



*The City
of Ann Arbor*

Legislative and Policy Agenda

102ND MICHIGAN LEGISLATURE
DECEMBER 19, 2022



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*Christopher Taylor, Mayor
Travis Radina, Mayor Pro Tem
Jen Eyer, Councilmember
and Chair of the Council Policy Agenda Committee
Members of the Policy Agenda Committee,
Linh Song, Councilmember
Cynthia Harrison, Councilmember
Chris Watson, Councilmember*

*Milton Dohoney, City Administrator
John Fournier, Deputy City Administrator
Atleen Kaur, City Attorney*

Members of the 102nd Michigan Legislature,

Thank you for your service to the state of Michigan, and for your interest in some of the priorities we have established in the City of Ann Arbor. Our community is one of the fastest growing in the state, and the ideas that we set forth in this document have been selected to help us build a more equitable, sustainable, and welcoming city. Our hope is the successes we achieve here in Ann Arbor with your help can be replicated in communities across the land.

You will find some ideas in this document that are well-worn, and whose time has come; you may also find some new ideas that we hope will stir conversation, debate, and hopefully action. No matter how large or small, infused in each of these policy priorities is our desire to simply make progress for Michigan and for Ann Arbor.

We look forward to your partnership and your important work on behalf of the people of this state. If there is anything Ann Arbor can do to advance these priorities—or any partnership you need to advance similarly themed priorities of your own—please count upon us as friends and allies, and don't hesitate to ask for our support.

Sincerely,

A handwritten signature in black ink that reads "Christopher Taylor". The signature is written in a cursive, slightly slanted style.

Christopher Taylor,
Mayor

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Statement of Values

The City Council is keenly interested in advancing legislation that addresses a wide range of priorities for the Ann Arbor community. While within this document the city has endorsed specific legislative proposals, the City Council endorses efforts to support legislation related to the following values.

Local Control

City Council maintains strong interest in preserving the right of self-determination in our community. City Council generally opposes policies that pre-empt local control. These issues include but are not limited to: Community Choice Aggregation, single-use plastic, short-term rentals, billboard placement, possession of fireworks, carrying of firearms into public facilities and the regulation of firearms generally, zoning and land development, preservation of the natural environment, oversight and control of oil and gas extraction facilities, siting of cell towers, telecommunications equipment, utilities, and the discharge of storm water into water bodies, and the permitting and use of rights-of-way. Ann Arbor has a particular interest in repealing all of the local pre-emption bills that were adopted by the state of Michigan between 2011 and 2018, especially the so-called Death Star laws, and passing any bill that will authorize the local regulation of firearms.

Voting, Elections, and Government

The City Council strongly opposes policies that seek to disenfranchise any voter or discourage the engagement of citizens with government and democracy. It supports changes to election law that reduce barriers to elector participation. Council will also continue to support transparency in all levels of government.

Human Rights, Equity, and Inclusion

The City Council strongly supports all efforts to support human rights, equity, and inclusion in all levels of government and all aspects of our community. City Council will advocate and support civil rights of all persons regardless of immigration status, sexual orientation, or gender identity. The City Council strongly supports efforts of local,

state, and federal entities to strengthen and enforce hate crime laws and anti-domestic terrorism laws with resources for enforcement.

Council will propose, advance, and advocate changes to state and federal law to prohibit discrimination against LGBTQIA+ individuals in employment, housing, education, access to public accommodations and include these groups as protected classes—specifically under the state’s Elliott-Larsen Civil Rights Act.

City Council will support and monitor efforts to promote equity and eliminate systemic racism. Particular attention will be paid to equity in areas of employment and economic opportunity, income/wage inequality, housing and lending policy, criminal justice and policing, access to healthcare, access to education, procurement and contracting, and voting rights. The City Council supports increased funding for mental health services both at the state and local level.

Sustainability, Climate and Natural Resources

The City Council supports efforts to protect our environment and to be responsible stewards of natural resources. We advocate for sustainable and renewable energy, and improved solid waste management. City Council will actively protect Great Lakes water resources, drinking water, and the environment by advocating for pollution reductions and improved remediation efforts. City Council will support actions that advance the A2Zero climate goals.

Infrastructure

City Council supports efforts to build and maintain safe and sustainable infrastructure that supports a vibrant community. The City Council supports improved safety signage, pedestrian crossings, bike lanes, speed reductions, and road configurations for motorized, non-motorized, and pedestrian use of infrastructure on state owned roads. City Council will advocate for mechanisms that improve access and delivery of mass transit and other transportation solutions, including funding to support the development or acquisition of public transit or multi-modal transportation systems.

Revenue and Funding

The Ann Arbor City Council supports efforts that improve the ability to create a fiscally sound and sustainable city government aligned with the policy priorities and values set forward in earlier statements. This support includes advocacy for modifications to property tax law, equitable distribution and optimized use of current revenue, and generation of new revenue. The city strongly supports increases in statutory revenue sharing, efforts to secure revenue sharing for local governments through the creation of a local revenue sharing trust fund, increasing taxing authority for local governments in the form of sales, use, and business taxes, and reform of current property tax laws to create a more equitable tax burden for property owners.

Labor

City Council affirms its interest in supporting workplace safety, job security and the right of employees to organize. It will therefore propose, advance, and monitor initiatives that enhance safety in all workplaces and advocate for the right of employees to choose to be represented by labor organizations.

