



Legislation Details (With Text)

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|------------------------|------------|----------------------|---|--------------|--|
| File #: | 12-1373 | Version: | 1 | Name: | 12/3/12 - SRF 2013 Project Implementation - Street Tree Planting |
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| File created: | 12/3/2012 | In control: | | | City Council |
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| Enactment date: | 12/3/2012 | Enactment #: | | | R-12-545 |

Title: Resolution to Petition the Washtenaw County Water Resources Commissioner for the City of Ann Arbor FY2014 Tree Planting Project in the Huron River Green Infrastructure Drainage District (Total Cost: \$300,000.00; City's Apportionment: \$300,000.00)

Sponsors:

Indexes:

Code sections:

Attachments: 1. petition.pdf

| Date | Ver. | Action By | Action | Result |
|-----------|------|--------------|----------|--------|
| 12/3/2012 | 1 | City Council | Approved | Pass |

Resolution to Petition the Washtenaw County Water Resources Commissioner for the City of Ann Arbor FY2014 Tree Planting Project in the Huron River Green Infrastructure Drainage District (Total Cost: \$300,000.00; City's Apportionment: \$300,000.00)

Attached for your approval is a resolution to petition the Washtenaw County Water Resources Commissioner (WCWRC) to undertake a project to design and implement stormwater control measures throughout the City, through a Citywide Tree Planting Project.

These improvements will reduce the amount of stormwater entering the City's stormwater piping network and reduce contaminant loading to the downstream creeks and the Huron River. The proposed improvements will improve water quality and reduce localized flooding in the project areas. The trees will be planted during the fiscal year 2014 (Fall 2013 - Spring 2014). The plantings will be done both in the fall and the spring.

Nearly 36% of the land draining to the Huron River and its tributaries is impervious, and as a result, stormwater frequently enters the river too quickly, causing localized and regional flooding during certain rain events. These rain events also carry pollutants from impervious areas to the creek, lowering water quality. The City falls within the Total Maximum Daily Load (TMDL) area of the Huron River for phosphorus and E. coli from storm water. In addition, there are several creeks that have a creek-specific TMDL for Biota, which is attributed to unstable flow regimes, reduced bank stability, bank erosion, sedimentation and reduced stream quality due to excessive runoff/washout throughout the highly urbanized watershed. The metric used for address the TMDL is the amount of Total Suspended Solids (TSS) found within the creek habitat profile.

Since the project focus is on water quality improvement, it is eligible for low-interest (2.0%) State Revolving Fund (SRF) loan funding, and this project has been included on the Project Priority List (PPL) for SRF loan funding. This project, along with four others submitted by the WCWRC within the

City, has been classified as a "green project," which may result in up to 50% loan forgiveness.

A formal petition from the City is required to move this project to implementation. The Huron River Green Infrastructure Drainage District is an established Chapter 20 County Drain. Therefore, the work to implement control measures falls under the jurisdiction of the Washtenaw County Water Resources Commissioner. As an established drain, the costs of the project are assessed to the governmental entities within the drainage district area. The total cost of this project is estimated at \$300,000.00. The City's apportionment of this drainage district is 100% of the district. Therefore, the City's share will be \$300,000.00.

As the Water Resources Commissioner will be assessing the City over a maximum of 20 years for this project, the City will not have to expend the full cost of this project at the time of construction. Rather, the reimbursement of the Water Resources Commissioner will be paid over the financing period, with installments not to exceed \$18,250.00 per year. The first payment will be included in the proposed Storm Water Fund Operation and Maintenance Budget for FY14 and subsequent payments will be included in the annual stormwater budget submittals. The resolution authorizes the annual payment to the County for this project from the Storm Water Fund (Fund 0069) pending annual budget approvals by Council.

Prepared by: Jennifer Lawson, Water Quality Manager

Reviewed by: Craig Hupy, Public Services Area Administrator

Approved by: Steven D. Powers, City Administrator

Whereas, The State of Michigan has established a Total Maximum Daily Load (TMDL) for phosphorus and E. coli reduction within the Huron River;

Whereas, Huron River Green Infrastructure Drainage District is within the area covered by the phosphorus and E. coli TMDLs;

Whereas, The State of Michigan has established a Total Maximum Daily Load (TMDL) for biota within several creeks within Ann Arbor;

Whereas, The City Council intends to file with the Washtenaw County Water Resources Commissioner for a petition to clean out, relocate, widen, deepen, straighten, extend, tile, interconnect, or otherwise improve the Huron River Green Infrastructure Drainage District pursuant to Section 482 of Chapter 20 of the Drain Code of 1956 (MCL 280.482);

Whereas, It is the desire of the City Council to have the Mayor and Clerk sign and file the necessary petition with the Washtenaw County Water Resources Commissioner; and

Whereas, A suggested form of such petition is now presented to the City Council;

RESOLVED, The City Council hereby determines to proceed with the proposed project for the Huron River Green Infrastructure Drainage District;

RESOLVED, The Mayor and Clerk be hereby authorized and directed to execute such petition for and on behalf of the City and to file the same with the Water Resources Commissioner of the County of Washtenaw;

RESOLVED, The City Council hereby consents to the location of the proposed clean out, relocation, widening, deepening, straightening, extending, tiling, interconnecting or otherwise improving the

Huron River Green Infrastructure Drainage District within the limits of the City and the assessment of a portion of the cost of such improvements, so located, against the City; and

RESOLVED, That the assessment (approximately \$300,000.00, plus interest) will be paid in twenty annual installments not to exceed \$18,250.00/annum with the first payment from the proposed Storm Water Fund Operation and Maintenance Budget for FY14 and subsequent payments from the Storm Water Fund (Fund 0069) pending annual budget approvals by Council.