

**BOARD OF DIRECTORS OF THE DEPARTMENT OF STORMWATER
MANAGEMENT**

RESOLUTION 15-04

**A RESOLUTION OF THE GREENWOOD BOARD OF DIRECTORS OF THE
DEPARTMENT OF STORMWATER MANAGEMENT ADOPTING PUBLIC PRIVATE
PARTNERSHIP PROGRAM**

WHEREAS, the Board of Directors of the Department of Stormwater Management of the City of Greenwood (“Board”) is the executive board charged with managing the City’s Stormwater Utility and Department of Stormwater Management (“Department”);

WHEREAS, Greenwood Municipal Code § 9-193 provides that the Board shall authorize disbursements from the Stormwater Management Fund for the operation, maintenance and improvement of the District’s Stormwater management system, for reimbursement to the City for past and future Stormwater management system maintenance and administration, and to achieve the goals and purposes of Chapter 9, Article 4 of the Municipal Code;

WHEREAS, Greenwood Municipal Code § 9-150 includes among the purposes and objectives of the Department of Stormwater Management to “insure the City’s compliance with its NPDES Stormwater Discharge permit and to encourage environmentally responsible stormwater management in both private and public sectors.”

WHEREAS, the Board believes that the purposes and objectives of the Department may be assisted through the formation of a public private partnership program; and

WHEREAS, standardized criteria and requirements are necessary and proper to the establishment of such a program.

NOW, THEREFORE, BE IT RESOLVED BY THE GREENWOOD BOARD OF DIRECTORS OF THE DEPARTMENT OF STORMWATER MANAGEMENT OF THE CITY OF GREENWOOD, INDIANA THAT:

The Board hereby adopts a Public Private Partnership Program which shall comply in all respects with the following standards and requirements.

Section 1. Purpose and Objectives of Program. The Public Private Partnership will offer support and incentives to assist residential and non-residential Greenwood Stormwater customers to encourage the construction and development of innovative green infrastructure and programs to facilitate the safe and efficient capture and conveyance of stormwater run-off; mitigate the damaging effects of stormwater run-off; correct stormwater collection and conveyance programs; and improve stormwater quality throughout the District to benefit of the public health, safety, and welfare. The Partnership Program is designed to stimulate investment and utilization of Stormwater Best Management Practices that go above and beyond the minimums required by the Municipal Code and Stormwater Technical Manual.

Section 2. Eligible Projects. Eligible projects shall be innovative capital projects and non-capital educational campaigns that facilitate and further the policies and objectives of the Stormwater Department to encourage utilization of Stormwater Best Management Practices and go beyond the minimum requirements contained in the Municipal Code and Stormwater Technical Manual.

Section 3. Eligible Entities or Persons. Eligible entities shall include, but not necessarily be limited to, private property owners who own the entirety of the real property over which the improvement is to be made; not-for-profit and educational institutions; and homeowners’ associations and community groups that are registered corporate entities who own property.

Section 4. Application Process. Interested eligible entities or persons must complete the Stormwater Public Private Partnership Application attached hereto as **Exhibit A**. Applications should allow at least sixty (60) days for internal review of the proposal. Once staff, and outside consultants (if warranted), have finished their review, the proposal shall be submitted to the Board for a final determination. The Board will evaluate the proposal at a public meeting and render a decision on the proposal in writing.

Section 5. Evaluation Criteria. Proposed projects shall be evaluated on a variety of criteria, including, but not necessarily limited to: 1) the total volume of run-off managed; 2) the water quality benefits of the project; 3) the amount of area of individuals impacted by the project; 4) the use of innovative green technology or messaging; 5) the public education and outreach components of the project; 6) the ability to leverage other funding sources including private money, grants, and donations; 7) creativity; 8) timing and length of the project; 9) budgeting and financial considerations; and 10) the project's compatibility with the overall aims and goals of the Department.

Section 6. Conditions of Participation in Program. Entities or persons selected to participate in the Partnership Program ("Recipients") must enter into a Public Private Partnership Agreement in a form approved by the Board that will outline all of the requirements and conditions of the parties' agreement. Such an Agreement must be entered into prior to the Department advancing any funds towards the project. Recipients of capital projects must agree to be bound by the latest version of the Greenwood Municipal Code, Chapter 9, Article 4 and to comply with the latest version of the Stormwater Technical Manual. Recipients of capital projects will be required to execute an Access, Operations, and Maintenance Agreement for the real property at issue that must be recorded in the chain of title for the property. Recipients of capital funds will be required to ensure that BMPs remain in place, shall be subject to the City's annual inspection of the structure, and will be required to provide the Department of Stormwater Management with a yearly report documenting the maintenance of the BMP. Recipients must provide the City access to the Stormwater infrastructure through a formal recorded document so that the City may enter upon the property for the purposes of testing and inspecting the Stormwater infrastructure, should it ever become necessary for the City to do so.


Recipients of non-capital funding for public outreach or education campaigns shall be required to grant the City a license agreement to utilize any produced materials and to provide the City with reports and updates regarding the progress of the campaign.

Selected non-residential recipients may be eligible to receive Stormwater Quality Credits, Stormwater Quantity Credits, Retrofit Credits or Education Credits found in the Stormwater Credit Manual in addition to incentives if the project qualifies. These credits may not be applied for until a period of three (3) years has elapsed from the date of successful completion of the Stormwater Project. These credits may be applied toward monthly Stormwater service charges pursuant to Greenwood Municipal Code § 9-192.


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PASSED BY THE BOARD OF DIRECTORS OF THE DEPARTMENT OF
STORMWATER MANAGEMENT OF THE CITY OF GREENWOOD, INDIANA this 14
day of October, 2015.

BOARD OF DIRECTORS OF THE
DEPARTMENT OF STORMWATER
MANAGEMENT



Gregory Hill



Tug Sutton



David Payne

ATTEST:



Lori Barrett, Recording Secretary