Legislative Proposals

The following legislative proposals are specifically endorsed by the City, and we are requesting that they be introduced, discussed, and hopefully adopted by the legislature and signed into law.

Sustainability

Community Choice Aggregation

Most electricity customers do not have a choice in who provides their energy, and they are forced to either buy the electricity that their utility purchases for them or install costly on-site alternative energy systems. However, some states allow communities to decide where they procure their power from. Community Choice Aggregation is when a municipality or group of municipalities vote to procure energy from a single provider, securing a competitive energy rate usually for alternative energy products.

Rapidly and efficiently aggregating community-wide electricity demand and procuring clean energy to meet that demand on the open market would be a powerful tool in aiding the City (and other communities in the State) in achieving our community wide clean energy goals at competitive rates for consumers. Right now, Michigan law does not allow for Community Choice Aggregation and Ann Arbor should be leading the effort to craft and support legislation allowing it.

Recommendations: There are already discussions going on between municipalities, interest groups, and elected officials about what a renewed push for Community Choice Aggregation will look like in the new legislature. As these discussions progress, Ann Arbor asks that the following provisions be included in a final bill:

- Community Choice Aggregation must be excluded from the retail choice cap;
- The program should be opt-out for customers rather than an opt-in program.
- Guidelines must be provided for how a CCA gets enabled and formed, including local actions and actions (with associated timelines) for the Michigan Public Service Commission (MPSC).
- A requirement that CCAs must meet a certain percentage of their power demands with renewable energy (at a minimum the state's renewable portfolio standard, but ideally much higher).
- Clearly identify the duties of the existing electric companies, including but not limited to the provision of data, the transfer of accounts to the CCA, and the provision of transmission and distribution services.

Sustainability

Raising the Retail Choice Cap

Currently, 90% of electricity customers in Michigan are required to use the electricity their designated utility provides for them, whereas 10% can purchase electricity openly and have their utility distribute it to them. The 10% choice is fully subscribed and has a long waitlist making it effectively non-existent for any new customers. Because the cap is fully subscribed and has a long waitlist, we believe the retail choice cap should be raised gradually over time. This is commonly referred to as “energy deregulation,” but this is a misnomer because what it really does is break the monopoly that utility companies have on the energy market. Most of the 18 states that allow some form of retail choice only allow it on an extremely limited basis, like Michigan. However, Pennsylvania is fully deregulated and also has the lowest energy costs in the United States for customers, while 30% of residential customers have chosen to procure energy from a source other than their utility. Seven of the 11 states with the cheapest energy costs for customers have deregulated energy markets.

Our preference is to pass Community Choice Aggregation and use the power of the size of our community to procure cheap, clean energy from an alternative supplier. However, if Community Choice Aggregation fails, we want retail choice for our residents so they can decide individually where they get their power. Additionally, for communities in the state that wouldn't use the power of Community Choice Aggregation, their residents may benefit from retail choice.

Recommendations: PA 286 of 2008 contains the 10% cap language that prevents greater enrollment in the retail choice program in section 10(a)(1)(a), which reads:

...no more than 10% of an electric utility's average weather-adjusted retail sales for the preceding calendar year may take service from an alternative electric supplier at any time.

We recommend increasing this cap incrementally (e.g., in 10% increments) until we reach 100% choice. This work should be paired with consumer education and the establishment of a rigorous verification program that energy providers must adhere to provide energy services in Michigan (thereby protecting customers from predatory providers).

Sustainability

Mandate Energy Efficiency in the Construction Code

The Stille-DeRossett-Hale Single State Construction Code Act (PA 230 of 1972) mandates the process for the adoption of the state’s construction codes, delegating the authority to the director of the Department of Licensing and Regulatory Affairs (LARA) who has further delegated most of the process to the Bureau of Construction Codes. Michigan has adopted the 2015 versions of the construction codes, including the International Energy Conservation Code (IECC). However, this version is two versions out of date and the 2021 version of the IECC includes significant energy efficiency improvements that we are leaving on the table. Additionally, the 2021 version of the IECC includes optional annexes for net-zero residential, commercial, industrial, and mid-to-high rise buildings and alternative energy systems. PA 230 also bars local governments from adopting updated versions of the IECC in advance of the state, and bars them from adopting any of the optional annexes in advance of the state.

The operation of buildings contributes to 27% of global greenhouse gas emissions and 65% of Ann Arbor’s local greenhouse gas emissions, which means that to seriously confront global climate change we must pursue a strategy to make buildings more energy efficient. It is estimated that the 2021 version of IECC will cause as much as a 14% improvement in building efficiency, and the Department of Energy estimates that the residential energy efficiency improvements will start paying back homeowners after 3.1 years of ownership.

Recommendations: PA 230 of 1972 should be amended in the following ways:

- The law requires the director of LARA to update the construction codes every three years, but it does not require them to adopt the latest versions of the International Code Council (ICC) published codes or the National Fire Prevention Association (NFPA) published codes. The law should be amended to require adoption of the latest codes.
- The law allows the director to customize the building code:

To eliminate restrictive, obsolete, conflicting, or unnecessary construction regulations that tend to increase construction costs unnecessarily or restrict the use of new materials, products, or methods of construction, or provide preferential treatment to types or classes of materials or products or methods of construction.

