



Legislation Text

File #: 13-0732, **Version:** 1

Resolution to Petition the Washtenaw County Water Resources Commissioner to Undertake a Project to Make Improvements to the Stormwater System for Stone School Road, Including Improvements to Malletts Creek (Stormwater portion: \$1,200,000.00; Project total: \$4,000,000.00) Attached for your approval is a resolution to petition the Washtenaw County Water Resources Commissioner (WCWRC) to undertake a project to make improvements to Stone School Road, including bioswales, stormwater management improvements and streambank stabilization improvements to portions of Malletts Creek. These improvements will provide water quality improvements in the creekshed. The Malletts Creek Drainage District, which includes the City, is subject to a Total Maximum Daily Load (TMDL) restriction by the State of Michigan for suspended solids, E. coli and phosphorus. The project will design and construct the cleaning, dredging, re-shaping, and streambank stabilization associated with the drainage ditch between Stone School Road and Malletts Creek, as well as, Malletts Creek itself. In addition, this project will include design and construction services for the installation of the proposed replacement culvert (either box or circular) under Old Stone School Road.

Because the project focus includes water quality improvement, it is eligible for low-interest State Revolving Fund (SRF) loan funding, and this project has been included on the Project Priority List (PPL) for SRF loan funding. Portions of this project have been classified as a "green project," which may result in up to 50% loan forgiveness. Therefore, of the total \$1,200,000.00 stormwater project cost, if granted forgiveness, only \$600,000.00 may need to be repaid to the State.

A formal petition from the City is required to move this project to construction. Malletts Creek is an established Chapter 20 County Drain. Therefore, the work to improve the basin and other stormwater control measures falls under the jurisdiction of the Washtenaw County Water Resources Commissioner.

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 \$76,307.00.00 per year. The first payment is included in the approved Storm Water Fund budget for FY 2014 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, Stone School Road is part of the Malletts Creek Drainage District;

Whereas, City staff have identified the need for stormwater management improvements within the Malletts Creek Drainage District;

Whereas, The improvements will provide water quality improvements and improve the integrity of the stormwater system;

Whereas, The City Council intends to file with the Water Resources Commissioner for Washtenaw County a petition to clean out, relocate, widen, deepen, straighten, extend, tile, interconnect, or otherwise improve a portion of the county drain located north of Ellsworth Road between Varsity Drive and Stone School Road, known as the 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 a 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 \$1,200,000.00) will be paid in twenty annual installments not to exceed \$76,307.00/annually from the Stormwater Fund (Fund 0069) Operating Budget, beginning in FY2014, pending annual budget approvals by City Council.