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TO: Mayor and Council

FROM: Derek Delacourt, Community Services Area Administrator  
Tom Crawford, CFO  
Steve Schantz, Safety Manager

CC: Howard S. Lazarus, City Administrator

SUBJECT: Council Agenda Responses

DATE: 11/14/16

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**B- 2 – An Ordinance to Amend Section 9:261, 9:262, 9:263, 9:269 and 9:274 of Chapter 115 (Weapons and Explosives) of Title IX of the Code of the City of Ann Arbor (Ordinance No. ORD-16-22)**

**Question:** During the discussion at the Oct 17<sup>th</sup> meeting, it was not clear to me if the device that projects the tranquilizer darts for the non-lethal program are considered firearms - the definition of firearm in 9:621 (2) seems to suggest it is - and whether changes to this ordinance are necessary for the non-lethal deer management program as well as the lethal program. Can you please clarify? (Councilmember Lumm)

**Response:** The term “firearm” under Parts 401 and 435 of Natural Resources and Environmental Protection Act includes pneumatic guns which use BB or pellets as projectiles. The definition does not include “dart.” The amendments to Chapter 115 bring the Code into compliance with State law for the program in its entirety.

**DS-1 – Resolution to Approve a Contract with White Buffalo, Inc. for Combined Surgical Sterilization and Sharpshooting Management Services for the City’s Deer Population (\$153,940), Amend the FY17 Budget and Appropriate Necessary Funds (\$97,795) (8 Votes Required)**

**Question:** The cost of non-lethal deer herd management is 3x what was budgeted. Are there any credible offers to help cover the difference in cost? (Councilmember Warpehoski)

**Response:** Exact timing & amounts for this on-going monitoring cannot be determined until additional data is collected. At this point in time, staff anticipates a couple of years of intensive data gathering followed by a reduction to a lower level of costs for on-going monitoring.

**Question:** Other costs:

At the work session, the cost of a citizen survey was quoted as \$20k. Could this effort be rolled into the biennial National Citizen Survey for a cost savings? (Councilmember Warpehoski)

**Response:** Staff anticipates a new deer survey to be much shorter than last year’s survey (reduced to 10-15 questions). When obtaining quotes for survey assistance, ICMA (who performs the National Citizen Survey) indicated it would cost \$1,500 per question that is added. In addition, they do not provide as much support developing the questions as staff had desired. At this point, staff does not consider the ICMA response to be a material savings given the scope of work and effort involved. However, it may be viable and less costly when on-going monitoring is established.

**Question:** Please describe the budget line item for “wildlife monitoring (vendor costs for tracking/processing data)”. (Councilmember Warpehoski)

**Response:** This line item reflects the placement of cameras to monitor deer activity along with analysis and counting of the herd to assist in determining the herd size. White Buffalo believes this to be an important monitoring process to help them develop a more refined proposal the next year.

**Question:** I would like to offer an amendment that will make the implementation of non-lethal methods contingent on some level of community funding. Are there any staff concerns with such an approach? Could that be done with a resolved clause along the lines of “Resolved, implementation of the non-lethal program shall be contingent upon a verified and credible pledge of \$\_\_\_\_\_ in outside funding by [Date].” (Councilmember Warpehoski)

**Response:** As indicated above, fundraising discussions are not mature enough at this time to be successful for this year’s non-lethal program. If this amendment is desired, staff recommends incorporating it in next year’s non-lethal program.

**Question:** There is no contract attached, but since the numbers are exactly the same as the October 15<sup>th</sup> White Buffalo proposal, I'm assuming that proposal is what we are voting on. Can you please confirm that is correct and that there are no other substantive changes from that proposal and what was reviewed with Council at the October 24<sup>th</sup> Work Session? (Councilmember Lumm)

**Response:** That is correct, the proposal discussed at the Oct. 24<sup>th</sup> Work Session is what's being recommended for Council's consideration tonight. There have not been any material modifications. The contract has been attached.

**Question:** Based on the discussion at the Work Session, I thought I heard that for the two areas where surgical sterilization is recommended, the sterilization in those areas would not mean that culling won't be done where possible in/adjacent to the two areas. Is that correct? (Councilmember Lumm)

**Response:** Correct.

**Question:** Have we heard anything since the Work Session from the University with regard to possible financial support, in-kind support, or utilizing University property for the proposed program? (Councilmember Lumm)

**Response:** Staff has had some informal discussions and anticipates an official response from the University of Michigan very soon. Please note that although some University financial assistance may be offered, City Council is still required to authorize an expenditure level consistent with the full contract. Any potential revenue from the University would go to offset incurred expenditures.

**Question:** Also, have we reached out to the HSUS or HSHV for financial and/or in-kind support and if so, what was the response? Also, local non-lethal groups have indicated there may be financial support available to help pay for the non-lethal program – are there any developments on that? (Councilmember Lumm)

**Response:** Staff has not reached out to the HSUS this year, but has spoken with the HSHV. The HSHV offered to assist the City in developing educational materials on managing the impacts of deer in the community. Staff also spoke with non-lethal proponents and discussed fundraising. At this time there is no verified financial support from outside agencies or groups.

**Question:** At the Work Session, the MDNR indicated it should not take an extended period for them to review the proposed surgical sterilization research project. Can you please provide the specific timeline for both the lethal and non-lethal MDNR approvals assuming DS-1 and DS-2 are approved by Council? (Councilmember Lumm)

**Response:** MDNR does not provide specific timeframes.

**Question:** Is the White Buffalo pricing proposal an all-nothing price or a menu price approach. In other words, if one of the elements (lethal or non-lethal) were eliminated, would the prices quoted for the other remain the same? (Councilmember Lumm)

**Response:** White Buffalo has indicated that if non-lethal is not approved by City Council, they could still proceed with the lethal program at the contract price proposed.

**DS-2 – Resolution to Approve a Contract with NatureWrite, LLC for Monitoring and Assessment of Deer Impacts in Ann Arbor Natural Areas (\$33,000), Amend the FY17 Budget and Appropriate Necessary Funds (\$15,750) (8 Votes Required)**

**Question:** What is the anticipated long-term monitoring arrangement? Should Council anticipate monitoring will be an annual expense at this level, or would we expect to have a more narrow and less expensive monitoring program after initial data are collected? (Councilmember Warpehoski)

**Response:** Exact timing & amounts for this on-going monitoring cannot be determined until additional data is collected. At this point in time, staff anticipates a couple of years of intensive data gathering followed by a reduction to a lower level of costs for on-going monitoring.

**Question:** At the October 24<sup>th</sup> Work Session, Dr. Courteau mentioned that she will be pursuing possible collaboration with UM and/or AAPS. Can you please provide any updates on that possible collaboration? Also, when is it expected the final piece of the year one study will be available? (Councilmember Lumm)

**Response:** There is one additional sampling session in this year's study. It's anticipated the final study will be completed and produced in early 2017