This exemption language is overly broad and should be amended so that it is clear that the director must prioritize energy efficiency in the code, and that the IECC may only be amended if the director determines that the improvements will seriously inhibit housing or commercial real estate development.

- It must be made clear that local governments may adopt newer versions of the ICC or NFPA codes if the state fails to do so, and that local governments may adopt optional annexes to these codes if the state fails to do so.

Sustainability

Legalize Community Solar

Not all individuals can pursue onsite solar. For example, renters, low-income residents, those in buildings with poor solar potential, members of a CO-OP or HOA with limitations on solar, or condo owners may not be able to install solar. In these cases, the City wants to make community solar an option. Community solar allows customers to subscribe to an offsite solar system and earn bill credits for solar energy represented by their subscription. Public institutions and lands could be sites for community solar. Community solar programs are not currently allowed under Michigan law.

Fifty-four point six percent of Ann Arbor residents are renters, and approximately 60% of Ann Arbor housing units are not single-family homes, which means most Ann Arbor residents may experience difficulty installing alternative energy systems in their homes. When we talk about pursuing a just transition to carbon neutrality, this issue intersects with the economic justice of our work perhaps most directly. We must make alternative energy available to every Ann Arborite, and to every Michigander as well, regardless of whether they are renting, living in a condo, or in some other institutional living arrangement.

Recommendations: In the last legislative session, HB 4715 and 4716 were introduced that would legalize community solar in Michigan. We request that these bills be brought back and passed in the new legislative session.

Sustainability

Support Onsite Solar Power

Maximizing distributed generation potential in Michigan is crucial to the state's robust energy goals and to achieving our MI Healthy Climate Plan. There are numerous instances where state law creates unnecessary impediments to the deployment and success of solar power systems on homes and commercial properties. Specifically, state law limits the size of solar systems, arbitrarily caps the number of solar arrays that can be allowed by a utility, and creates too many opportunities for utilities to challenge interconnection agreements and prevent reasonable installations of solar systems.

Ann Arbor is leading the state in progressive initiatives to incentivize and scale residential and commercial solar and continues to lay the foundation for both proof of concept and state-wide replication of these initiatives. Currently, however, progress to scale and grow solar installations is limited by state law. In addition, Ann Arbor has an opportunity to prevent the release of a significant amount of global warming pollutants with better support for on-site solar in state law.

Recommendations: We are requesting the following changes in state law:

- Raise the distributed generation cap. Currently the state has established a cap on the percentage of distributed renewable energy (aka, rooftop, or ground mounted solar systems) that utilities are required to receive. The cap is 1% of a utility's average peak load over five years. This cap is further broken down by size, with a 0.5% cap for the most-used "category 1" small residential installations. Because solar energy is a cost effective and viable energy alternative, we are slated to hit this 1% cap this year. Instead of raising the cap, we believe the cap should be eliminated. Distributed generation provides countless benefits to the individual, to the region, to the grid, to the utility, and to society. An arbitrary 1% cap serves only the utilities, and the utility arguments in favor of this have been fully rejected by research.
- Allow for solar systems to be as large as roof or ground space permits. Right now an individual must base the size of their solar system on the last year of energy bills. As we work on mass electrification and support a switch from internal combustion engines to electric vehicles, electricity demand will increase. Utilities should not limit solar installations to a customer's previous energy load but should allow for increased electrical load, making accommodations for individuals actively working on activities that would increase their electricity profile.

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- We should eliminate all utility "challenges" to solar interconnections less than 20kW (Category 1) on residential and commercial properties.
 - Allow residents and small businesses/farmers to become solar generators, so they may generate and sell electricity back to the grid well above their on-site electricity needs.
 - Require the utilities to pay cash for annual export credits with a true-up at year end. The reimbursement rate would be at a time-of-day value.
 - Disallow HOA and condo association bans on solar installations. Most US states have legislation that restricts this practice, but not Michigan. Residents should be able to access all the benefits of on-site solar array even if they are in an HOA. The current limitations are creating significant barriers for thousands of residents, as well as barriers to meeting renewable energy goals.
 - Expanding the size of installations eligible for inflow-outflow rates. Right now, only projects with capacities of 150kW or lower are eligible for the inflow/outflow rates. While most projects fall within this range, it is an arbitrary range and prohibits sizing installations to match load at all locations. Large community consumers such as public schools, City Hall, and the Water and Wastewater Treatment Plants could all use installations larger than 150kW to match onsite demand. Since a grid study is conducted before any solar is placed on the grid, we do not believe a size cap of 150kW is warranted

Sustainability

Codify the MI Healthy Climate Plan

The MI Healthy Climate Plan was adopted by the Governor in the spring of 2022 and calls for 100% economy wide carbon neutrality in the state by 2050. However, the plan is only in effect through executive action. It should be codified in state law.

Ann Arbor has a similar commitment to achieving carbon neutrality, and as the state makes progress on these important goals the city's ability to make progress will benefit as well. If we all aren't pushing as hard as we can on all fronts to achieve carbon neutrality, we will all suffer the dire consequences of a warmer, less predicable climate.

