



TO: Mayor and Council

FROM: Tom Crawford, City Administrator

CC: Derek Delacourt, Community Services Area Administrator
Craig Hupy, Public Services Area Administrator
Nick Hutchinson, City Engineer
Brett Lenart, Planning Manager
Remy Long, Greenbelt Manager
Molly Maciejewski, Public Works Manager
Marti Praschan, Chief of Staff, Public Services
Missy Stults, Sustainability & Innovations Manager

SUBJECT: February 1, 2021 Council Agenda Responses

DATE: January 28, 2021

CA-7 – Resolution to Approve the Purchase of a Conservation Easement on the Hamilton Family Living Trust Property in Salem Township, Approve a Participation Agreement with Washtenaw County Parks and Recreation Commission, and Appropriate \$2,871,667.00 (8 Votes Required)

Question: I need more clarity in understanding the final costs to the City for this conservation easement. If I'm reading the proposed project budget correctly, the upfront costs to the City are:

ACEP Grant Share:
1,749,300
City Share: 142,000
Other Costs: 51,367
Total Upfront Costs:
1,942,667

The City will then be reimbursed \$1,749,300 when it receives the ACEP Grant . By my accounting that means the City's final costs are \$193,367, not \$1,122,367. What am I missing? (Councilmember Briggs)

Response: Staff apologizes for the error in the City Share line of the budget. The City Share should have been listed at \$1,071,000.00. The final costs and appropriation in the resolution are correct. The correction has been made in the Legistar item.

CA-10 – Resolution to Approve Purchase of Park Land at Cardinal Avenue and Appropriate \$1,507,500.00 (8 Votes Required)

Question: 1. Did staff have the opportunity to explore the availability of grants from other governmental agencies or non-profits to help offset the total cost of the city's contribution? If so, why did this acquisition not qualify? (Councilmember Ramlawi)

Response: For parkland acquisitions inside the City limits, in most cases there is a limited timeframe in which the property can be acquired (as compared to rural Greenbelt land acquisitions). Those differences in the urban/rural real estate markets influence parkland acquisitions timelines, thus making securing matching fund more difficult given delays associated with grant cycles. The Michigan Natural Resources Trust Fund (MNRTF) could assist with the acquisition, however recent voter-approved changes to the MNRTF have increased the competitiveness for limited acquisition funds. The timing of the MNRTF grant cycle means the soonest funds could have been available is June 2022. With a shovel-ready site plan in-hand, it was staff's impression that time was of the essence, as the seller has indicated they have received inquiries from developers interested in acquiring the property that could outpace the City's acquisition timeline. To date, no parkland acquisitions funded by the Open Space & Parkland Preservation millage has received MNRTF grant funding since the millage passed in 2003. The PROS Plan has a record of all grant received in support for parkland acquisition, and the last MNRTF grant received to support land acquisition was in 1990.

Question: 2. What is property currently zoned as? (Councilmember Ramlawi)

Response: It is currently zoned PUD - Planned Unit Development.

Question: 3. Has a purchase ever been made using the Greenbelt Millage for a purchase of parkland as such without using or having other contributions to help offset the total cost to the city as in this matter? (Councilmember Ramlawi)

Response: Since the Open Space & Parkland Preservation millage passed in 2003, no millage-funded City parkland acquisitions have received grant funding. The PROS Plan has a record of all grants received, and the last grant received to support City parkland acquisition was in 1990. The City has negotiated a discounted sale price on some parkland acquisitions, but in this particular case the applicant was unwilling to entertain a discount.

Question: 4. 3.77 acres for a selling price of 1.48 million equates to 392K an acre. How does the price per acre on this parcel rank in of cost per acre for land acquisition compared to historical purchases? (Councilmember Ramlawi)

Response: It is not unprecedented for the City to acquire parkland for over \$1M, or for over \$300K/acre. Below is the list of all parkland acquisitions funded in whole or part by the Open Space & Parkland Preservation millage since 2003.

Project Name	Acres	FMV Price	Total Parks cost	FMV per acre
Evergreen Lot 118	0.22	\$ 65,000.00	\$ 57,247.00	\$ 295,454.55
Evergreen Lot 120	0.22	\$ 65,000.00	\$ 49,668.00	\$ 295,454.55
Evergreen Lot 108	0.24	\$ 75,000.00	\$ 39,300.00	\$ 312,500.00
Brookside	0.7	\$ 212,000.00	\$ 150,000.00	\$ 302,857.14
South Addition	18.28	\$1,200,000.00	\$1,260,590.00	\$ 65,645.51
Onder, Janice B.	4.75	\$ 480,000.00	\$ 489,985.00	\$ 101,052.63
Girl Scouts of Huron Valley	7.71	\$2,220,000.00	\$2,239,249.00	\$ 287,937.74
Andres	0.53	\$ 150,000.00	\$ 158,435.00	\$ 283,018.87
Zion Lutheran Church	2.64	\$ 580,000.00	\$ 597,664.00	\$ 219,696.97
Crary	1.3	\$ 33,500.00	\$ 12,032.00	\$ 25,769.23
Narrow Gauge Holdings	12.73	\$2,545,000.00	\$1,844,376.00	\$ 199,921.45
Botsford Trust, Donald T.	10.42	\$ 312,000.00	\$ 161,350.00	\$ 29,942.42
Patrician Homes LLC	0.19	\$ 250,000.00	\$ 277,506.00	\$1,315,789.47
Huron Victorian Enterprises	0.35	\$ 2,000.00	\$ 10,063.00	\$ 5,714.29
Elks Lodge	0.58	\$ 380,000.00	\$ 376,969.00	\$ 655,172.41
Riverview Nursing	1.1	\$ 76,000.00	\$ 5,755.00	\$ 69,090.91
Kaufman, Williams, and Vivian	2	\$ 830,000.00	\$ 599,656.00	\$ 415,000.00
Bryant Community Center Add'n	0.23	\$ 70,000.00	\$ 76,262.00	\$ 304,347.83
C. Clare North	0.91	\$ 110,000.00	\$ 118,944.00	\$ 120,879.12

1240 Orkney	0.35	\$ 115,000.00	\$ 123,674.00	\$ 328,571.43
Brokaw aka 3013 W Huron Dr	24.45	\$1,230,000.00	\$ 10,215.00	\$ 50,306.75
Martin	2.02	\$ 255,000.00	\$ -	\$ 126,237.62
BRE Nixon Road Associates	25.67	\$ 277,000.00	\$ 284,824.00	\$ 10,790.81
Pringle	18.38	\$ 645,000.00	\$ 129,000.00	\$ 35,094.40
Toll Brothers	10.17	\$ 56,000.00	\$ 35,808.00	\$ 5,506.39
Toll Brothers	5.9	\$ -	\$ 322.00	n/a
North Sky	2.07	\$ 299,108.00	\$ 322.00	\$ 144,496.62
Hickory Way Apartments	1.51	\$ 135,000.00	\$ 500.00	\$ 89,403.97
Windy Crest	8.478	\$ 255,000.00	\$ 83,397.00	\$ 30,077.85
BRE Nixon The Annex	6.58	\$ 71,064.00	\$ 492.00	\$ 10,800.00
Hosford	5.23	\$ 153,000.00	\$ 156,996.87	\$ 29,254.30

Question: 5. What intended use of the property was used to determine the appraised value? (Councilmember Ramlawi)

Response: The appraisal determined “Highest and best use of the property is for future single-family residential development as proposed and/or allowed by code, pending resolution of the COVID crisis.”

