



# City of Ann Arbor

301 E. Huron St.  
Ann Arbor, MI 48104  
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## Council Action

Resolution: R-19-067

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File Number: 19-0105

Enactment Number: R-19-067

Resolution to Accept and Appropriate the Second Phase of a Hazard Mitigation Assistance Grant from FEMA to Construct Openings in the Railroad Berm to reduce the Floodplain of Allen Creek (\$4,360,980.00) **(8 Votes Required)**

Whereas, The railroad berm near the mouth of Allen Creek is perpendicular to the flow of flood water and causes the floodplain depth to be as deep as 10 feet (upstream of the influence of this berm, flood depths are more typically in the 3 to 5 foot range);

Whereas, Opening the railroad berm to reduce flood depth is a recommendation of the City of Ann Arbor 2007 Flood Mitigation Plan (project #51);

Whereas, The City of Ann Arbor 2017 and 2012 Hazard Mitigation Plans reference the 2007 Flood Mitigation Plan and reiterates this same recommendation;

Whereas, The FEMA approved City of Ann Arbor 2017 Hazard Mitigation Plan makes the City eligible for Hazard Mitigation Grants;

Whereas, The shared-use non-motorized path through the railroad berm is recommended in the Non-motorized Transportation Plan and the Treeline - Allen Creek Urban Trail Master Plan;

Whereas, On August 15, 2016 the City of Ann Arbor passed a resolution (R-16-331) to accept a phased FEMA Hazard Mitigation Assistance Grant (Project # HMGP P4195.16) agreement for the design (Phase 1) of a project to create openings in the railroad berm;

Whereas, On January 3, 2017 the City of Ann Arbor approved resolution (R-17-004) to authorize a professional services agreement with Bergmann Associates, Architects, Engineers, Landscape Architects & Surveyors, D.P.C. (Bergmann) for the design of the Allen Creek Railroad Berm Opening Project;

Whereas, The City has received a Conditional Letter of Map Revision (CLOMR) from FEMA documenting that the floodplain will be reduced from 0 to 6.5 feet, from Felch Street to the Railroad berm, if the project is constructed as planned;

Whereas, If the berm is opened, 31 structures will have reduced flood depth and risk;

Whereas, In that case, several structures will no longer be in the floodplain and substantial reductions in flood insurance rates could be realized by the affected properties;

Whereas, FEMA determined that only the flood mitigation aspect of the project could be

funded through the hazard mitigation grant program;

Whereas, The construction cost attributable to flood mitigation is \$4,360,980.00;

Whereas, Funds for the City's \$1,090,245.00 match have been programmed in the City of Ann Arbor Capital Improvement Plan and Stormwater Utility Capital Budget; and

Whereas, The Stormwater and Floodplain Program Coordinator will be responsible for the FEMA grant management;

RESOLVED, That the City accept and appropriate the Federal Emergency Management Agency grant of \$3,270,753.00 for Phase Two of the Allen Creek Berm Opening Project;

RESOLVED, City matching funds be appropriated from the Stormwater Capital Budget to the existing Allen Creek Berm Opening Project within the Major Grant Fund (Fund 00MG); thereby, increasing both the revenue and expenditure budgets; and

RESOLVED, That City Council authorize the Mayor, City Clerk and City Administrator to execute all documents necessary to complete the Grant requirements for the construction phase of this project, after approval as to form by the City Attorney.

At a meeting of the City Council on 2/19/2019, a motion was made by Chip Smith, seconded by Elizabeth Nelson, that this Resolution R-19-067 be Approved. The motion passed.

**Yeas:** 0

**Nays:** 0