



# City of Harrisonburg, Virginia

## Office of the City Manager

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Kurt D. Hodgen  
City Manager

TO: Mayor Reed and Members of Harrisonburg City Council  
FROM: Kurt D. Hodgen, City Manager  
DATE: January 10, 2017  
RE: University Court Drainage and Erosion Issue

### **Summary:**

At its November 29, 2016 meeting, City Council received a report from a property owner concerning stormwater drainage and erosion issues at the University Court Townhouses, located off of Martin Luther King, Jr. Way. Such owner requested that Council accept responsibility for the problems there and approve for corrective measures. Council then asked that staff report back at a future Council meeting.

### **Background:**

It is obvious that the current erosion issues at University Court did not happen as the result of a single, significant rainfall but has occurred over the course of years and multiple significant rainfalls. While some City departments as well as public and private utility providers have noted and inspected the onsite conditions there over the course of time, it should be noted that neither the City nor the utilities have any right-of-way or ownership interest in the drainage way. Both the City and utilities' interests lie in the protection of their respective physical infrastructure within their respective easements. The owners of the property that encompasses those easements have responsibility for the ongoing maintenance of their property, which would include ensuring that the drainage way is clear of blockages and debris. Any maintenance or protective measures that the property owners may have implemented have been ineffective in stemming further erosion of the drainage way and banks.

### **Key Issues:**

It is obvious that restorative work is needed at the site in order to protect both the City's and private utilities' infrastructure within the easement areas, as well as the privately owned real property.

Staff does not believe that it is the sole responsibility of the City or private utilities to remedy or restore the site.

There is precedent for the City and other utilities to take measures to protect the integrity of their in-place infrastructure in easements such as those on this site. In fact, the City had previously submitted a grant application in the amount of \$87,500 for funds to hire an engineering firm to study the site and develop preliminary plans and recommendations on stream restoration and bank repair where utilities

are exposed due to erosion of the stream channel. A second objective of the study was to establish potential stormwater nutrient reductions the City could gain from stream restoration that could be used as credit against MS-4 requirements.

**Recommendation:**

At this time, it is recommended that the City appropriate \$89,000 from the “Reserve for Contingencies” budget for engineering services to study stream restoration and erosion repairs at the site in question where there are exposed public utilities.