Question: 1. Apart from “additional habitat” what other natural features exist on this parcel? (Councilmember Nelson)

Response: The parcel is a younger version of the mature oak-hickory forest found in Mary Beth Doyle Nature Area. As such, it has the typical suite of native woodland flora and fauna found throughout our park system. It is NAP staff’s assessment that protecting this parcel increases the ecological integrity of Mary Beth Doyle, as it preserves the existing habitat that extends throughout the park and adjacent parcels. The loss of this parcel would negatively impact the ecological integrity of Mary Beth Doyle itself, as many wildlife species require a minimum habitat size, and as that intact habitat shrinks, we begin losing species.

NAP staff haven’t had the opportunity to conduct extensive plant and animal surveys in this parcel during the growing/breeding season, but do know that the larger block of forest that includes both Mary Beth Doyle Nature Area and this parcel are the breeding home to a variety of native birds, several of which require large blocks of contiguous forest habitat (often referred to as “forest interior species”). These include Scarlet Tanager, whose populations have declined about 15% in the U.S. since the 1960s, as is typical of many forest interior species. Wood Thrush and Black-billed Cuckoo also nest there. Both

species are on the “Watch List” of the Partners-In-Flight organization, due to their declining numbers.

NAP’s Ornithologist, Juliet Berger, did conduct a bird survey in the Cardinal Avenue property on September 22, 2020, after the breeding season was over. She reports that: “The Cardinal Ave plot is similar in bird diversity to the forested area existing in Mary Beth Doyle Nature Area, with the exception that there are several enormous tree specimens, one a Walnut, and one an Oak, that are larger than any I have observed in Doyle proper. These behemoths would create excellent migratory and breeding bird habitat. The woods hosted a dense Woodpecker population, Hairy, Downy, Red-bellied Woodpecker, and Northern Flicker. There were several neotropical migrant species present, in mid-migration: American Redstart, Blackpoll Warbler and Blue-headed Vireo. Year-round resident species included the usual suspects, Black-capped Chickadees, White-breasted Nuthatches, Tufted Titmice, Blue Jays and Robins. A Cooper’s Hawk pair was seen flying through Doyle and using the Cardinal Avenue parcel to the east, in their hunting forays.”

In terms of other wildlife, staff found Garter Snakes at the site in February, 2020, suggesting that there may be an overwintering hibernaculum nearby available for them, perhaps in the large manmade berm located near the southern end of the site.

Question: 2. Has staff identified any heritage trees or other remarkable elements in this woodland? (Councilmember Nelson)

Response: Yes, although staff didn’t specifically measure and delineate large trees there, there are certainly some that would meet “landmark” status and perhaps even “heritage” status.

Question: 3. On the map, this parcel looks odd, as if a development should have continued south on Cardinal Avenue. It is zoned PUD— I’d like an explanation of how it happens that we worked with a developer to create a PUD and we are now buying the property from (I assume the same) developer. (Councilmember Nelson)

Response: The developer chose to apply to the City Open Space & Parkland Preservation Program to assess the City’s interest in acquiring the parcel as parkland. The site does have a shovel-ready site plan associated with it, but the developer is currently holding off on advancing those efforts while the City makes a decision.

Question: 4. What was the proposed development that prompted a PUD? How many units of housing would have been part of that PUD? (Councilmember Nelson)

Response: The approved site plan is Malletts Wood 2, and includes 19 detached single family units.

Question: 5. How was it decided that this property is no longer appropriate or suitable for housing development? (Councilmember Nelson)

Response: It was the developer’s decision to submit an application to the Open Space & Parkland Preservation Program.

Question: 6. I understand this is basically a woodland, accessible by private path at the end of Butternut -- what kind of “improved access” is needed for the public, staff and volunteers? (Councilmember Nelson)

Response: Improved access refers to the benefit of legal and safe access for staff, volunteers and the public, as the existing footpath is currently not a public access point and crosses the private property/poses trespassing issues. Currently, the only legal public access to Mary Beth Doyle from the east via trail is from Verle Street at the southeast corner of the park. There are currently no trails leading out to Cardinal Avenue, so that neighborhood has no direct access to the park. Improved access to the wooded portion of Mary Beth Doyle Nature Area from the east would be very helpful for NAP. Staff and volunteers could use the existing path through the parcel to access the park for neighborhood workdays, prescribed burns, nature hikes, and other park activities. It would provide considerably easier access to the woods than any of the other park entrances. As well, the edge of Cardinal Avenue running along the edge of the woods would provide street parking for NAP activities than what currently exists near the Verle Street entrance, where staff and volunteers must park in front of houses on that residential street.

Question: 7. Another (larger) property in this area was rejected for purchase as a park— what is the price per acre on this parcel? How would that per-acre price apply to the parcel at 2857 Packard (I believe that was about 8 acres)? (Councilmember Nelson)

Response: Please see information provided in the chart below.

Site	Acres	FMV	Price/Acre
2857 Packard	7.49	\$2,910,000.00	\$388,518.02
Cardinal Ave	3.77	\$1,480,000.00	\$392,572.94

Question: 8. I do not recall any recent purchase of parkland this sizable within the city limits (perhaps I have forgotten). Please share a list of all land purchased within city limits for use as “parkland” in the last five years, the size and price of those parcels. (Councilmember Nelson)

Response: Below is the list of parkland acquisitions funded in whole or part by the Open Space & Parkland Preservation millage within the city limits since 2015.

Project Name	Acres	FMV Price	Total Parks cost	FMV per acre
BRE Nixon Road Associates	25.67	\$ 277,000.00	\$ 284,824.00	\$ 10,790.81
Toll Brothers	10.17	\$ 56,000.00	\$ 35,808.00	\$ 5,506.39
Toll Brothers	5.9	\$ -	\$ 322.00	n/a
North Sky	2.07	\$ 299,108.00	\$ 322.00	\$ 144,496.62
Hickory Way Apartments	1.51	\$ 135,000.00	\$ 500.00	\$ 89,403.97
Windy Crest	8.478	\$ 255,000.00	\$ 83,397.00	\$ 30,077.85
BRE Nixon The Annex	6.58	\$ 71,064.00	\$ 492.00	\$ 10,800.00
Hosford	5.23	\$ 153,000.00	\$ 156,996.87	\$ 29,254.30

CA-11 – Resolution to Approve Purchase of Park Land at 2570 Dexter Road and Appropriate \$211,500.00 (8 Votes Required)

Question: While this land will be a needed addition to the recreational space around West Arbor, has the current owner been asked to donate or lower the sale price in consideration of the public good? (Councilmember Hayner)

Response: No, the seller’s application indicated they would not be interested in a discount on the sale price.

Question: 1. Did Parks consider adding missing facilities to Vets Memorial Park, rather than acquiring new park land? (Councilmember Briggs)

Response: The adjacent community at the Housing Commission site – particularly the youth – have expressed an interest in having basketball facilities nearby. Given existing demand from the adjacent community, and the risks associated with youth crossing a busy intersection on a regular basis to access any facilities sited at Vets, the parcel size and proximity make it an excellent fit for safe access to basketball facilities for the adjacent community.

Question: 2. Will staff engage nearby residents to get input on the facilities most desired at this location? (Councilmember Briggs)

Response: Yes, Parks staff will conduct community engagement efforts as it does for all new park infrastructure/facilities projects.