Recommendations: Working with the Governor and the Director of EGLE, the legislature should adopt the MI Healthy Climate Plan and incorporate it into statute, with the following provisions:

- State law should require that the plan be updated every four years, but specifically forbid that the plan should regress any of its stated goals for achieving carbon neutrality.
- Provisions of the plan may need to be broken into component parts to fully implement its provisions. For instance, the plan calls for “innovative rate designs to incent behaviors and that advance clean energy goals,” and this sentence alone could spur multitudes of legislative initiatives.
- If the legislature codifies EGLE in statute, they should make implementing this plan a strategic priority of the department with regular reporting back to the Governor and Legislature on progress of achieving its goals.

Environmental Protection

Pass Polluter Pays

In the early 90s, Michigan had one of the strongest “polluter pays” laws in the country. But in the 1990s the law was rendered mostly ineffective by eliminating nearly any obligation the law put on polluters. The Ann Arbor delegation has been a leader in trying to revive this law over the last few years, with Representative Yousef Rabhi and Senator Jeff Irwin introducing HB 4314 and SB 58, laws that would require polluters to restore the environment they polluted to a residential or drinking water standard at their own expense.

Decades ago, Ann Arbor was a manufacturing hub all manner of automotive and industrial related products. Our land and water bear the vestiges of this past, most notably with the Gelman Plume. There are also many buildable sites in Ann Arbor with industrial pollution that add sometimes prohibitive costs to housing and commercial development, worsening the affordability problem in our city. But current polluters are also impacting our city through the continued release of PFAS compounds into the Huron River. We need more tools at our disposal to compel cleanup of harmful pollution and to prevent it in the first place.

Recommendations: Reintroduce and pass HB 4314 and SB 58 in the next legislative session.

Environmental Protection

Further Empower and Strengthen EGLE

The Department of Energy, Great Lakes, and Environment only exists by executive order, and nearly all its clean water and drinking water authority is given to it by federal legislation and the Environmental Protection Agency. This is a problem, and it means that the EGLE cannot be as aggressive as Michiganders and its current leadership would like it to be. The passage of Polluter Pays legislation will help provide more authority to the agency, however there are other actions that can protect the important progress EGLE has made under Governor Whitmer and provide much more authority to regulate, mitigate, and prevent environmental harm.

Ann Arbor's experiences trying to get more stringent regulations and control on PFAS discharge into the Huron River have been instructive for understanding EGLE's limitations. Tribar, the company that discharges the most PFAS and PFAS related compounds into the Wixom wastewater plant is continuing to use and discharge the harmful chemicals virtually at will. The Wixom wastewater plant has been instructed by EGLE through their NPDES permit to monitor some, but not all, PFAS compounds, and at present there is only one discharge limit in place at the plant for PFOS. We are continuing to bear the burden of cost for removing PFAS compounds from our drinking water.

Recommendations: We recommend the following actions:

- Pass Polluter Pays;
- Work with the Governor and the Director of EGLE, provide a stronger regulatory framework for the agency that will allow them to be much more aggressive in attaching environmentally sound stipulations to the issuance of permits, to deny the issuance of permits or alter permits based a broader range of environmental and economic justice concerns, and that will allow the agency to employ precautionary principles in the issuance of permits that set discharge limits in air and water.

Environmental Protection

Allow Municipalities to Regulate Plastic Containers and Bags

In 2016, Washtenaw County passed an ordinance imposing a ten-cent fee on plastic and paper bags handed out at retail grocery stores in the County. Responding to this, the Michigan legislature banned disposable bag bans in the lame duck session that year. There have been several attempts to overturn the state's preemption, including HB 4500 introduced by Representative Robert Wittenberg and Representative Gary Howell in 2019, and most recently SB 358 introduced by Senator Irwin and HB 4157 introduced by Representative Felicia Brabec in 2021.

In the state of Michigan less than 1% of plastic bags are recycled, while annually the Great Lakes intake 10,000 tons of plastic. In California, similar legislation reduced the number of plastic bags distributed in the state by 71%. The impact on our environment by banning or taxing disposable bags would be immediate and substantial.

Recommendations: We recommend that the state's preemption of disposable bag bans be repealed immediately. Further lawmakers should consider passing a state-wide law that bans or hinders the use of disposable bags at retail stores, grocers, and restaurants.

Transportation

Let Local Governments Set Safer Speed Limits

The state of Michigan has imposed a statewide minimum speed limit of 25 MPH on all roads, local and state. That same law requires cities to engage a full engineering study before setting any new speed limits, and it requires all speed limits to be set at the 85% of observed speeds regardless of local context and safety conditions. The city worked with MML, MDOT, and the MSP to write HB 4014, which would allow municipalities to set speed limits as low as the 50% using methodologies that are commonly used to observe speeds, meaning we could use our own staff and equipment to conduct speed studies. This legislation passed the House with bipartisan support, and has bipartisan support in the Senate however the Senate Transportation and Infrastructure Committee Chair, Senator Tom Barrett, will not allow the bill to move out of committee.

We have a strong interest in slowing speeds down in Ann Arbor, especially in our neighborhoods and in our most walkable areas of town. Even moderate changes in speed can have a significant impact on pedestrian fatalities. At 30 MPH, for instance, the average adult has a 20% chance of being killed by a driver, while a 70 year-old has a 37% chance. At 20 MPH, however, the average adult has a 7% chance of being killed by a driver while a 70 year-old has a 13% of being killed. Speed limits matter, and lower speed limits save lives.

Recommendations: HB 4014 should be reintroduced and passed. It already has bipartisan support, and with new committee leadership it may move forward swiftly through the legislature.

