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TO: Mayor and Council

FROM: Sumedh Bahl, Community Services Area Administrator  
Jennifer Hall, Ann Arbor Housing Commission  
Craig Hupy, Public Services Area Administrator  
Nick Hutchinson, City Engineer  
John Seto, Police Chief and Safety Services Area Administrator

CC: Steven D. Powers, City Administrator

SUBJECT: Council Agenda Responses

DATE: 4/21/14

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**CA-3 – Resolution to Award a Contract to DLZ Michigan, Inc. to Design Repairs to the Wastewater Treatment Plan Access Bridget (\$32,752.07)**

**Question:** The contract is for the design of the short term repairs to the WWTP access bridge. Perhaps I missed it, but roughly how much are the actual repair costs expected to be? Also, are the repairs here complementary to what will be done in 2017 or just to get us to 2017 when the long term repairs are made? (Councilmember Lumm)

**Response:** A portion of the current contract is for under water assessment of the structure and river bottom. The current repair costs are anticipated to be approximately \$80,000 – \$100,000, but do not account for any underwater repairs that remain unknown. Any concrete repairs made to the piers are permanent and complementary to future work. Repairs made now will stop ongoing concrete deterioration and reduce the repair cost of future work.

**CA-4 – Resolution No. 2 – Newport Sidewalk Special Assessment**

**Question:** I am wondering why the Newport Rd. special assessment zone is in the consent agenda but the Scio Church special assessment zone is in "new business."

Is there some reason why the Scio Church project needs to be handled separately?  
(Councilmember Teall)

**Response:** The Scio project requires Council to approve funding from General Fund and is an 8 vote item. The special assessment for Scio was placed after the approval of funding, since that item would become moot if funding is not approved. The Newport sidewalk is 100% special assessment and does not require the appropriation of funds.

**CA-9 – Resolution to Approve Street Closings for the 2014 Rolling Sculpture Car Show – Friday, July 11, 2014**

**Question:** The proposed street closings include a few residences and businesses that only have driveway access on the closed streets. How will they be provided notice of the event? (Councilmember Warpehoski)

**Response:** Most of the businesses in the impacted areas are Main Street Area Association (MSAA) members and will be notified by email on July 2, 7 and 10 by MSAA. For non-members, flyers will be delivered by MSAA to those that have accessible doors or mailboxes on the same dates.

**B-1 – An Ordinance to Add a New Chapter 64 (Smoke-Free Outdoor Public Places) to Title VI (Food and Health) of the Code of the City of Ann Arbor (Ordinance No. ORD – 14-03)**

**Question:** What educational effort will staff engage in to inform the public of the mandates of the outdoor smoking ordinance? What do you anticipate the cost of those efforts to be for staff time and associated expenses including printed materials and paid advertising? (Councilmember Eaton)

**Response:** Staff is proposing following to inform public of the mandates of the outdoor smoking ordinance:

- Issue press release to local media including TV, print, online and radio
- Post press release on the city website home and news pages
- Send email message to the “news” subscribers by GovDelivery
- Include an article in resident newsletter
- Posts on the city’s social media pages, Facebook and Twitter
- Include relevant park information in Parks and Recreation Spring and Winter Activity Guides
- Include an article in Wastewatcher Magazine, distributed to all residential households
- Community Television Network electronic bulletin board on channels 16, 17, 18 and 19 and FYI Magazine feature
- Printed black and white informational leaflets for distribution by Police or Parks personnel

Cost of these activities is estimated to be about \$3,000

- Signage also would educate where smoking is prohibited and information about the cost of signage is provided below.

**Question:** Will the City post signs around public buildings to inform the public of the ban on smoking? If yes, what do you estimate the cost of producing or buying the signs, staff time for determining locations, and staff time for installation of the signs to be? (Councilmember Eaton)

**Response:** Proposed ordinance requires signs be posted on the City Buildings if smoking is to be prohibited farther than 20 feet from entrances to the building. An evaluation for the need to post signs will be made if the ordinance is approved at the second reading. It is estimated that it will take about 50 staff hours to determine locations. Cost of producing and installing a sign is \$70.00 without a post and \$120.00 with a post, and the total cost to post these signs will be estimated after a determination of locations is made.

**Question:** Will the City post any sign regarding the smoking ban at transit stops? If yes, what will be the cost of the staff time spent determining locations, the cost of producing or buying signs, the cost of installing the signs? (Councilmember Eaton)

**Response:** Signs regarding the smoking ban at transit stops will be procured and installed by AAATA. It has been brought to their attention and they are evaluating this.

**Question:** The ordinance as currently written will authorize the City Administrator to exercise discretion in determining which public parks will be eligible for a smoking ban, in part or in total. What do you estimate the cost of developing criteria for determining eligibility for such ban in staff time and associated expenses? What do you estimate the cost of implementing that decision making process to be over the course of a year? I think it is safe to assume that residents will apply to have their favorite park come within the ban, should this pass. (Councilmember Eaton)

**Response:** Park staff would work with PAC or a sub-committee of PAC to develop criteria to evaluate which parks, portions of parks, or categories of parks would be eligible for a smoking ban. This information would then be shared with the City Administrator to help inform a final decision.

The cost would primarily be a fixed one - existing budgeted staff time, and volunteer hours from the involved PAC members. The process could involve a number of sub-committee meetings, followed by the sub-committee presenting criteria and recommendations to the whole of PAC for recommendations to the City Administrator. This could take about 40 hours of staff time, to gather information and comparable data, facilitate meetings, and assist in developing the criteria and recommendations.