CA-15 – Resolution to Approve a Construction Contract Change Order No. 3 with Lang Constructors, Inc. for Galvanized Water Service Line Replacements - ITB No. 4593 (\$1,194,560.00 increase, total contract \$1,527,085.00)

Question: 1. Has this contract been rebid since enacting the city's responsible contractor policy (RCP) and/or does Lang comply with our RCP? (Councilmember Radina)

Response: This question was received after the deadline for the submittal of agenda questions and staff was unable to prepare responses in time for inclusion in the agenda response memo. Staff will be available to address this question at the meeting.

Question: 2. Why was the initial projected cost of this project so much lower than what we are being asked to approve now? What changed in the scope of work and/or what other factors caused such a dramatic cost increase? (Councilmember Radina)

Response: This question was received after the deadline for the submittal of agenda questions and staff was unable to prepare responses in time for inclusion in the agenda response memo. Staff will be available to address this question at the meeting.

Question: 3. This seems like a significant contract increase (359%+) to be handled through a change order, rather than through a re-bidding process. Is this standard practice? And if so, what would generally trigger a project to be rebid, rather than simply awarding such a large project increase through change order? (Councilmember Radina)

Response: This question was received after the deadline for the submittal of agenda questions and staff was unable to prepare responses in time for inclusion in the agenda response memo. Staff will be available to address this question at the meeting.

Question: 1. This is an unusually large change order. Given the scope of the new work to be completed, why wasn't this contract bid out again? (Councilmember Eyer)

Response: This question was received after the deadline for the submittal of agenda questions and staff was unable to prepare responses in time for inclusion in the agenda response memo. Staff will be available to address this question at the meeting.

Question: 2. What does the city's procurement policy say about change orders? (Councilmember Eyer)

Response: This question was received after the deadline for the submittal of agenda questions and staff was unable to prepare responses in time for inclusion in the agenda response memo. Staff will be available to address this question at the meeting.

Question: 3. Please share all four bids that were submitted for this contract. (Councilmember Eyer)

Response: This question was received after the deadline for the submittal of agenda questions and staff was unable to prepare responses in time for inclusion in the agenda response memo. Staff will be available to address this question at the meeting.

CA-16 – Resolution to Approve Sixth Amendment to Professional Services Agreement with Bodman, PLC, for Legal Services Relative to 1,4-Dioxane from Gelman Sciences, Inc., dba Pall Life Sciences (\$157,500.00)

Question: 1. “Funds were budgeted for this and are available for the Bodman, PLC, contract amendment in the Operations and Maintenance Budget of the Water Supply System.” Does this mean that the payment for these is added to what is considered the cost of service of providing water? (Councilmember Hayner)

Response: Yes. Legal fees are considered a cost to provide this service. .

Question: 2. Can we get a summary of the legal fees the city has paid from the “Operations and Maintenance Budget of the Water Supply System” since 2014 when the city became an intervening party in the state case v. Gelman? Can this summary be divided into fees to external counsel, fees to experts, internal billing fees? (Councilmember Hayner)

Response: The City’s motion to intervene was granted in early 2017. However, because the legal services started before the motion to intervene was filed, we provide information regarding services starting March 1, 2016.

Since March 1, 2016, the total amount paid to outside counsel (Bodman, PLC) for their legal services work is \$566,865.07.

The City has paid \$20,000 towards its share for Dr. Lemke’s time, all of which has been expended. (The contributions to cover Dr. Lemke’s services are collected and managed by Bodman, and payments to Dr. Lemke are made by Bodman after approval from the City and the other Intervenors.)

The City also paid \$3,500 to Environmental Consulting & Technology for work by John D’Addona.

Since March 1, 2016, through January 27, 2021, total city attorney time related to Gelman has been 1571.20 hours. That time is paid out of the City Attorney’s Office funds for staff.

DB-3 - Resolution to Approve the Annexation of 1290 Dhu Varren Road, 2.52 Acres, 1290 Dhu Varren Road (CPC Recommendation: Approval - 7 Yeas and 0 Nays)

Question: I am pleased at the prospect of a childcare facility opening up at Dhu Varren and Pontiac. When Planning Commission discussed this, we spoke about the need for some form of traffic management at that intersection. I understand that the final Barton

Cottages agreement included 440k for improvement to the Barton/Pontiac intersection. Have these funds been exhausted? Could they be reallocated for a roundabout just North of Dhu Varren and Pontiac (arguably also affected by the Barton Cottages development)? (Councilmember Disch)

Response: The Cottages at Barton Green Consent Judgement and Development Agreement includes a \$346,000.00 contribution to the City toward the cost of intersection improvements at Pontiac Trail and Barton Drive. To date, none of these funds have been utilized. It is unlikely that this contribution could be reallocated to the Dhu Varren intersection through amendments to the Development Agreement and Consent Judgement, as the contribution was in support of the impacts to the Pontiac Trail and Barton intersection from the development.

Question: While this annexation is being done at the request of the petitioner, why do we not fold in all the adjacent properties, as clearly they are inside the State Boundary Commission perimeter to be included in the City? (Councilmember Hayner)

Response: The township islands in the immediate vicinity are on the City's list of parcels to annex through the City-initiated annexation project. However, when the City took the second round of City-initiated annexations to the State in 2019 for Ann Arbor Township and Pittsfield Township parcels, the Boundary Commission recommended denying the City's applications and the LARA Director concurred. The City Attorney's Office is in the process of contesting this decision in court. Staff proposes waiting for the outcome of the judicial decision before pursuing additional City-initiated annexations.

Question: When this annexation came to Planning Commission Ms. Preston expressed concerns with some of the additional costs she would incur along with this annexation. Can you please provide information on what costs will be born by this property owner and if the City has been able to address any of her concerns? (Councilmember Briggs)

Response: City staff is requesting the following public improvements: 1) dedication of 17 feet of right-of-way along the Pontiac Trail frontage and showing additional right-of-way on the site plan that would accommodate a possible roundabout at the corner of Pontiac Trail and Dhu Varren Road, 2) Providing a 5 foot wide sidewalk along the Pontiac Trail and Dhu Varren Road frontages, 3) Extending a 12 inch water main along the entire frontage of Dhu Varren (approximately 275 feet), and 4) installing a fire hydrant in Dhu Varren Road. These costs would need to be borne by the petitioner.

DC-1 – Resolution to Appoint 3 At-Large Members to the Council of the Commons, and Confirm the PAC Appointment to the Council of the Commons

Question: As of this writing, we have not come to an agreement on the applicants that will be put forward for council approval. If we fail to reach an agreement, what will be the process for filling these seats? (Councilmember Hayner)

Response: The appointments are within Council’s control, so Council can appoint in a manner of their choosing.

DC-2 – Resolution to Approve the City of Ann Arbor Membership in the Washtenaw Regional Resource Management Authority (WRRMA)

Note: Staff’s revised responses to January 4 and January 19, 2021 Agenda Response Memos are included as attachments in track changes for reference.

Question: 1. Article XV of the Articles of Incorporation requires an activity report each October. Please provide a copy of the October 2020 Activity report. (Councilmember Nelson)

Response: The 2020 Summary of Activities is available on WRRMA’s website--wrrma.org. You can find it by navigating to the “About” tab and selecting “Documents.”

