



Legislation Details (With Text)

**File #:** 12-1253      **Version:** 1      **Name:** 10/1/12 - Miller Ave SRF Petition  
**Type:** Resolution      **Status:** Passed  
**File created:** 10/1/2012      **In control:** City Council  
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**Title:** Resolution to Petition the Washtenaw County Water Resources Commissioner to Design and Construct Stormwater Management Control Measures on Miller Avenue in the Allen Creek Drainage District to Reduce Downstream Flooding and Improve Water Quality (Total Project Cost: \$6,505,000.00; Stormwater Portion: \$300,000.00)

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. PETITION & DESC.PDF

Date	Ver.	Action By	Action	Result
10/1/2012	1	City Council	Approved	Pass

Resolution to Petition the Washtenaw County Water Resources Commissioner to Design and Construct Stormwater Management Control Measures on Miller Avenue in the Allen Creek Drainage District to Reduce Downstream Flooding and Improve Water Quality (Total Project Cost: \$6,505,000.00; Stormwater Portion: \$300,000.00)

Attached for your approval is a resolution to petition the Washtenaw County Water Resources Commissioner (WCWRC) to undertake a project to design and construct stormwater management control measures on Miller Avenue, between North Maple Road and Newport Road.

The proposed Miller Avenue Improvements project will reconstruct the existing corridor using a traditional road surface, with management of storm flow in rain gardens and infiltration basins within the right-of-way.

These stormwater management 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 City is subject to a Total Maximum Daily Load (TMDL) restriction by the State of Michigan for biota (total suspended solids), E. coli and phosphorus. The proposed improvements will improve water quality and reduce localized flooding in the project areas and downstream.

Nearly 36% of the land draining to the Huron River and its tributaries is impervious, and as a result, stormwater frequently enters the river too quickly, causing localized and regional flooding during certain rain events. These rain events also carry pollutants from impervious areas to the creeks, lowering water quality. The City falls within the Total Maximum Daily Load (TMDL) area of the Huron River for phosphorus and E. coli from storm water.

Since the project focus is on 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. This project has been classified as a "green project," which may result in up to 50% loan forgiveness.

A formal petition from the City is required to move this project to construction. The Allen Creek Drainage District is an established Chapter 20 County Drain. Therefore, the work to implement control measures falls under the jurisdiction of the Washtenaw County Water Resources Commissioner. As an established drain, the costs of the project are assessed to the governmental entities within the drainage district area. The total cost of the Miller Avenue Improvements Project is estimated at \$6,505,000.00. The stormwater quality management portion of this project that is being financed with State Revolving Funds (SRF) is \$300,000.00 and has been approved for a low interest (2.5%) (SRF) loan, which will be secured by the County in response to this petition. The reason for financing a portion of the stormwater improvements with SRF, is the potential eligibility for 50% loan forgiveness. The City's apportionment of this stormwater work within the drainage district is 100% of the district. Therefore, the City's share will be \$300,000.00 for financing the stormwater improvements through the County to the SRF.

The Water Resources Commissioner will be assessing the City over a maximum of 20 years for this project, with installments not-to-exceed \$19,244.14 per year. The first payment is included in the approved Storm Water Fund Capital Budget for FY14 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, P.E., Interim Public Services Administrator  
Approved by: Steven D. Powers, City Administrator

Whereas, There is a Total Maximum Daily Load (TMDL) for phosphorus and E. coli reduction within the Huron River;

Whereas, the Allen Creek Drainage District is within the area covered by the phosphorus and E. coli 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 the Allen Creek Drainage District 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 Allen Creek 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 Allen Creek Drainage District 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 \$300,000.00, plus interest) will be paid in twenty annual installments not to exceed \$19,244.14 /annum from the Capital Budget of the Stormwater Fund (Fund 0069), beginning in FY14.