



Legislation Details (With Text)

File #: 24-1346 **Version:** 1 **Name:** 9/3/24 - WCWRC Petition - Briarwood Mall Ponds
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File created: 9/3/2024 **In control:** City Council
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Title: Resolution to Petition the Washtenaw County Water Resources Commissioner to Design and Construct Basin Retrofits in the Malletts Creek Drainage District at Briarwood Mall to Reduce Downstream Flooding and Improve Water Quality (Total Cost: \$1,275,168.00; City's Apportionment: \$950,000.00)

Sponsors:

Indexes:

Code sections:

Attachments: 1. AA Malletts Briarwood Petition.pdf

Date	Ver.	Action By	Action	Result
9/3/2024	1	City Council	Approved	Pass

Resolution to Petition the Washtenaw County Water Resources Commissioner to Design and Construct Basin Retrofits in the Malletts Creek Drainage District at Briarwood Mall to Reduce Downstream Flooding and Improve Water Quality (Total Cost: \$1,275,168.00; City's Apportionment: \$950,000.00)

Attached for your approval is a resolution to petition the Washtenaw County Water Resources Commissioner (WCWRC) under Chapter 20 of the Drain Code to Design and Construct Basin Retrofits in the Malletts Creek Drainage District at Briarwood Mall to Reduce Downstream Flooding and Improve Water Quality.

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, as well as downstream. The Huron River is subject to a total Maximum Daily Load (TMDL) restriction by the State of Michigan for suspended solids, E. coli and phosphorous.

A formal petition from the City is required to move this project to implementation. The Malletts Creek Drainage District is an established Chapter 20 County Drain. Therefore, the work to implement control measures falls under the jurisdiction of the WCWRC.

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 \$1,275,168.00. The City's apportionment of this drainage district is 74% of the district. Therefore, the City's share will be \$950,000.00.

As the WCWRC will be assessing the City via direct invoice for this project, monthly invoices will be paid by the City as the project progresses.

Budget/Fiscal Impact: The project has been identified in the approved Capital Improvements Plan, project number UT-ST-14-24. Partial funding is available in the approved FY25 Stormwater Fund Capital Budget, remaining funds will be available in future years if so, approved by Council.

Prepared by: Jennifer Lawson, Water Quality Manager

Reviewed by: Sue F. McCormick, Interim Public Services Area Administrator

Approved by: Milton Dohoney Jr., City Administrator

Whereas, Continued high-intensity storm events indicate a need to augment flood protection and resilience in the stormwater system;

Whereas, There are Clean Water Act related Total Maximum Daily Loads (TMDLs; i.e. water quality targets) for phosphorus, biota and E. coli within the Huron River;

Whereas, Malletts Creek Drainage District is within the area covered by the TMDLs;

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 conveyance and flood storage at the Briarwood mall area of the county drain known as Malletts Creek Drain 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 drain project for the Malletts Creek Drain Drainage District as more fully described in the petition attached hereto as Attachment 1;

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 Briarwood Mall portion of the Malletts Creek Drain 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 \$950,000.00) will be paid via the Stormwater Fund Capital Budget throughout the project.