Question: 2. Article XIX requires an annual audit. Please provide a copy of the annual audit for WRRMA’s first year of operation. (Councilmember Nelson)

Response: City staff directed this question to WRRMA and received the following response:

WRRMA’s fiscal year is the calendar year. As WRRMA was just getting formed, no accounts were set up in for the one quarter of 2019 operations. The County paid the limited expenditures incurred in 2019. In 2020, the Washtenaw County Board of Commissioners approved a resolution to be the fiduciary for WRRMA during 2020 and 2021. As such, the audit will take place through the County’s standard process. Financials will be published online with the County’s Annual Financial Report and on WRRMA’s website. Last year’s County Annual Financial Report has a message from the County Administrator dated May 4th, 2020. Therefore, we anticipate WRRMA’s inaugural audit to be available sometime in May of 2021.

Question: 3. Article XVII allows the WRRMA to contract with third parties. Are those contracts approved by a simple majority of the Authority’s board? Do such contracts require approval by each Constituent Member’s governing body? Are these contracts binding on a Constituent Member who withdraws from the WRRMA if the contract is adopted before the Member’s withdrawal from WRRMA becomes effective? (Councilmember Nelson)

Response: City staff reached out to WRRMA regarding this question and WRRMA agreed with staff’s understanding that third party contracts need explicit approval by communities’ legislative bodies and these contracts are not binding on a Constituent Member who withdraws from WRRMA if that members’ legislative body does not approve the third-party contract, regardless of when the withdrawal is effective.

Question: 4. Article XI provides that a quorum of the WRRMA Board is 50% of the Board members and that any resolution of the Board requires only a majority if the Members in attendance at a meeting. Does this mean that slightly more than 25% of the members could pass a resolution (approving a contract for example) that would be binding on all Constituent members? (Councilmember Nelson)

Response: City staff directed this question to WRRMA and received the following response:

Yes and no. Slightly over 25% could approve a resolution, however certain contracts involving expenditures may require a higher threshold. The WRRMA Board could not approve a contract that required an expenditure of over \$5,000 for any member. Per Article XIV, any expenditure “over \$5,000 for any Constituent Member, shall first be approved by the governing body of each Constituent Member.” Additionally, per article XI, “For purposes of approving and expending money beyond normal operating costs, there shall be an affirmative vote of at least two-thirds (rounded up if necessary) of the Constituent Members.” A contract is considered approving future expenditure to be incurred and therefore subject to 2/3rd approval if the contract is not for “normal costs.” Normal costs include costs listed in the annual budget such as attorney fees, administrative costs, office supplies, or hiring a consultant. Under Article XIV, a proposed budget is discussed in October and then sent to the governing body of each Constituent Member. The Constituent Members are asked to send objections to the proposed budget to be addressed by the Board in December. The WRRMA Board could only pass a contract with slightly over 25% for contracts that are less than \$5,000 for any Constituent member if that contract has already been budgeted for.

Question: 5. The Resolution (20-1) passed by the WRRMA Board in July 2020 promises to “consider and acknowledge” the needs and requirements of each constituent member. Does this mean that a constituent member can be bound to participate in such contracts even if the Constituent member votes against the contract after consideration and acknowledgement of that Member’s concerns? (Councilmember Nelson)

Response: City staff reached out to WRRMA regarding this question and WRRMA agreed with staff’s understanding that if the City of Ann Arbor become a WRRMA member, City Council would need to approve any contract made by the Authority on the City’s behalf. The City is always able to reject contract language and not move forward with any proposed contract that the City determines is not acceptable to the City. The City will present contract requirements of the City at WRRMA meetings. Any contract is subject to negotiations and the particular needs of the City. If appropriate terms cannot be reached, the City would never be compelled to be part of the contract. As a final step, the City would always have the right to withdraw from the Authority and would not be a party to the contract.

Question: 6. Resolution 20-1 also promised to consider amending the Articles of Incorporation to alter the one –member-one-vote structure to a proportional voting structure. The resolution passed with 5 yes-votes and one no-vote. According to Article

XXIII of the Articles of Incorporation, if just one negative vote (as was cast on Resolution 20-1) were cast in opposition to changing the voting structure, that would block any changes, correct? (Councilmember Nelson)

Response: City staff directed this question to WRRMA and received the following response:

Correct. Per Article XXIII “All Amendments to these Articles require a positive vote of the legislative body of each Constituent Member and a unanimous vote of the [WRRMA] Board.”

Question: 7. In July 2020, the City issued an Invitation to Bid for Residential Customer Recyclables Collections (ITB 4623). I understand that Recycle Ann Arbor submitted the lowest bid - has a contract for Residential Customer Recyclables with Recycle Ann Arbor been approved and executed? (Councilmember Nelson)

Response: City Council has not approved a contract for Residential Customer Recyclables Collections. RAA submitted the lowest bid for ITB 4623 in July 2020. Since then, the City has been working in good faith to address questions from RAA about the draft contract. City staff are hopeful that we will have a Residential Customer Recyclables Collection contract for City Council’s consideration soon.

DC – 3 – Resolution Requesting that the City Administrator Determine the Cost and Feasibility of Supplemental Snow and Ice Removal of our Pedestrian Infrastructure to Improve Pedestrian Safety

Question: 1. The final resolved clause refers to “removing snow and ice that city plows unavoidably dump on sidewalks, driveway aprons, bus stops and crosswalk ramps” by this description that could include every driveway apron or approach in the city. My driveway on Pontiac Trail is usually filled in by the city plows, just as, depending on their passing speed and the depth/type of snow, my sidewalk is also usually covered by the plows. Is this level of follow-up even possible in a timely manner? (Councilmember Hayner)

Response: This level of follow up would be extremely cost prohibitive, especially given that often trucks make multiple passes, particularly on major routes.

Question: 2. Would the city undertaking this service relieve the homeowner of responsibility under city code Chapter 49 4:60? (Councilmember Hayner)

Response: The homeowner would not be relieved of responsibility unless City Code was amended.

Question: 1. Can you please share any relatively recent communications with past City Councils on the challenges and potential solutions for addressing this problem? (Councilmember Briggs)

Response: Staff provided a winter operation update to Council in October 2017 and to the current City Council in December 2020. These are attached.

We recommend that residents wait until the plows have been through before shoveling their driveway when possible. Information for residents on how to shovel the edge of their driveway to minimize snow piles can be found at www.a2gov.org/snow (image below) The recent sidewalk snow postcard, which will be sending again in about a week, also refers to these locations and gives folks a link to the www.a2gov.org/sidewalksnow page.



Question: 2. Has the City taken any steps in recent years to address this concern? (Councilmember Briggs)

Response: The City provides annual refresher training to its snow plow drivers and as part of that training, reminds them to plow at speeds to clear the roads but to minimize deposition of snow on sidewalks that have little to no buffer between the edge of curb and sidewalk. However, trucks must travel at enough speed to remove the snow from the road, so some snow will be deposited.

Plowing in front of driveways is unavoidable. Removing parked cars from the streets does enable trucks to plow curb to curb which could help in some instances the amount of deposits. The City piloted a winter parking restriction program several years ago. The program was unsuccessful because there was not sufficient internal or external support.

Question: 3. Is the average snow fall or intensity of storm storms in Ann Arbor changing in a manner that impacts snow clearing? (Councilmember Briggs)

Response: The average annual precipitation has remained steady despite the current and previous seemingly mild winters. Last winter the City had a handful of very large snowfalls, which results in more plowing.

Question: 4. Are Public Services staff monitoring strategies in other communities to see if equipment improvements (tests of snow boot, etc), changes in approaches to plowing (speed, etc), or changes to winter parking requirements would improve current conditions? (Councilmember Briggs)

Response: Staff continually monitor latest technology and are in frequent communication with other northern climate communities on best practices. Most communities have some form of parking restrictions in place. Ann Arbor does not.

