

**Millbourne Flood Mitigation Task Force
Minutes of Meeting #11
held May 29, 2017 at Leefield Community Hall**

Present:

- Richard Medlock, Michaels Park
- Philip Richardson, Lee Ridge
- Kathy Brower, Tweddle Place
- Denise Tonowski, Leefield Community League
- Leigh Makarewicz, North Millbourne Community League
- Anthony Canada, Richfield
- Todd Wyman, Director, Network Integration, Sustainable Development, City of Edmonton
- Godfrey Huybregts, City of Edmonton consultant and Task Force Coordinator
- Byron Nicholson, Director, Utility Infrastructure Delivery, City of Edmonton
- Gary Fei, City of Edmonton Project Manager for Tweddle Place Drainage Improvements, Utilities Infrastructure, City of Edmonton
- Darwin Smith, City of Edmonton Project Manager for Malcolm Tweddle & Edith Rogers Dry Pond and Sewer Improvements.
- Ali McNaught, Communications Coordinator, Integrated Infrastructure Services, City of Edmonton

Regrets:

- Wil Tonowski, Leefield Community League
- Carmen Messer, Tweddle Place
- Karrie Baker, North Millbourne Community League
- Ward 11 Councillor Mike Nickel

1. Introductions

Ali McNaught was introduced to the group. She was sitting in for Sabra Saleh who is on vacation.

2. Agenda

There were two additions to the agenda:

1. Backwater value information – Richard Medlock
2. Meeting minutes and scheduling of meetings – Anthony Canada

3. Repair of Damage to Private Property Caused by Drainage Construction

In a series of emails prior to the meeting, Task Force members expressed concerns and confusion about the reimbursement and repair process related to private property damage that homeowners believe was caused by drainage construction. They noted going through their insurance companies was not an option, given the number of claims for flood damage (and corresponding rise in rates and deductibles) that have occurred.

Mr. Nicholson reviewed the claims process, noting it was the same for any City resident regardless of what caused the damage (e.g. potholes, sidewalk trip hazard, construction activity, etc.). He noted pre-construction and if necessary post-construction assessments are done for the benefit of both the homeowner and the City. The assessments provide evidence that protects both parties and helps avoid disputes.

He walked through the steps homeowners should take if they believe damage was caused as a result of drainage construction that began in the neighbourhood in 2015. This may include exterior issues such as a sunken sidewalk or lawn, fence damage, etc.

- A. For exterior issues, the first point of contact is the Project Manager (Gary Fei for Tweddle Place). He may be able to resolve the issues without the homeowner going through a formal claims process. He is also available to assist homeowners in navigating the process of making a claim to Risk Management.
- B. As drainage staff has no expertise in assessing the likely origins of damage inside a home, the homeowner should make a claim to Risk Management, Legal Branch as soon as they notice the damage. Homeowners should not wait for a post-assessment to be done and should supply as much detail as they can in the claims report (available on-line), including photos.
- C. Going forward, post-construction assessments will only be done if requested by the homeowner (as is the normal procedure). If completed, the post-construction assessment is forwarded to Risk Management to help them understand the cause and extent of the damage, and adjudicate the claim.

Task Force members said they and other residents were led to believe that Sameng, who conducted pre-construction assessments in Tweddle Place, would automatically offer post-construction assessments. Mr. Nicholson said the City will honour that promise. However, going forward in regards to future construction, post-construction assessments would only be done upon request. This is the same policy that exists for other City construction projects.

Task Force members said they were also led to believe each homeowner would get a copy of the post-assessment report, including any photos that were taken. Mr. Nicholson said this would be done if there are no legal restraints in doing so. He committed to finding out before the community meeting on June 7.

Mr. Fei shared that Sameng had already conducted many of the assessments and reports should be completed in June. Task Force members requested that, when known, the timing of sending those reports be communicated. *(Ed. note: following the meeting, it was confirmed there are no restrictions in sharing the information. Each homeowner will receive a copy of the post-construction assessment report done on their home as soon as that information is provided to the City).*

Task Force members were concerned that the two year window of opportunity to make a claim may have closed or is nearly closed. Mr. Fei noted that drainage construction began in late summer/early fall of 2015 and committed to confirm the date when construction began. Regardless of the construction start date, he reiterated that anyone who notices damage, and believes it was caused by construction, should contact him and/or file a claim right away.