Transportation

Change State Law to Encourage Pedestrian Safety Along State Trunklines

The Michigan Department of Transportation (MDOT) oversees a vast landscape of transportation infrastructure in the state, including aeronautics, waterways, rail service, and roadways. Generally speaking, the City of Ann Arbor has enjoyed a close working relationship with many agencies and employees of MDOT who do a laudable job of planning and maintaining the state's transportation networks. We would like a greater ability to influence MDOT transportation decisions along state trunklines that pass through Ann Arbor.

Speed limits matter, and lower speed limits save lives. Pedestrian infrastructure also matters, and Ann Arbor has been advocating for lower speed limits and more investments in pedestrian-safe roadways for many years. Huron Street, a state trunkline, is the most dangerous roadway in downtown Ann Arbor for pedestrians and bicyclists. Our past attempts to improve the corridor have not been successful.

Recommendations: We recommend the creation of a repatriation program for state trunklines that pass-through cities, whereby MDOT would devolve ownership of the trunklines, and therefore the planning and maintenance of these roads, to local governments along with some grant of funds to bring the roads back up to standard. If a repatriation program is not possible, then we recommend the following:

- Make the process easier and more accessible for local jurisdictions to implement crosswalks, sidewalks, bike lanes, speed reduction strategies, and road reconfigurations on state trunk lines that are in incorporated cities, along pedestrian activated roadways, or in cities of a certain size.
- Require MDOT to further define, and consistently adhere to, their Complete Streets and Vision Zero policies.
- Advocate for the Governor to appoint State Transportation Commissioners who are knowledgeable in and committed to prioritizing pedestrian safety in street design, especially Vision Zero philosophies and approaches.
- Clarify MDOT's powers to set speed limits. MDOT has always claimed that state law gives the power to set speed limits to the Michigan State Police, and that their role in implementing speed limits is purely ministerial. This power should be clarified and clearly handed to MDOT.

Housing Affordability and Economic Development

Ban Source of Income Discrimination in Rental Housing

Four bills (HB 4552 and 4553 and SB 0254 and 0255) were introduced in the last legislative session that would ban landlords from discriminating against renters based on their source of income, for instance if they intend to pay for a portion of their rent with veterans' benefits, child support, social security, or housing choice vouchers.

Ann Arbor already has an ordinance banning source of income discrimination, as does Ypsilanti. However, many of our neighbors in Washtenaw County do not, which is on reason why when you look at maps of the county and where housing choice voucher recipients live, they are clustered mostly in Ypsilanti with some in Ann Arbor. We hear from our social service providers regularly about the challenges they face trying to place families in rental housing in the region, and we believe that people who require subsidy to be safely housed should be able to live in the community of their choice.

Recommendations: Reintroduce HB 4552 and 4553 and SB 0254 and 0255 and pass them in the next legislative session.

Housing Affordability and Economic Development

Mandate Affordable Housing Planning for Each Municipality

The housing affordability crisis is affecting every region in the state, and while there may be legislative solutions on the table to mandate affordability in various forms, it may also be prudent to mandate that municipalities engage in serious affordable housing planning so they are prepared for the community conversations, zoning and development decisions, and policy changes that may need to come along with a serious effort to increase housing affordability.

The housing crisis will not be solved in one city, or in one community. It is a collective action problem, and it will be solved only when a critical mass of communities from across the state and region begin to take housing development more seriously. In other words, solving affordability in Ann Arbor means solving it in communities all across the state at the same time.

Recommendations: Legislation should be drafted that requires communities to include a housing affordability component to their state mandated master plan.

Housing Affordability and Economic Development

Incentivize Municipalities to Require Duplexes by Right

The housing affordability crisis is being driven by a lack of housing supply, and demand that is increasing every day. The solution is to build more housing available to all income levels, including affordable housing and market rate housing. Doing so through infill development of relatively underutilized parcels is an important tool to addressing housing affordability.

The housing crisis will not be solved in one city, or in one community. It is a collective action problem, and it will be solved only when a critical mass of communities from across the state and region begin to take housing development more seriously. Encouraging more housing, and more infill housing, is an important component of solving the housing affordability for every community in the state.

Recommendations: We recommend making changes to the zoning enabling act that would incentivize municipalities to allow duplexes, triplexes, or quadplexes in all residentially zoned areas by offering enhancements to statutory revenue sharing, preferred access to state grants geared toward urban revitalization, or release from notable zoning preemptions currently in existence in state law.

Housing Affordability and Economic Development

Lower the Cost of Housing and Raise the Cost of Speculation with Split-Rate Property Taxes

Under our property tax system, leaving land vacant or abandoned can have significant economic benefits for the land holder as their properties accumulate value because of improvements to neighboring parcels. This land speculation harms the public good by interfering with good neighborhood building and exploiting rent-seeking loopholes in the tax code. Altering the tax code to allow for “tax-splitting,” or rebalancing the assessment between the value of land and the value of buildings, would create a stronger incentive for property owners. The City of Detroit recently conducted a study on the benefits of split-rate property taxes and concluded that it could benefit 96% of homeowners by lowering their property taxes, incentivize development in their neighborhoods, and still be revenue neutral for the city.