Question: 5. How long, what resources would staff need (e.g consultant), and what would be the anticipated cost of this study? (Councilmember Briggs)

Response: A cost or time to perform this study has not been determined. Staff would need to look at the request in more detail in order to develop a planned timeline and cost for the study.

Question: 6. What additional resources would be needed to assess the feasibility and cost of snow removal for the City's sidewalk network as recommended by organizations like SnowBuddy? (Councilmember Briggs)

Response: The additional resources and cost for this study could be rolled into the study referenced in question 5.

Question: 7. In residential neighborhoods, it is my understanding that adjacent property owners are responsible for clearing crosswalk ramps at intersections. What is the current policy for keeping snow clear at midblock crosswalks and intersections in other areas of town along commercial corridors and downtown? (Councilmember Briggs)

Response: City staff have a goal of clearing mid-block crosswalks within 24 hours and often complete the work ahead of schedule. Staff also go back out and re-treat as needed. Crosswalk ramps at intersections along commercial corridors and downtown are the responsibility of the adjacent property owner. In some areas, the City is responsible for clearing and in those instances, the goal for clearing is 24 hours.

DC-4 - Resolution in Support of an Equitable Community Engagement Policy

Question: What is the City already doing, in its existing community engagement policies and its existing protocols for interpreting the results of community engagement instruments, to maximize outreach to and representation of under-represented groups? How, specifically, could existing practice be improved to ensure greater equity? (Councilmember Disch)

Response: The City currently has a Community Engagement Toolkit, which helps identify constituents and organizations to engage during outreach. This toolkit has been updated over the last year to have a stronger focus on equity and engaging those who have been historically underrepresented. This toolkit provides guidance to project managers and requires them to develop an engagement plan for their projects. In addition, in 2019 and the beginning of 2020, the City began administering [IAP2](#) community engagement training, which explores the spectrum of community engagement from informing and consulting, to involving, collaborating, and empowering and teaches

specific engagement techniques. This training was put on hold because of the pandemic, but will be resuming again this year. Additionally, staff in the Office of Sustainability and Innovations, Systems Planning, and Human Resources are preparing to launch a community equity focused engagement initiative that will include a steering community to help inform the city's external equity initiatives. The initiative will include extensive engagement with the community, especially minorities and underrepresented populations, to better understand what people are currently experiencing and how we can shape engagement experiences to be more inclusive and effective. While the work plan for this group is still being created, we plan to create a Steering Committee and to work with them and the community to help us define what equity and equitable engagement means in Ann Arbor, and to help us identify processes that should be involved when conducting engagement, and together, define what metrics should be tracked that are meaningful to the community and demonstrate authentic engagement, especially with marginalized and frontline populations. Lastly, since 2019, we have been conducting demographic polls at community engagement events to learn who we are reaching and who we are not. This poll also includes the question "What would make it easier for you to engage with the city?" We are currently in the process of analyzing this data and will continue to collect this information to track our progress.

Question: 1. Do we have examples of other communities "Equitable Community Engagement Processes" so as to better understand what form this might take? (Councilmember Hayner)

Response: Yes, the City has been researching and engaging/learning from work in other communities around equitable engagement, including work in [Durham, NC](#); [Eugene, OR](#); [Richmond, VA](#); [Oakland, CA](#); [Equity in the Center](#); [Urban Sustainability Directors Network](#); [Cleveland, OH](#); [Providence, RI](#); [Minneapolis, MN](#); [Zero Cities Project](#); and [Fort Collins, CO](#).

Question: 2. I am concerned that much of our community outreach relies on having both access to and ability to use internet-enabled technology. Do we have any sense of what percentage of our population does not have access to technology? (Councilmember Hayner)

Response: As many of these resources discuss, an equitable engagement approach needs to rely on a multitude of tools and techniques, including but not limited to technology. In terms of internet access, according to the U.S. Census (<https://www.census.gov/quickfacts/annarborcitymichigan>), 95.9% of Ann Arbor households have a computer and 90.1% of Ann Arbor households have a broadband internet subscription.

Question: 1. It is my understanding that currently staff utilizes qualitative and quantitative data, input from Commissions and Council, peer-reviewed scientific studies, and state and federal guidance to aid decision making and the planning process. Is this correct? (Councilmember Briggs)

Response: Staff use a wide variety of tools to inform our decision-making, planning, and community engagement process, including insights from our community, lessons learned from peer communities, and promising practices within the peer reviewed and gray literature.

Question: 2. This resolution states, “*Wherever possible the city shall encourage individuals to speak for themselves and not rely on academic studies and stereotypical generalizations*”. Would staff consider this request to rely solely on qualitative data “whenever possible”, rather than a more balanced set of inputs, to be a change in policy or in line with best practice? (Councilmember Briggs)

Response: Guidance to rely solely on qualitative data would be a change in policy and could impact the quality, safety, and success of some city initiatives. Community input is a critically important and valuable tool in our efforts, but it is important to supplement this vital input with technical expertise, industry best practices, and staff expertise in many situations. This does not devalue the critical importance of creating more opportunities for engagement, especially equity-centered engagement, for our residents to speak freely, and for themselves.

Question: 3. Briefly, can you outline any recent steps the City has taken to integrate equity, and seek broader input from historically underrepresented communities, into our planning and decision making processes? (Councilmember Briggs)

Response: One of the primary tools used is the City of City of Ann Arbor Community Engagement Toolkit. The Community Engagement Toolkit is the city’s resource for planning effective engagement on all projects, policies and programs. All service areas and units are expected to apply the Community Engagement Toolkit to their planning and decision-making processes. The following changes have recently been made, or are in progress, to achieve greater equity and inclusion in our public engagement strategies:

1. Step 2 Action Plan: substantial updates have been drafted to incorporate concepts from the International Association for Public Participation (IAP2) in the action plan questions. The revised action plan will be implemented before spring of 2021 (currently in a pilot phase). Action Plan revisions include equity-focused questions, scoring questions to assign the appropriate IAP2 level of engagement, and an analysis of the appropriate engagement technique for each step of the initiative.
2. Step 3 Stakeholder Worksheet: The Stakeholder Worksheet provides a comprehensive listing of potential stakeholders (and contact info) that are considered for each outreach effort. Yellow highlighting within the worksheet is now used to draw attention to organizations with the potential to assist with reaching diverse and/or under-represented populations. Limited English Proficiency Audiences have been specifically identified. A comprehensive listing of faith-based organizations has been added to the stakeholder worksheet as additional conduits to reach a broader segment of our community.
3. Public Engagement Checklists: A Community Engagement Toolkit Checklist, Meeting Reservation Checklist and Public Notification Checklist have been developed. These checklists will help ensure that the Community Engagement

Toolkit is fully implemented and support consistency in engagement and public notifications/communications across the organization.

4. An internal staff work group to oversee application of the toolkit across the organization previously existed. Plans have been developed to revive the Toolkit Work Group. Anticipated by spring 2021.