The Task Force requested that the clarity provided at the meeting be communicated to residents in a plain language, step-by-step narrative. This instruction will include how the pre and post-construction assessment ties into the claims process, and the claims process itself. The claims form should be made available to residents in several formats – link, pdf, hard copy. This document should also be provided to residents in advance of any future construction, particularly at the time that a pre-construction assessment is done. Mr. Huybregts volunteered to develop this document in consultation with Task Force members with a view to having it developed in time for the June 7 community meeting.

Mr. Nicholson said Infrastructure Services will provide clarity on its website regarding the normal policy of home pre-construction/post-construction assessment for major construction work. Project Managers would be identified as first point of contact.

Task Force members asked if Infrastructure Service would review and comment on Sameng's pre and post-construction assessments, and share this analysis with homeowners. Mr. Nicholson said he would consider whether this would be appropriate. *(Ed. note: in consultation with Risk Management after the meeting, it was determined that Infrastructure Services neither had the expertise nor responsibility to confirm whether damaged noted by a homeowner was caused by an action of the City or its contractors. This would be assessed based on the evidence provided by Risk Management).*

Mr. Huybregts noted a Risk Management representative has been asked to attend the June 7 community meeting. Follow up of this request would be made to encourage attendance.

4. Update on Projects

Tweddle Place

Mr. Fei reviewed the work to be done on the 88 Street cul-de-sac and north alley as communicated through a May 15, 2017 construction notice to residents. He shared a Gantt chart of the work. Kran Construction began the project this week and is scheduled to complete trenching by end of June, weather permitting. *(Following the meeting, as of June 14, Kran related it expected to have paving and concrete work completed by the end of July, weather permitting).*

A city representative visited each home along the route to explain the project and address any concerns such as mobility access. Those visited had no significant concerns. One person requested that a vibration monitor be placed in his home to ensure levels are appropriate. This has been done. Mr. Fei indicated that anyone with construction, traffic or pedestrian concerns related to the construction should contact him.

He also provided an update on the 91st Street dry pond expansion. A contractor has been selected. A meeting with the contractor and all companies to be involved in the work has been set for June 9.

It's anticipated tree removal and moving utilities like fibre optics will begin in July. To minimize flood risk, construction work will start in the north cell with sewer line installation. Berm removal is expected to start in October and will last one year.

In response to a question, Mr. Fei indicated that the vacant residential lot in the northern part of the community will be active as part of the north cell construction work but the other residential lot will not be part of any construction activity until work begins on the larger south cell.

Malcom Tweddle & Edith Rogers Dry Pond and Sewer Improvements

Mr. Smith provided an update on this work, noting dry pond detail design on the selected amenities option (Option 2) is scheduled for completion at the end of June. He noted this was favoured by most stakeholders. In response to a question, Mr. Smith confirmed letters were sent to both community leagues requesting further input before a final decision was made.

A tender is expected to be issued by July with a contractor selected in August. Dry pond construction is scheduled to begin in October, with completion in 2018. A pre-construction open house is tentatively scheduled for the week of September 11. The timing of the meeting is dictated in part by instructions to City staff not to have public engagement activities within a month of the October municipal election.

In advance of construction, the City's Forestry branch will be removing some trees and ATCO will be relocating a gas line this summer. Once known by Mr. Smith, the Task Force will be notified of a more specific date of when this activity will begin.

He confirmed that his team was working with the LRT contractors to ensure coordination of work on 66 Street and to avoid surface drainage construction in the area after LRT completion. However, a schedule has not yet been determined. He noted trenchless work won't begin until 2019, after the LRT work at 66 Street is completed, because the dry ponds need to be completed first. A tunnel shaft will be built at 38 Avenue and 66 Street and another shaft will likely be placed at St. Hilda Catholic School.