Ann Arbor has a vibrant downtown and is in the process of implementing a series of zoning changes to create dense, vibrant, and walkable neighborhoods along its major transit corridors. However, in each of these areas there is land speculation going on in parcels scattered throughout the city. For the city to meet its important sustainability goals, and housing affordability goals, we must pursue infill development that is walkable and that promotes housing density in our urban core areas.

Recommendations: We recommend passing legislation that would allow municipalities to institute split-rate property taxes so the value of owned land would be much higher than the value of the buildings on them. Notably, the Headlee amendment would need to be reformed to allow for split-rate taxes and for the tax rate on land values to be significantly increased (likely above the annual inflation cap). Additionally, some communities may need to have statutory caps on real estate taxes revised.

Housing Affordability and Economic Development

Repeal the Ban on Rent Control

Through Public Act 226 of 1988 the legislature mandated that, “a local governmental unit shall not enact, maintain, or enforce an ordinance or resolution that would have the effect of controlling the amount of rent charged for leasing private residential property.” This prevents any local community from deciding for itself whether to implement any number of rent control policies aimed at making some subset of housing in their community more affordable.

Most of Ann Arbor’s housing units are rentals, and with the spiraling increases in the cost of housing nationally and in our own city, it is important that we do everything in our power to make sure that rental properties remain affordable for families from a broad range of incomes.

Recommendations: We recommend repealing the ban on rent control by either repealing PA 226 of 1988 in its entirety or modifying it so that rent control policies are specifically authorized under state law.

Supporting Democracy

Make it Easier for Voters to Vote

While Michigan has made important progress expanding the franchise of voting in the last four years, there are still important changes in state law that will help municipal clerks to better administer our Election Day processes and protect our voting traditions. There are still seemingly random and nonsensical barriers that make it harder for voters to register and vote leading up to and on Election Day.

With a large student population, and a motivated and activated base of residents in our community we regularly see massive voter interest and large-scale turnout on Election Day, especially for federal elections. In an effort to constantly improve, we need more tools to better handle long lines on campus and at City Hall, and to make sure that everyone who wants to vote can vote.

Recommendations: We recommend the following changes in state law to allow more voter access leading up to and on Election Day:

- Eliminate the prohibition of polling places also being satellite clerk's offices, so that people can register to vote and cast a ballot at their regular polling place on Election Day.
- Allow satellite clerk's offices to serve as early voting centers.
- Allow voters to cast regular ballots at satellite offices on Election Day rather than absentee ballots.
- Remove any provision in law that requires the issuance of a "challenged" ballot to individuals registering to vote in person during the 14-day period before an election.
- Provide funding assistance for the staff and infrastructure (including drop box security and postage costs) needed to process an over 100% increase in the number of absentee ballots statewide since Proposal 18-3 and the COVID-19 pandemic, and to implement early voting.

Human and Workers' Rights

Codify LGBTQ Rights in the Elliott-Larsen Civil Rights Act

While the Michigan Supreme Court expanded the Elliott-Larsen Civil Rights Act to include LGBTQ individuals in 2022, it is critically important to codify these rights under state law so a future court cannot reverse the decision. Senate Bill 208, introduced in the last legislative session, would do just that.

Recommendations: Reintroduce Senate Bill 208 and pass it.

Human and Workers' Rights

Repeal the so-called “Right-to-Work” Law

Michigan’s Right-to-Work law passed during the lame duck session in 2012, and over the last ten years union membership in Michigan has fallen from 16.3% to 13.3%. In that time, Michigan’s median income has slipped to be 10% lower than the national median income. This is the problem with right-to-work laws: They drive down wages and make it harder for working people to keep up.

Recommendations: Repeal the so-called “Right-to-Work” law.

Human and Workers' Rights

Repeal the so-called “Death Star” Law

In 2015, the Michigan legislature passed and Governor Snyder signed the so-called “Death Star” law, PA 105 of 2015. This law most notably preempted local governments from adopting local minimum wage ordinances or requiring paid sick leave from employers. However, it also includes prohibitions on a wide range of local labor laws including prevailing wage laws, laws regulating strikes or work stoppage activity of employees or employers, laws regulating hours and scheduling of employees, laws regulating employee participation in apprenticeship or training programs, and any law that creates an administrative or judicial remedy for wage, hour, and benefit disputes.

Recommendations: Senator Winnie Brink introduced SB 960 in 2020 that would repeal PA 105 of 2015 in its entirety. We support this bill being reintroduced and passed.

Subject Matter Experts

The City of Ann Arbor employs a talented and experienced staff who work in a broad range of policy and operational areas that might be of interest to members of the legislature. We offer the following staff subject matter experts for your use as you craft legislation, consider policy alternatives, and debate important policy solutions in Lansing. Contact the City Administrator's office, or our lobbyist, if you need subject matter expertise from the city and we will work to make sure you are engaging with the right team of city professionals to meet your policy needs.

City Leadership

Milton Dohoney, Jr. – City Administrator
mdohoney@a2gov.org

John Fournier – Deputy City Administrator
jfournier@a2gov.org

Subject Matter Experts

Jacqueline Beaudry
City Clerk

Expertise: Elections, election security, voter registration, election reform

Clerk Beaudry has more than two decades of experience working in election administration, including 18 years as the City of Ann Arbor's clerk. She is a Master Municipal Clerk (MMC), a Michigan Professional Municipal Clerk (MiPMC), and currently serves as the 1st Vice President of the Michigan Association of Municipal Clerks, an organization she will assume the presidency of in 2023. She is the current co-chair of the Municipal/County committee of the Council of Election Officials, the former chair of MAMC Legislative Committee, and a member of the national Task Force on Elections with the Bipartisan Policy Center in Washington D.C. She holds a Master of Public Administration from Eastern Michigan University.

