

AGREEMENT BETWEEN  
THE WASHTENAW COUNTY WATER RESOURCES COMMISSIONER  
AND  
THE CITY OF ANN ARBOR  
FOR A RAIN GARDEN PROGRAM

This Agreement (“Agreement”) is made and entered into this \_\_\_ date of \_\_\_\_\_, 2019, by and between Washtenaw County, on behalf of the Washtenaw County Water Resources Commissioner, hereinafter referred to as “County,” and the City of Ann Arbor, a Michigan municipal corporation, hereinafter referred to as “City,” for the purpose of fixing the rights and obligations of the parties relative to the Rain Garden Program, hereinafter referred to as the “Program.” Relevant details of the Program are set forth in Exhibit A, which is attached hereto and incorporated herein by reference.

Whereas, it is beneficial to the environment and the community to install rain gardens to promote stormwater infiltration, reduce stormwater volumes, and clean stormwater;

Whereas, rain gardens installed upstream in the headwaters of a watershed are the most effective, consequently, capturing runoff from privately-owned impervious roofs and driveways in the community and infiltrating it via rain gardens will make a positive impact on downstream water quality;

Whereas, community members who have installed their own rain garden become advocates and sources of information about rain gardens;

Whereas, installing well-maintained, attractive rain gardens provide a visible advertisement for others to install rain gardens on their own property;

Whereas, a rain garden program fits the need for both entities to engage in public involvement, public participation, public education and post-construction stormwater best management practices under the NPDES stormwater permitting program;

Therefore, in consideration of the premises and of the mutual undertakings of the parties and in conformity with applicable law, the City and the County agree:

1. The City and the County shall jointly fund a Rain Garden Assistance Program, which includes assisting landowners with installation of their own rain gardens.
2. The City and the County shall jointly fund a Master Rain Gardener Certification program, which shall train and support individuals to design and install rain gardens.
3. The costs of these rain garden programs shall be shared by the City and the County. The City will contribute to the costs of these programs as listed in Exhibit A of this Agreement.

4. The Washtenaw County Water Resources Commissioner's Office shall hire and provide administrative and IT support for a full-time, Rain Garden Coordinator position to administer the rain garden programs.
5. The period of this contract is one year, from July 1, 2019, to June 30, 2020.
6. The City will pay the County the City's portion of the program budget in July for the upcoming year. The County, through the Washtenaw County Water Resources Commissioner, will administer the program, with input from the City.

Each of the persons signing this Agreement represents and warrants that he or she has authority to sign this Agreement on behalf of the Washtenaw County Water Resources Commissioner or the City of Ann Arbor, respectively.

CITY OF ANN ARBOR

WCWRC

By: \_\_\_\_\_  
 Howard Lazarus (DATE)  
 City Administrator

By: \_\_\_\_\_  
 Gregory Dill (DATE)  
 County Executive

APPROVED AS TO SUBSTANCE:

APPROVED AS TO CONTENT:

\_\_\_\_\_  
 Craig Hupy, P.E. (DATE)  
 Public Services Area Administrator

\_\_\_\_\_  
 Evan N. Pratt, P.E. (DATE)  
 Water Resources Commissioner

APPROVED AS TO FORM AND CONTENT:

APPROVED AS TO FORM:

\_\_\_\_\_  
 Stephen K. Postema (DATE)  
 City Attorney

\_\_\_\_\_  
 Curtis N. Hedger (DATE)  
 Corporation Counsel

ATTESTED TO:

\_\_\_\_\_  
 Lawrence Kestenbaum (DATE)  
 County Clerk/Register

## EXHIBIT A

### **FY2020 Rain Garden Program**

#### **Goals:**

- To improve water quality in rivers, lakes and streams by capturing and infiltrating storm water runoff from impervious surfaces at the point of concentration.
- To establish rain gardens as a viable method of infiltrating runoff by providing well-maintained, attractive examples in the community as inspiration to others to install rain gardens on their own property.
- To train members of the community who are committed to pass along this knowledge to others.
- To create a network of functioning, attractive rain gardens throughout the county.
- To meet requirements under the NPDES storm water permitting program by engaging in public involvement, public participation, public education and post-construction storm water best management practices.
- To enable residents to design raingardens that meet eligibility requirements for the City's Stormwater Utility Credit Program.

#### **Objectives:**

- Offer a Master Rain Gardener Certification program, which shall train and support individuals to design and install rain gardens. The class will be five 3-hour classes, with room for 30+ trainees, and open to the general public.
- Offer onsite design and build consultation for Ann Arbor residents who wish to build a rain garden.
- Provide ongoing coordination and support of a community of Rain Gardeners, who can spread knowledge and hands on experience about rain gardens to others in the broader community.
- Engage in outreach and publicity promoting the value of creating Rain Gardens.

#### **Financial:**

- The County shall submit one annual invoice to the City including all staff time (at a fully burdened billable rate).
- Annual payment for services shall not exceed \$30,000 for the 1-year service period.