Gantt charts

The Task Force requested that a simplified Gantt chart be developed and made available at the June 7 community meeting showing the general schedule for both Millbourne projects. They also requested a Gantt chart of the contractor's work for Tweddle Place and the 91st Street dry pond be provided as soon as possible after the June 9 contractors meeting.

5. June 7 Community Meeting Presentation and Materials

Task Force members were asked for their advice regarding the content of presentation and handout materials for the June 7 community meeting. They suggested the following:

- Provide a Gantt chart of the work to be done for 2017, showing general timelines and milestones, based on what is known now. The chart (or two separate charts) should show both Millbourne projects.
- Provide clarity as to the sequence of work regarding the 91st Street pond expansion, particularly as it pertains to the removal of the berm and plans to accommodate walkers, runners and bikers who frequent the berm's trail.
- Provide a handout showing the location of the current temporary walkway and the one to be developed. Emphasize the change in rule regarding dogs (must be on leash).
- Indicate what factors may result in delays in the proposed schedule.
- It was suggested the schedule be discussed in terms of seasons – summer, fall, winter.

- Describe what will be occurring in the two empty residential lots and when.
- Use simple language, bullet points and point form to make the information easy to understand. Provide visual references whenever possible.
- While the focus of the June 7 meeting is Tweddle Place 2017 construction work, the presentation should include a couple of slides on Mr. Smith's project and a handout showing the scope of the work plus the amenities option and configuration chosen for the dry pond cells. Note the September pre-construction open house tentative date.

6. Amenities No Loss Policy Discussion

This was tabled until the next meeting.

7. EPCOR

On April 12, City Council approved the transfer of the drainage utility to EPCOR. Mr. Wyman shared a transition plan is being developed and that he is a member of the transition team. A Letter of Intent between the City and EPCOR has been developed that outlines transition commitments. Mr. Huybregts will send this letter to Task Force members and a link will be included in the next monthly report.

Mr. Wyman anticipated that the transfer to EPCOR would have no negative impacts to approved projects or their timelines. Contracts will be transferred to EPCOR. He related that EPCOR has identified flood mitigation as a priority. In response to a question, Mr. Wyman said many Integrated Services staff will be moving to EPCOR so it is likely the Task Force and community will see familiar faces working on local drainage projects after the transition occurs.

He committed to share (when known) more definitive information about EPCOR's engagement commitment, including the future of the Task Force. This would include information about whether EPCOR would continue with the Task Force and if so, if there would be any changes to its scope.

8. Backwater Valves

Mr. Medlock shared that he had a backwater valve installed in his home, which has given him peace of mind. City staff was helpful in coming to his home to provide advice and he received the full rebate offered by the City. Ms. McNaught will invite the Home Flood Prevention Checkup team to set up an information table at the June 7 meeting.

Mr. Medlock also noted results of his investigation into flooding insurance riders, which ranged from \$125-\$500 per year. He passed on a request from Ms. Messer that a sinkhole in front of her property be investigated as she suspects it was caused by City activity. Mr. Fei said he would follow-up directly with her.

9. Minutes/Meeting Scheduling

Mr. Canada requested that minutes of Task Force meetings be provided for review by all Task Force members within 1-2 weeks of the meeting so discussions are fresh in people's minds. He felt it was inappropriate that City staff review and approve the minutes first as that suggested sanitizing of the information. The Task Force agreed with his request and Mr. Huybregts committed to do so.

Mr. Canada also requested that, in future, all members be polled for meeting availability and a date selected that fits the majority. While it was noted the availability of key City staff was important, it should not override what works for most Task Force members. Mr. Huybregts committed to do and noted he would not schedule future meetings on a Monday, as he was now aware that this conflicted with a long-term commitment of Ms. Baker's.

10. Next Meeting

It was agreed the next Task Force meeting would be held 1-2 weeks prior to the tentatively scheduled September pre-construction open house for the Malcom Tweddle & Edith Rogers Dry Pond and Sewer Improvements project. It was understood this may require the Task Force meeting to occur prior the September long weekend.