Jerry Hancock

Stormwater and Floodplain Programs Coordinator

Expertise: Floodplain Management

Jerry Hancock serves as the city’s Floodplain Administrator and is highly qualified expert in floodplain management issues with over three decades of experience working in the field. He is the current Executive Director of the Michigan Stormwater Floodplain Association (MSFA) and holds a B.S. in Forestry from Michigan Technological University, a Master of Science in Environmental Planning from Eastern Michigan University, and has been a Certified Floodplain Manager since 2005.

Raymond Hess

Transportation Manager

Expertise: Transportation planning, transportation safety, multi-modal transportation programs and planning

As the city’s transportation manager, Raymond Hess oversees Ann Arbor’s efforts to transform our transportation network into a bike and pedestrian friendly system that strives to achieve zero pedestrian deaths—or Vision Zero. He sits on the Board of Directors for the national Association of Metropolitan Planning Organizations (2015-2018), the Ann Arbor Area Transportation Authority (2019-2022), and the University of Michigan External Advisory Board (2022-present). In 2016 he was named by Vegas Inc. as a Las Vegas metro region “40 under 40” and in 2014 was named a Safe Community Partnership (Las Vegas) Engineering Honoree. He holds a Master’s in Public Affairs from Indiana University, a Bachelor of Arts in Environmental Science from the University of Florida, is an AICP Certified Transportation Planner (AICP-CTP), and a League of American Bicyclists League Cycling Instructor (LCI).

Mike Kennedy

Fire Chief

Expertise: Fire service organization, response, and funding; Emergency management

Chief Kennedy has nearly 30 years of experience working in the fire service and in emergency management, and has served as Ann Arbor’s fire chief for the last five years. He is the Michigan Association of Fire Chiefs’ liaison to the Michigan Joint Fire Service Council – a collaboration of State of Michigan departments and organizations with a fire service nexus—and serves on the Washtenaw County Mutual Aid Association Executive Board. He holds a Master of Public Administration from Eastern Michigan University, a B.A. in Political Science from the University of Michigan, is a credentialed Chief Fire Officer from the Center for Public Safety Excellence, Commission on Professional Credentialing, and is credentialed as a Professional Emergency Manager through the State of Michigan Department of State Police.

Jennifer Lawson

Water Quality Manager

Expertise: Stormwater Management, Stormwater Utility Asset Management and Infrastructure Planning, Municipal Stormwater Permitting (via EGLE and the EPA)

Jennifer Lawson has 25 years of experience working on stormwater management issues, and currently works to oversee the city’s stormwater utility. She is the Vice-President of the Downriver Branch of the American Public Works Association’s Michigan Chapter; Chair of the Membership and Advocacy Committee of the American Public Works Association’s Michigan Chapter, and formerly the Class President of the Michigan Public Service Institute (2015-2017). She holds a B.S. in Water Resource Management and Policy from Michigan State University, a Master of Landscape Architecture from the University of Michigan, and is a Certified Stormwater Manager through the American Public Works Association.

Molly Maciejewski

Public Works Manager

Expertise: Drinking water quality, stormwater management, solid waste management (including trash, recycling, and composting)

Molly Maciejewski is currently the city's Public Works Manager, where she oversees the city's solid waste operations. She also has more than two decades of experience in water quality issues, including serving as the manager of the city's water treatment plant and working on water quality issues for the former Michigan Department of Environmental Quality. She is a Board Trustee for the Michigan Section of the American Water Works Association, a Board Member at the Huron River Watershed Council, and a Member of the Washtenaw County Board of Public Works. She holds a B.S. in Environmental Policy and Natural Resources from the University of Michigan and a Master of Public Administration from the University of Michigan.

Brian Steglitz

Interim Public Services Area Administrator and Water Treatment Services Unit Manager

Expertise: Drinking water treatment and water quality; PFAS mitigation

Brian Steglitz is the city's Water Treatment Services Unit Manager, overseeing the operations and management of the city's drinking water operations and water treatment plant. A leader in the field of water treatment, he has successfully overseen the City's response to PFAS contamination in the Huron River. He is the former Vice President of the American Water Works Association, former Director of the Michigan Section of the American Water Works Association, is currently a Board Member for The Water Research Foundation, and is an ASCE Fellow. He is an F-1, S-3 Licensed Drinking Water Operator, holds a B.A. in Economics from Yale University, and holds a Master of Management Science and Engineering from Stanford University.

Missy Stults, PhD.

Sustainability and Innovations Director

Expertise: Climate adaptation and resilience; renewable energy policy and generation; environmental sustainability

Missy Stults is leading Ann Arbor's efforts to achieve a just transition to carbon neutrality through innovative programs to encourage and invest in alternative energy deployment throughout the city, region, and state. She is a Member of the national Sierra Club's Adaptation Strategy Development Working Group, Chair of the Code of Ethics Working Group of the American Society of Adaptation Professionals, Board President of the American Society of Adaptation Professionals, Advisory Board Member of the Notre Dame Global Adaptation Index, Advisory Board Member for the Resilient Communities for America program, Advisory Board Member for Adaptation International, Member of the National Disaster Resilience Competition Advisory Committee, Member of the Advisory Panel for the United Nations Strategy for Disaster Reduction, Co-author of the Adaptation Chapter of the U.S. National Climate Assessment, and is a Member of the State of Michigan Environmental Rules Review Committee. She holds a PhD in urban resilience from the University of Michigan.