In addition to the toolkit, staff have been expanding public engagement techniques. These include:

- Pre-COVID-19 staff were using more open houses and pop-up events than had historically been practiced. Pop-up events have been particularly successful to meet people where they are instead of requiring attendance at City Hall or other designated meeting location. Open Houses provide opportunity for participants to drop-in at their convenience and to speak with staff one-on-one.
- Driven by needs for social distancing and public health as a result of COVID-19, City Boards, Commissions and general project engagement have transitioned to electronic meetings, accessible by web, phone and in some cases live broadcast by CTN. Electronic meetings had not been widely used for city business prior to the pandemic. While digital divide concerns remain, the lessons learned through this pandemic will enhance staff skills in conducting effective online, and phone-based, engagement which can encourage participation among those who do not have the schedule flexibility to attend traditional public meetings.
- Online surveys have been used widely (pre and post pandemic), often in parallel to other engagement techniques, as an additional means of participation for those who do not have the flexibility to attend scheduled engagement events. Staff is currently exploring the potential for interactive kiosks that could be placed within public rights-of-way, as a means to conduct surveys and digital engagement with those who are not plugged in to City mailing lists and networks.
- Anonymous real-time polling: Staff have been leveraging the polling feature within Zoom to gather real-time, anonymous feedback from meeting participants during public engagement. Staff also use 'TurningPoint' for anonymous feedback during public meetings (electronic and in-person). Anonymous polling allows all participants to contribute feedback on important questions, regardless of whether they are comfortable speaking aloud or submitting written comments.

Staff have also started to collect demographic information to understand who is participating and being reached in engagement activities and who is not. Staff have developed a standard questionnaire to guide this work (see attached). Consistent use of the demographic survey (added to the Community Engagement Toolkit Q1FY19) may help staff better understand which engagement formats encourage the greatest diversity of participation. Baseline demographic data has been collected, goals for improved diversity have been set, and staff compile a quarterly report of demographic trends observed from our engagement activities. Additionally, the MDOT Title VI Public Involvement Survey has been consistently used as public meetings for projects with MDOT funding, to gather demographic information from meeting participants. This survey helps staff understand who we are and are not hearing from during public engagement.

Another avenue of activity recently administered public participation/community engagement staff training. 50 City of Ann Arbor staff completed Part 1 (Planning for Effective Public Participation) of IAP2 [Foundations in Public Participation](#) training in 2020. 25 staff completed Part 2 (Techniques for Effective Public Participation) of the training program in 2020. The next segment of Part 2 training is scheduled for March 2021 (previously postponed due to COVID-19). Staff believe the training will support more effective community engagement by enhancing knowledge, confidence and skills. The Foundations in Public Participation training program is based on the following Core Values which emphasize inclusivity in planning and executing public engagement strategies:

- a. Public participation is based on the belief that those who are affected by a decision have a right to be involved in the decision-making process.
- b. Public participation includes the promise that the public's contribution will influence the decision.
- c. Public participation promotes sustainable decisions by recognizing and communicating the needs and interests of all participants, including decision makers.
- d. Public participation seeks out and facilitates the involvement of those potentially affected by or interested in a decision.
- e. Public participation seeks input from participants in designing how they participate.
- f. Public participation provides participants with the information they need to participate in a meaningful way.
- g. Public participation communicates to participants how their input affected the decision.

Staff across the organization have participated in the Government Alliance for Racial Equity (GARE). Staff are now participating in Diversity Equity and Inclusion Training through SDS Global. Staff in OSI are also participating in additional racial equity training through their involvement in the Urban Sustainability Directors Network.

Staff have also developed and led a Community High School course designed to increase civic competency and engagement among local youth. The city received a Planning Excellence Award for Public Outreach from the Michigan Association of Planning for this effort.

Finally, staff are preparing to launch an equity steering committee composed of internal and external community members to help inform the city's external equity initiatives. The initiative will include extensive engagement with the community, especially minorities and underrepresented populations, to better understand what people are currently experiencing and how we can shape engagement experiences to be more inclusive and effective. While the work plan for this group is still being created, we plan to create a Steering Committee and to work with them and the community to help us define what equity and equitable engagement means in Ann Arbor, and to help us identify processes that should be involved when conducting engagement, and together, define what metrics

should be tracked that are meaningful to the community and demonstrate authentic engagement, especially with marginalized and frontline populations.

Question: 4. This resolution calls for a “comprehensive Equitable Community Engagement policy that represents best practices by March 1, 2021”. Would there be any challenges for staff to meet this request? (Councilmember Briggs)

Response: Staff would not be able to meet a deadline of March 1, 2021 for creating an engagement policy that is grounded in equity. Doing this would necessitate broad community engagement and input to help develop the policy. As an alternative, staff is recommending a March 1, 2021 deadline for bringing forward the plan for how we’ll develop an equitable community engagement policy. This will chart the plan for how we’ll work directly with the community, especially frontline and marginalized populations, to co-create the equitable community engagement policy.

DC – 5 – Resolution to Approve Amendments to Council Rules

Question: 1. I recognize that some of these questions may be better directed to the resolution sponsors. Can you please attach a copy of the complete current council rules as most recently adopted to the agenda item? (Councilmember Hayner)

Response: Attached. The Rules are also available online: <https://www.a2gov.org/departments/city-clerk/Documents/Council%20Rules.pdf>

Question: 2. In our current rules, it allows that “Council-adopted rules may be suspended for the time being by a vote of the Council.” Is this a simple majority vote? (Councilmember Hayner)

Response: Yes.

Question: 3. If adopted, could the proposed rules be suspended to allow someone to “assail” a member, then reinstated? (Councilmember Hayner)

Response: Rules are typically suspended to allow Council to take an action that is otherwise blocked procedurally, although this scenario is possible.

Question: 4. Can we get a definition of “with the consent of 3/4 of the members present.”? If there are 11 members present, $\frac{3}{4}$ is 8.25 members. Is it 8, or 9 needed for consent in this instance? (Councilmember Hayner)

Response: Fractions are rounded up to meet the minimum whole number of persons.

Question: 5. In what way does reducing council communications speaking time meet the stated goals of the resolution? (Councilmember Hayner)

Response: This question should be directed to the sponsors.

Question: 6. I've been asking for some time for the Rules Committee (now defunct) to number or outline our rules for referral. Can we please get a copy of the numbered rules prior to considering changes? (Councilmember Hayner)

Response: This request should be directed to the Administration Committee. The Rules are also available online: <https://www.a2gov.org/departments/city-clerk/Documents/Council%20Rules.pdf>

Question: 7. To whom are requests for rules changes addressed now that the Rules Committee no longer exists? (Councilmember Hayner)

Response: The Administration Committee is currently handling rules changes.

Question: 8. "It is the Members' responsibility to prepare in advance of Council meetings, be familiar with issues on the agenda, and to submit questions to staff or colleagues, if any, before the meeting. It is the Member's responsibility to be fully prepared before the meeting occurs." How can this rule possibly be enforced? Does this rule count for items that are added to the agenda at the last minute, as is often the case? Frequently for work sessions or closed sessions we have no prior receipt of staff materials, or we receive attorneys complex work product just before or in the closed session, for example, as a handout. What determines our level of preparedness in these instances? (Councilmember Hayner)

Response: Council governs itself and would make these determinations under Rule 12 and related provisions.

Question: 9. "Council shall strive to discuss complex litigation matters during special sessions." Litigation is discussed in Closed sessions only, is it not? Can you define "Special Session", "Closed Session" and "Work Session"? (Councilmember Hayner)

Response: Special Sessions are nonregularly scheduled meetings. Work Sessions are scheduled, nondecisionmaking meetings. Closed Sessions are as defined by the Open Meetings Act and may be held as part of Regular or Special meetings.