**Question:** What do you estimate the cost of producing or buying the signs, staff time for determining locations, and staff time for installation of the signs in parks?  
(Councilmember Eaton)

**Response:** The cost of producing and installing a sign in parks is \$120.00.

In general, park rules are posted at entrances to parks. Many City parks have multiple entry points. If every park was signed the minimum cost would be \$18,960.00, but the amount would likely be double that to cover multiple entry points.

If only playgrounds were signed the amount would be slightly less than \$10,000.00.

**Question:** There is language in the memo that is inconsistent with the ordinance. The memo reads "However, when there are no signs a person may be cited for violating the ordinance only if he or she ceases smoking immediately upon being requested to do so." Should this say "refuses to cease smoking"? The language in the ordinance is:  
6:2.(2) A person who violates subsection (1) is subject to being cited with a violation only he she refuses to cease smoking immediately upon being requested or ordered to do so by a City police officer. Also; shouldn't the work "not" be inserted in this sentence:  
6:2.(3): No person shall continue smoking in a smokefree outdoor public place immediately upon being requested or ordered (not?) to do so? (Councilmember Petersen)

**Response:** Councilmember Petersen is correct about the ordinance and the memo. The City Attorney's Office is submitting a revised version of the memo and ordinance. The correction to Section 6;2(3) is being made by way of deleting subsection (3) as it is actually redundant of subsection (1).

### **DC -1 - Resolution to Nominate and Appoint Members to the City of Ann Arbor Environmental Commission**

**Question:** The resolution was updated to reflect that Mr. Stead has served since 2000, but the number of terms was deleted. How many terms has he served? Also, can you please clarify why the terms for Mr. Stead and Mr. Westphal are effective last June?  
(Councilmember Lumm)

**Response:** Mr. Stead has served four terms on the Environmental Commission. This will be his fifth appointment. The terms of Mr. Westphal and Mr. Stead expired last year, so the terms to which they are being appointed began last year and expire in 2016.

**DS-1 – Resolution to Amend FY 2014 Budget to Transfer \$600,000 from the Ann Arbor Housing Trust Fund to the Ann Arbor Housing Commission, for the Rehabilitation of Phase I LIHTC Properties and to Approve the Affordable Housing Agreement (8 Votes Required)**

**Question:** Can you please provide the funding amounts for the various sources identified for the project (LIHTC, DDA, CDBG, AAHTF, and Bank Loan)? (Councilmember Lumm)

**Response:** Please see attached spreadsheet which is subject to minor changes up until closing.

**Question:** The cover memo indicates that “After the conversion, all new tenants will have household income at 50% or less of AMI with at least 70% of the households having an income of 30% AMI or less.” I’m confused by the word “new” – isn’t that the case now? (Councilmember Lumm)

**Response:** Public Housing income restrictions are 80% of Area Median Income. 40% of new tenant admissions must be at 30% AMI or less. In reality, probably 90% of our tenants have incomes at 30% AMI or less.

The Section 8 program restricts incomes to 80% AMI as well, but 70% of new tenant admissions have to be below 30% AMI or less. So when we change from public housing to project-based section 8, 70% of the new tenants have to have incomes below 30% AMI. That will not really change our tenant-base, but we still have to monitor it to make sure we hit the HUD requirements. In addition, in our LIHTC application, we agreed to limit the highest income to 50% AMI, so that also applies.

**DS-5 – Resolution to Approve the Scio Church and Barton Sidewalks Project Appropriation of funds from the General Fund (\$177,100.00) (8 Votes Required)**

**Question:** The staff memo indicates that these sidewalks are eligible for partial funding from STPU funds. Why are these projects eligible for STPU and the Pontiac Trail project was not? Also, the cover memo discusses as “the City-share non-recoverable funding amount.” What is the anticipated non-recoverable amount? (Councilmember Warpehoski)

**Response:** The Pontiac Trail project would have been eligible for STPU, but additional STPU funding was not available. The City’s annual allotment of STPU funds is typically directed to one or two projects. In FY14, the majority of the City’s STPU funds have been planned for use on the Stone School Road Project and \$200,000 has been planned for Scio Church & Barton sidewalk gap projects. The anticipated non-recoverable amount for the Scio Church project is \$242,100 (\$65,000 previously appropriated, \$177,100 that would be appropriated through this resolution).

**Question:** I am confused about the funding sources – GF and the federal STPU grant. The reason I ask is that the cover memo indicates that the total cost (design, construction, and materials testing) is estimated at \$446K and the previous March 3 memo indicated the design costs were \$65K. I don't know the materials testing piece, but assuming \$25K, the construction costs would be in the \$356K range. At 80/20, that would be a \$285K grant (not \$200K) and the required GF contribution would be less. What am I missing here – is the grant limited to \$200K? (Councilmember Lumm)

**Response:** The STPU funding available is limited to \$200,000. Estimated expenses and revenues are broken out in more detail below:

Estimated Expenses	Scio Church	Barton	Total
Design	\$ 52,670	\$ 12,330	\$ 65,000
Construction	\$ 267,730	\$ 57,816	\$ 325,546
Material Testing	\$ 8,000	\$ 2,000	\$ 10,000
Construction Inspection	\$ 36,700	\$ 8,460	\$ 45,160
	\$ 365,100	\$ 80,606	\$ 445,706

Funding	Scio Church	Barton	Total
Federal Funds	\$ 164,000	\$ 36,000	\$ 200,000
SAD	\$ 1,626	\$ 1,980	\$ 3,606
GF - previously appv'd	\$ 50,000	\$ 15,000	\$ 65,000
General Fund	\$ 149,474	\$ 27,626	\$ 177,100
	\$ 365,100	\$ 80,606	\$ 445,706