Infrastructure Agenda

In March of 2022, the City of Ann Arbor prepared an Infrastructure Agenda to detail our pressing and unfunded capital needs. The full document [can be viewed here on the City's website](#). As the legislature works through budget and spending issues, if there are opportunities to fund community projects the city requests that these capital investments be prioritized and put forth for funding. The following list is a selection of projects from the infrastructure agenda.

Mega Projects

These are the largest and most ambitious projects the city has on its horizon, each totaling more than \$100 million that require participation from local, state, and federal partners to complete.

Water Treatment Plant Replacement (\$108.1 Million)

This project includes the design and replacement of the 1938 treatment basins that are in disrepair and do not meet current performance standards. Replacement of this infrastructure is essential to ensure safe and reliable drinking water for the Ann Arbor community and neighboring townships.

Ann Arbor Train Station (\$100+ Million)

The Ann Arbor Station project proposes to build a new train station in Ann Arbor, including platforms, an intermodal facility, and parking, that will be sized large enough to meet our current and future needs. Ann Arbor is the highest volume train station in the state of Michigan in terms of annual passengers boarding, and we anticipate that future demand will only increase. Anticipated additional train service between Chicago and Detroit, and possibly Ann Arbor and Traverse City, and the potential for commuter rail services will only push ridership up. A larger station, built with strong connections to existing multi-modal transit services, will help meet current and future ridership demands, help Ann Arbor reduce vehicle miles travelled in the region, and push the City closer to meeting its sustainability goals.

The Treeline Trail (\$110 Million)

The implementation of the Treeline urban trail concept that envisions a 2.75 mile long trail along the path of the historic Allen Creek corridor with the goal to provide quality green and recreational spaces and increase non-motorized mobility and connectivity along this path. The project is being implemented through a partnership with a local non-profit called the Treeline Conservancy. While many cities, including Ann Arbor, have increased the number of bike lanes in recent years, very few cities provide facilities that truly meet the needs of children, seniors, people with disabilities, and those who are simply not comfortable commuting by bike alongside cars. The Treeline Trail would provide a protected walking and biking facilities that allows even the most vulnerable to safely move from the north end of the City through downtown. Additionally, the Treeline Trail's route is planned to serve up to two properties that are slated for affordable housing development.

Priority Projects

Wheeler Center Solar Park (\$15 million)

Project to develop a 20MW solar power plant on the City's closed landfill, that would also serve as DTE's very first community solar offering. We have a portion of the project set aside for a potential low income offering, which would mean that shares of the community solar project could be offered to residents at a discounted rate, so they receive more of the benefit of the project with less of the total cost. This project was fully funded and ready to bid when the Commerce Department investigation of the foreign manufacture of solar panels upended the domestic solar industry and pushed costs significantly up. We are looking for funding to close the gap on the \$40 million project.

Net-Zero Fire Stations 3 and 4 (\$8.3 Million each)

The City of Ann Arbor Fire Department is working toward building the first Net Zero

Fire Station in the State of Michigan. The project would replace the fire station located at 2415 S Huron Parkway (Fire Station 4 which was built in 1966 and has outlived its expected lifespan). The station presents near constant maintenance issues and has a failing sanitary sewer discharge. It lacks any energy conservation, sustainability, or gender equality features. The new fire station would be the city's first carbon neutral facility with geothermal heating and cooling, solar panels, and other energy efficiency actions. Beyond aligning with the city's A2 ZERO carbon neutrality goals, the project will also accommodate today's needs for gender neutrality in terms of showering, bathrooms, and sleeping quarters.

Fire Station 3 is located at 2130 Jackson Road and presents near constant maintenance issues. It lacks any energy conservation, sustainability, or gender equality features. The new fire station would be the city's second carbon neutral facility with geothermal heating and cooling, solar panels, and other energy efficiency actions. Beyond aligning with the city's A2 ZERO carbon neutrality goals, the project will also accommodate today's needs for gender neutrality in terms of showering, bathrooms, and sleeping quarters. The current station does not have emergency power so any power outage would require closing the station. The new station will have full emergency backup.

Vision Zero Project Implementation (\$30 million)

This would fund implementation of the [A2 Moving Together Toward Vision Zero Transportation Master Plan](#), creating a suite of specific projects aligned with needs identified in the plan. The projects will focus on creating a safer transportation experience for pedestrians, cyclists, and motorists through safer road configurations, improved pedestrian infrastructure, better lighting for pedestrians and bicyclists, and better bike infrastructure, among other changes.

Sustainable Energy Utility Startup

This would be the first of its kind supplemental public utility in the nation that focuses on generating clean, local, affordable, and resilient electricity. It would focus on deploying solar, energy storage, energy waste reduction, and beneficial electrification support, while working towards the deployment of micro- and nano- grids.

Road Paving

The City of Ann Arbor has road resurfacing needs across the community. Any funding amount from the state to assist in these needs would be appreciated and well used.

The full infrastructure agenda can be viewed [on the city's website here.](#)