Question: 10. How does reducing council members speaking time during open deliberations meet the stated goals of the resolution? (Councilmember Hayner)

Response: This question should be directed to the sponsors.

Question: 11. Please define "civility and professionalism" as used in this instance? (Councilmember Hayner)

Response: This question should be directed to the sponsors, however Council governs itself and would make these determinations under Rule 12 and related provisions.

Question: 12. Who determines that matters are “germane and relevant to the motion on the floor.”? (Councilmember Hayner)

Response: The presiding officer (usually the Mayor) would make an initial determination, subject to appeal as set forth in Robert’s Rules.

Question: 13. “The time that the Member holds the floor includes Member questions to and answers from staff.” This strikes me as having great potential to limit actual debate. Is staff ok with this? (Councilmember Hayner)

Response: Under the proposed rules staff will respond verbally at the Council meeting to questions received by the day of the Council meeting by 9:30 a.m. Staff is also available if the item is postponed. Furthermore, the Administration Committee has the ability to revisit the rules if Council feels the rules are not sufficient.

Question: 14. “Any Member may, by 9:30 a.m. the day of a Meeting, flag an agenda item for a Staff introduction, during which introduction Staff may answer written questions delivered prior to the meeting to Staff from such Member (or others). Staff introduction time does not count toward the requesting Member’s speaking time.” Does this prohibit follow-up questioning during this period? (Councilmember Hayner)

Response: This question should be directed to the sponsors as to their intent.

Question: 15. Please define “personal privilege.” (Councilmember Hayner)

Response: Under Robert’s Rules, a question of personal privilege relates to rules affecting an individual member of the body, as opposed to rules affecting the body as a whole.

Question: 16. “Redress of grievances” states that actions “in another public venue” are subject to council questioning. Can we please define what “another public venue” means? (Councilmember Hayner)

Response: This question should be directed to the sponsors as to their intent, however Council governs itself and would make these determinations under Rule 12 and related provisions.

Question: 17. Would this give council authority to examine one’s work product, for example? (Councilmember Hayner)

Response: The Council Rules do not give the Council any special authority to require production of evidence.

Question: 18. Who determines when “a specific Member’s integrity, character, or motives are characterized, assailed, questioned, or impugned” has actually happened? (Councilmember Hayner)

Response: The presiding officer (usually the Mayor) would make an initial determination, subject to appeal as set forth in Robert's Rules.

Question: 19. There is no presiding officer "in another public venue" so who would determine if "a specific Member's integrity, character, or motives are characterized, assailed, questioned, or impugned" actually happened? (Councilmember Hayner)

Response: Council governs itself and would make these determinations under Rule 12 and related provisions.

Question: 20. What sort of evidence need be presented to establish if "a specific Member's integrity, character, or motives are characterized, assailed, questioned, or impugned"? Is the claim considered evidence enough? If a specific member's "integrity ... (is) characterized" as "beyond reproach and really awesome" would that be a violation of the proposed rules? (Councilmember Hayner)

Response: Council governs itself and would make these determinations under Rule 12 and related provisions.

Question: 21. On Council Ethics Rule 11, it states "A Councilmember shall not appear before the following boards and commissions on his or her own behalf or on behalf of another: Historic District Commission (as one example)". Does this mean that a councilmember cannot file their own petition to do repairs to their own home in an Historic District? I could not represent myself, on my own home, before the HDC? (Councilmember Hayner)

Response: A Council member would need a representative to appear before the commission. However, a Council member could prepare and submit an application or petition on their own behalf.



TO: Mayor and Council

FROM: Tom Crawford, City Administrator

CC: Derek Delacourt, Community Services Area Administrator
Matthew Horning, Interim Financial Services Area Administrator/CFO
Craig Hupy, Public Services Area Administrator
Nick Hutchinson, City Engineer
Brett Lenart, Planning Manager
Molly Maciejewski, Public Works Manager
Marti Praschan, Chief of Staff, Public Services
Tom Shewchuk, ITSU Director

SUBJECT: Solid Waste edits to January 4, 2021 Council Agenda Responses
Regarding WRRMA (DC-2 in this memo)

DATE: February 1~~January 4~~, 2021

CA-1 – Resolution to Approve an Agreement with Washtenaw County on Behalf of Its Sheriff’s Office to Provide Drug Abuse Screening Services to Sobriety Court, Veterans Treatment Court, and Mental Health Court Participants (\$39,899.00)

CA-2 – Resolution to Approve an Agreement with Dawn, Inc., d/b/a Dawn Farm, to Provide Drug Abuse Counseling and Rehabilitative Services to Sobriety Court, Veterans Treatment Court, and Mental Health Court Participants (\$106,375.00)

CA-3 - Resolution to Approve an Agreement with Washtenaw County Community Mental Health to provide Mental Health Treatment Services to Sobriety Court and Mental Health Court Participants (\$84,705.00)

Question: Kudos to staff for securing grant funding for these initiatives. As a newcomer to Council, I would benefit from some more basic information about how activities for the 15th District Court are funded. I couldn’t find a break down in the City’s budget of the Court’s revenue sources. Feel free to direct me to a specific page if I’m missing it. I know

I'll have the opportunity to get more detailed information in the budget presentations next month, but was hoping to get a bit of high-level info in advance. (Councilmember Briggs)

Response: The court receives payment of court assessments (fees, fines, and costs), when appropriate, from civil litigants and defendants in traffic and criminal matters for offenses that occurred within the City of Ann Arbor, which helps fund the court. The largest source of funding for 15th District Court operations is the city's general fund. Other funding is available from state payments and grants. For example, the state reimburses local funding units for the locally paid portion of the judges' salaries. Disbursements are also received from state-managed funds such as the Drug Case Information Management Fund (MCL 257.323d), the Drunk Driving Caseflow Assistance Fund (MCL 257.625h(5)), and the Juror Compensation Reimbursement Fund (MCL 600.151d; MCL 600.151e). Additionally, each year this court submits applications to the State Court Administrative Office to vie for grant funding to help support its problem-solving court programs (Sobriety Court, Veterans Treatment Court and Mental Health Court programs). To-date, the court has been successful in attaining annual grant awards.

In addition to the above, the Michigan Indigent Defense Commission Act (MCL §780.981 et. seq.) requires all indigent defense delivery systems in Michigan to submit compliance plans and cost projections for all of the standards approved by the Department of Licensing and Regulatory Affairs. The Michigan Indigent Defense Commission (MIDC) awards grant funds to help fund court-appointed attorney and related legal services. All courts in Michigan are required by law to appoint attorneys to represent indigent and partially indigent defendants when potential sanctions, including sanctions for violation of court orders, upon conviction may include incarceration. In the current MIDC grant fiscal year, the City / 15th District Court partnered with Washtenaw County and Ypsilanti Township under one compliance plan; the County is the grantee under the current new plan. In the past, the City general fund paid for all of these services but now the grant funds help to offset some of the expenses.

