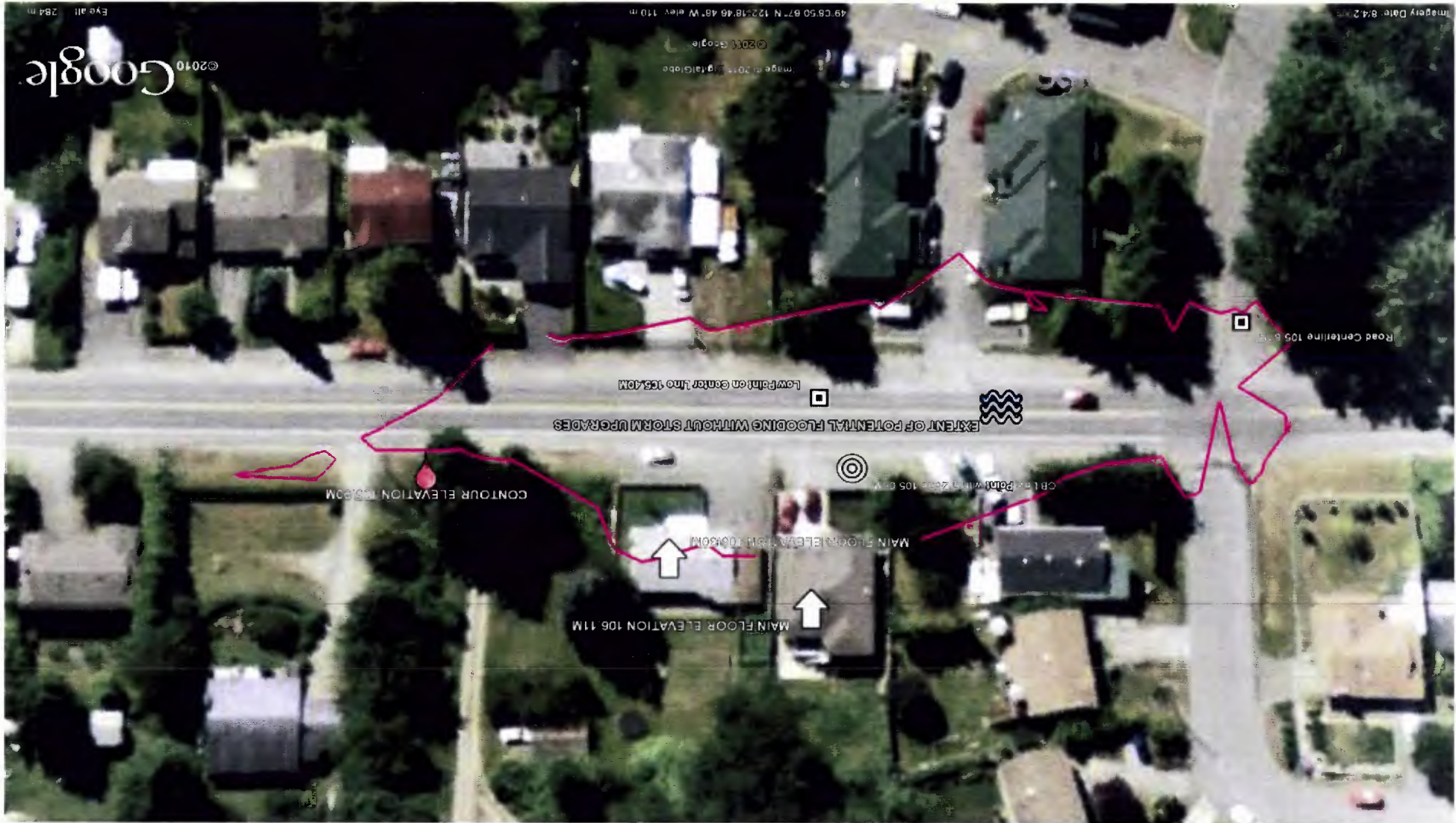


Rick Bomhof

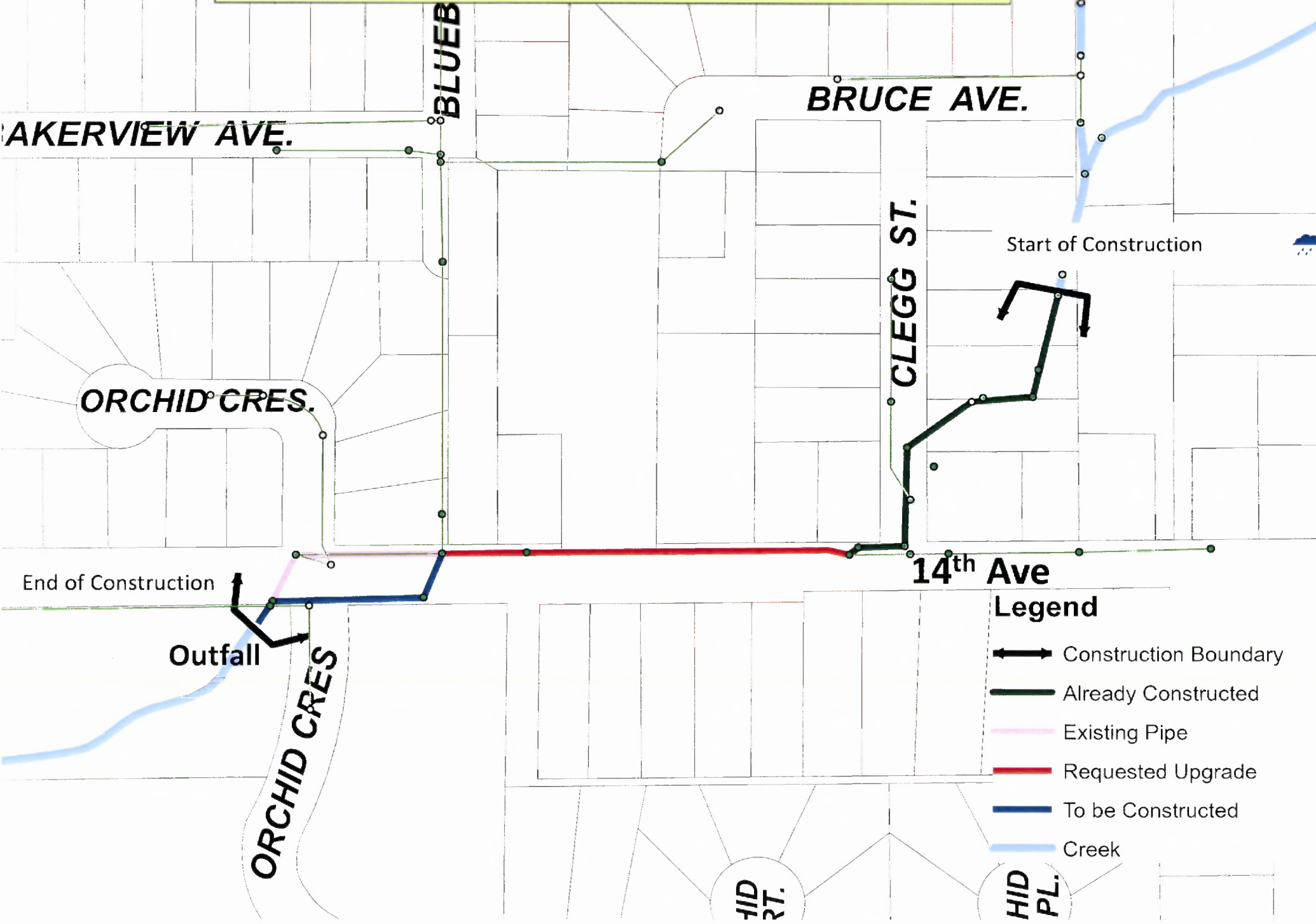


Kris Boland

I have reviewed the funding sources in this report.



Clegg Street Storm System Improvement



- Legend**
- ↔ Construction Boundary
 - Already Constructed
 - Existing Pipe
 - Requested Upgrade
 - To be Constructed
 - Creek

End of Construction

Start of Construction

Outfall



HID RT.

HID PL.



Corporate Administration
Memorandum

To: Chief Administrative Officer
From: Deputy Chief Administrative Officer
Date: November 21, 2011
Subject: Development Services Pilot Project Update

Recommendation

No recommendation accompanies this report.

Background

In July of this year staff began a pilot project to look at how the District of Mission manages development. The project was intended to perform a full review of the District application process, communication with the development community and identify opportunities to streamline the process.

A dedicated staff team was selected and work began immediately identifying in-stream applications that were stalled or in a state of flux. The team met weekly, or as needed, to look at development proposals and to discuss various department processes. To date, the team approach has been utilized for the large majority of development applications that have been received since July as well as many that were already in stream.

This report is intended to provide Council and the community with a snapshot of the changes we have initiated, additional changes that are being considered and an anticipated timeline to complete the project.

