



## Legislation Details (With Text)

**File #:** 17-1883      **Version:** 2      **Name:** 2/5/18 - Approval of TAP funding for Allen Creek Berm Opening  
**Type:** Resolution      **Status:** Passed  
**File created:** 2/5/2018      **In control:** City Council  
**On agenda:** 2/5/2018      **Final action:** 2/5/2018  
**Enactment date:** 2/5/2018      **Enactment #:** R-18-033

**Title:** Resolution to Approve and Appropriate Transportation Alternative Program Project Funding for the Allen Creek Railroad Berm Opening Project (\$971,250.00/\$614,255.00) (8 Votes Required)

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. Allen Creek Berm Site Plan Nov 2017.pdf

Date	Ver.	Action By	Action	Result
2/5/2018	2	City Council	Approved	Pass

Resolution to Approve and Appropriate Transportation Alternative Program Project Funding for the Allen Creek Railroad Berm Opening Project (\$971,250.00/\$614,255.00) **(8 Votes Required)**  
Attached for your review and approval is a resolution to approve a Transportation Alternatives Program (TAP) Grant to fund improvements for the Allen Creek Railroad Berm Opening Project. The City of Ann Arbor was awarded \$971,250.00, which will fund a portion of the non-motorized elements of the Allen Creek Berm Opening Project.

In December of 2013, the City and its consultant, OHM Advisors, completed a feasibility study to determine if it was possible to create openings in the railroad berm to accommodate passage of floodwaters, as well as to allow pedestrians to cross safely under the railroad to get to the park facilities to the north. The feasibility study indicated that it would be possible to lower the floodplain elevation in the area by as much as 6.5 feet as well as accommodate non-motorized access under the railroad.

The project aims at creating a new pedestrian connection linking downtown Ann Arbor and its neighborhoods with the Border to Border (B2B)/Iron Belle Trail through the railroad berm in the vicinity of the Allen Creek. Pedestrian access is acceptable to the Michigan Department of Transportation (MDOT), who is the owner of the railroad.

As required by the TAP grant, the City is committing to funding and implementing a maintenance program over the design life of the facility constructed with TAP funds.

On June 27, 2016, the Michigan State Police-Emergency Management Division (MSP-EM) provided City Staff with a FEMA Hazard Mitigation Assistance Grant agreement for the first phase of a two phase project to create openings in the railroad berm. Phase one consisted of the engineering design, development of construction plans, and preparation of the phase two hazard mitigation grant application.

On January 3, 2017, City Council authorized a Professional Services Agreement with Bergmann Associates, Architects, Engineers, Landscape Architects & Surveyors, D.P.C. (Bergmann) to assist staff in developing and preparing the construction plans and the hazard mitigation grant application, which has now been submitted. Phase two is the construction phase, and is expected to occur in the summer/fall of 2018.

Budget/Fiscal Impact

Matching funds for a FEMA Hazard Mitigation Grant have been established in the approved City of Ann Arbor Capital Improvement Plan (split between design FY 2017 and construction FY 2018) and included in the approved Stormwater Utility Capital Budget. The cost of the non-motorized/pedestrian tunnel is not included in the FEMA grant. Funding for the non-motorized/pedestrian portion estimated costs is as follows:

Stormwater Portion of Project Funding:

FEMA	\$3,713,429.48
Stormwater utility	<u>\$1,420,459.83</u>
Total:	\$5,133,889.31

Pedestrian Portion of Project Funding:

TAP Grant	\$971,250.00
Alternative Transportation Fund	\$705,000.00
STP Funding (Advanced from Major St Fund)	\$314,255.00
MDNR Trust Fund (Advanced from Major St Fund)	<u>\$300,000.00</u>
Total:	\$2,290,505.00

Prepared by: Nicholas Hutchinson, P.E., City Engineer

Reviewed by: Craig Hupy, Public Services Area Administrator

Approved by: Howard S. Lazarus, City Administrator

Whereas, The Allen Creek Railroad Berm Opening project is included in the 2017-2022 Capital Improvements Plan (CIP);

Whereas, It is desired to create openings in the railroad berm to accommodate passage of floodwaters and to allow pedestrians to cross safely under the railroad to access the park facilities to the north;

Whereas, The Transportation Alternatives Program (TAP) grant is a federally funded program administered in Michigan by the Michigan Department of Transportation (MDOT);

Whereas, The City of Ann Arbor has been awarded the a TAP program grant in the amount of \$971,250.00;

Whereas, The City of Ann Arbor has been awarded an MDNR Trust Fund Grant in the amount of \$300,000.00, subject to approval by the Michigan legislature;

Whereas, The City of Ann Arbor has designated funding to provide matching construction funds in the amount of \$705,000.00 in its approved Alternative Transportation Fund Capital budget which are available for expenditure;

Whereas, \$614,255.00 is available in the Major Street Fund fund balance to front much of the STP

and MDNR Trust Fund grant funding until grant reimbursement is received;

Whereas, The City of Ann Arbor has committed to funding the construction of the Allen Creek Railroad Berm Opening Project, as specified in the TAP application;

Whereas, The City of Ann Arbor is required to commit to implementing, operating, and funding an on-going maintenance program for the design life of the facility constructed with the TAP funding after construction; and

RESOLVED, That the City of Ann Arbor is committed to construction of the Facility and has approved the necessary funding in its capital budgets for local (non-federal) match funds and related non-participating costs to be expended during the life of the project without regard to fiscal year;

RESOLVED, That the \$971,250.00 TAP grant funds be appropriated to the existing Allen Creek Berm Opening project budget, increasing the expenditure and revenue budgets accordingly;

RESOLVED, That \$614,255.00 be appropriated from the Major Street Fund fund balance to the existing Allen Creek Berm Opening project budget, increasing the expenditure and revenue budgets accordingly, to be reimbursed at the completion of the project by STP and MDNR Grant Funds;

RESOLVED, That the City of Ann Arbor commits to funding, implementing and operating a maintenance program over the design life of the facility constructed with TAP funds from available Parks and Recreation Maintenance and Capital Improvement millage funds and/or City general funds;

RESOLVED, That the City Engineer be designated as the City's agent for purposes of project development and TAP grant administrative actions, including the authority to execute on behalf of the City the required project agreement and such other documents as MDOT may reasonably request subject to approval as to form by the City Attorney; and

RESOLVED, That the City Administrator be authorized and directed to take such other actions as may be necessary to implement this Resolution.