The review falls into the following categories:

- Department processes
- Communication
- Legal processes

Department processes are the mechanical steps staff takes to receive, process and approve development applications and to issue permits. In any given application there are numerous departments involved so the processes can be complex and time consuming. The pilot project team has been very active in reviewing these processes and looking at ways to eliminate redundancy, expedite outcomes and provide the most current and up to date information to the applicants in a timely manner.

One of the expected key outcomes of this project is to ensure that applicants are provided with detailed information about the process their project must undertake as quickly as possible. Staff recognized that, while most applications are time sensitive, the more critical issue for the applicant is the need to understand and be aware of any significant challenges and potential costs associated with their development. To that end, staff have developed a process of an internal project review that involves staff from key departments and which is followed by a meeting with the applicant.

Continuing with the theme of providing the most current and accurate information available at the time of inquiry or application, each department is working to prepare and update development checklists to ensure responses to requests are complete.

The department process review is not complete as it is anticipated that additional changes in the legal process may identify further changes for each department. The final report, due in early 2012, will identify those other processes that may require change.

Communication is one of the areas where we have, and will continue to make changes. The pilot project has identified a number of areas for improvement such as:

- 1) *Process awareness*: The District has received a number of applications where the process and associated timelines is either not known or not understood by the applicant. Many developments have unrealistic time frame expectations and can be quickly disappointed when there are delays (regardless of what the delay is for), so staff is working on readily available education material. These information brochures will explain the process in a short form and indicate realistic time frames for each type of development. This information will be posted on our website.
- 2) *Communication style*: The District of Mission is moving away from a regulatory service delivery model and towards a customer service delivery model. This new model may provide an opportunity for an exceptionally well-trained District staff to assist an applicant with technical suggestions that could assist in areas where their proposals might not meet the District requirements. While this assistance may not be suitable in all cases, we will be providing staff with some best practices to address any risk management concerns and which will allow them to share some technical support where appropriate.
- 3) *Follow up*: In our review of existing developments, it was determined that many applicants were not aware of the current status of their application and whether or not they application was complete. This often resulted in a misunderstanding: the applicant was waiting for the District to contact them rather than following up with the District themselves. Staff is implementing a follow up process to address this issue.

Legal process refers to those processes that require the municipality undertake specific steps under Provincial or Federal statute and include such processes as rezonings, OCP amendments, Ministry referrals, covenants and right-of-ways. These processes are very structured and can extend timeframes for development approvals by months, and in some cases, years. It is important that the applicant understands the requirements associated with this legal process.

To date the review team has made a number of changes to significantly reduce timeframes. These changes include:

- 1) Developing a first reading report that provides as much information as possible about the project at the very beginning. It is hoped that many questions that normally are raised at the public hearing can be answered in this report and thus avoid a lengthy third reading report that can add considerable time to the approval process.
- 2) Bylaw consideration following public hearings. This is an opportunity for Council to move the development forward when they feel the concerns or questions raised at the public hearing have been satisfactorily answered. To further facilitate this process, it is anticipated that a procedures bylaw review and rewrite will come forward for consideration in early 2012.

- 3) Adoption of OCP and zone amending bylaws in advance of full completion of some of the requirements is being recommended where there are other legal mechanisms in place, such as restrictive covenants and legal undertakings, to protect the District's interests.
- 4) Preparation of legal instruments. We have initiated an option for developers to work directly with District legal counsel in the preparation of development agreements and other legal instruments. Currently many of these documents and agreements involve staff working with a developer's legal counsel prior to a review by our legal counsel. This back and forth adds considerable time to the process. It is our belief that connecting the developer's legal representative and the District's legal counsel directly will improve efficiency and save considerable time. Consideration of any additional legal expenses by the District will be addressed in the final report.

It should be noted that the legal process review is only partially complete as we are transitioning between our previous and new legal counsel. Staff will be meeting with our legal counsel in the next month to confirm the exact processes we are required to undertake, and what tools and mechanisms we have to become less risk adverse through the approval process.

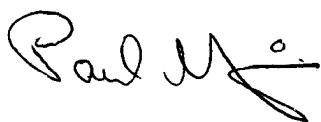
Conclusion

This report is intended to give Council and the public a snapshot of the status of the development services review and is not intended to list all of the processes that are being reviewed. In discussions with members of the development community, the initial changes have been noticed and appreciated; but both the District and the development community acknowledge that there is more work to do.

The staff team will continue to meet over the next two months to develop the legal process framework, after which we should be in a position to meet with representatives of the development community to gather their input and identify any further concerns.

Communication

The contents of this report will be shared with the Chamber of Commerce representatives, Economic Development representatives and will be presented to members of the regional Canadian Home Builders Association in the next short while.



Paul Gipps