CA-4 – Resolution to Release an Easement (Liber 4701, Page 884) and Accept Replacement Water Main and Sanitary Sewer Easements at Blue Heron Pond of Ann Arbor Condominium from NDC – Blue Heron Pond, LLC (8 Votes Required)

Question: Please describe the change in these easements for Water main and Sanitary Sewer. It's not clear from the drawings—is there any change related to this that would increase expense for the city in establishing or maintaining these water/sanitary sewer connections (e.g. greater distance to a structure, longer lengths of pipe, etc.)? If Exhibit A in our packet is a diagram of the current easement requested, I would like to see a diagram of the easement before changes. (Councilmember Nelson)

Response: The prior easement drawings are attached. The easement revisions arose from site plan changes that occurred when the project changed ownership. The new easements are in the current City standard form and address a segment of water main that was required to be encased due to proximity to buildings, adjustment of the sanitary

easement boundary due to location of a building, and clarification that the property owner is responsible for rain garden and swale maintenance. It is not known whether the changes will increase costs of maintenance as compared to the original site plan, but the current layout is permitted by and compliant with the City's Public Services Standard Specifications. The utilities were constructed by the developer at their cost.

CA-5 – Resolution to Approve a Construction Contract with Z Contractors, Inc. for the City of Ann Arbor Bridge Capital Preventative Maintenance Repair Project (\$1,042,460.77) (ITB 4647) and Appropriate \$233,569.00 from the Street, Bridge & Sidewalk Millage Fund to the Existing Major Street Bridge Capital Preventative Maintenance Repair Project (8 Votes Required)

Question: A significant amount of information is attached to this agenda item but I cannot find a numerical scoring/ranking of the bids received (I believe this is typically included and Council has asked that it be included in RFP's like this one). Please draw my attention to it if it's already in the packet and I overlooked it. (Councilmember Nelson)

Response: This information was provided in the Memo. There were three bidders, as follows:

Z Contractors, Inc.	\$1,042,460.77
C. A. Hull Company, Inc.	\$1,487,533.96
Anlaan Corporation	\$1,562,283.15

CA-6 – Resolution to Approve a Professional Services Agreement with WSP Michigan Inc. for Construction Inspection Services (\$158,379.92) for the Bridge Capital Preventative Maintenance Repair Project (RFP 20-32)

Question: I cannot find the numerical scoring/ranking of bids for this agenda item either. I appreciate seeing it. (Councilmember Nelson)

Response: As described in the Memo, two firms submitted proposals (WSP, Inc. and Fishbeck, Inc.). Staff reviewed the proposals, work plans, fee schedules, staffing plans, and their past performance working on similar projects for the City. This resulted in a score of 87.1 for WSP and 71.0 for Fishbeck; thus, leading staff to recommend awarding the contract to WSP.

CA-8 – Resolution to Approve an Increase to the Purchase Order with Morton Salt, Inc. for Early Fill Supply Ice Control Salt (\$18.93) for a Total Not to Exceed Amount of \$61,168.93

Question: This expense is for ice control salt—do we have an update on the City's use of brine to control ice? (Councilmember Nelson)

Response: Last winter the City began using salt brine as an anti-icing on a small-scale basis. More widespread use of brine will occur as the City purchases equipment necessary to treat on a larger scale, anticipated over the next several years. Salt brine is used as an anti-icing agent in snow events where weather conditions are appropriate for the application. In the events it was used last winter it was very effective, as expected.

Question: Can you provide some background on how the City treats snow/ice on sidewalks adjacent to or within parks/natural areas? Are we using salt or a more environmental/pet friendly product? (Councilmember Briggs)

Response: Rock salt is used to treat general parks paths. In areas that have been deemed sensitive areas, like natural areas or near the river, parks staff uses a product called Safe Step Pro 960. This product has been designated a safer choice by the United States EPA and contains potassium chloride and magnesium chloride rather than sodium chloride. In addition, not all park pathways are treated or plowed. It depends on the level of use for each park.

Question: I reviewed the City webpage on Street Snow Removal I understand the salt is used to control ice on major roads and sand is used for traction on side streets. I also understand has begun applying a salt brine in advance of winter storms to prevent snow and ice from sticking. How successful was this program last year? (Councilmember Briggs)

Response: Last winter the City began using salt brine on roads as an anti-icing on a small-scale basis. More widespread use of brine will occur as the City purchases equipment necessary to treat on a larger scale, anticipated over the next several years. Salt brine is used as an anti-icing agent in snow events where weather conditions are appropriate for the application. In the events is was used last winter it was very effective, as expected.

Question: What are the advantages and of using salt brine (e.g. cost savings, environment)? (Councilmember Briggs)

Response: Salt brine uses significantly less salt in production and application than does rock salt application and does not produce scatter off the roads, reducing the impact to vehicles and the environment. Brine is sprayed directly onto the road from a low height on the truck and at a low rate, minimizing runoff potential. There is a cost savings as well, but the annual costs savings cannot be calculated until the City is fully equipped.

Question: Are the reports that salt brine causes more damage to vehicles backed by data? (Councilmember Briggs)

Response: Reports that indicate brine is more harmful to vehicles than rock salt reference brine that is made with magnesium chloride. The City produces its own brine using sodium chloride and water, with an occasional additive of beet juice and/or calcium chloride. The City does not use mineral well brine, or magnesium chloride in brine

production. Calcium chloride is a necessary additive in extremely low temperatures and beet juice improves the effectiveness of the application.

Question: Have we experimented in the past with any other road/sidewalk treatments? (Councilmember Briggs)

Response: No, the City has not experimented with other treatments.

CA-9 – Resolution to Appropriate Funds from the Sewage Disposal System Fund Balance to the FY21 Sewage Disposal System Operating and Maintenance Budget (\$900,000.00) for Sewer Inspection and Cleaning (8 Votes Required)

Question: Any insight as to way contracting estimates were 900K below the actual financial needs to this mandated work as it relates to the FY 21 appropriations approved in the FY 21 budget? (Councilmember Ramlawi)

Response: The adopted FY21 budget of \$585,000 was developed in the winter of 2019 and was formulated on the assumption that the City would televise and rate all remaining uninspected pipes over the course of 5 years. The Administrative Consent Order issued by the State requires that these inspections are completed prior to May 15, 2022. This was unforeseen and requires the appropriation to cover this escalated timeline.

CA-11 – Resolution to Approve Memorandum of Understanding (MOU) between the City of Ann Arbor and the University of Michigan for the Hubbard Road/Huron Parkway Stormwater Outlet Repair Project (\$210,000.00)

Question: When this item was on the previous agenda, the cost-sharing split was less favorable to the City (55% City/45% UM). I have the same questions as the last meeting: how did we arrive at the current cost share split (50/50)? Also: how much University property is in the vicinity of this work at Hubbard Road/Huron Parkway? I'd be curious to see a map of where the project work is located and the ownership of property within that work area. (Councilmember Nelson)

Response: The project is proposed to be a 50/50 split equally for both parties. The participation is based on contributing drainage areas - a map is attached that shows the University property in the area, as well as the contributing drainage systems that all drain to the project site. Please note that there is a significant portion of the drainage area that does not drain University property, it collects the stormwater from the City-owned public right-of-way. The drainage area calculations were used to denote the responsible parties for the project areas.

DC-1 – Reconsideration of the Vote to Approve R-20-466, Resolution to Approve a Purchase Order with Axon Enterprise, Inc for FY21 In-Car Equipment Project Fund

(\$69,848.00 in FY21) for Axon Fleet Dashboard Cameras, Evidence.com Cloud Storage and Wi-Fi Offload Hardware Used in all Police Patrol Vehicles and related six-year quote (\$348,308.00 Total)

Question: Do we have any clarifying information about the use of (or propriety ownership of) images/data recorded and collected via these systems? Do the agreements release any of the recorded/collected data to third parties or give any rights to third parties to use or share that recorded/collected data in any way? (Councilmember Nelson)

Response: Below are sections from our Master Services/Cloud Agreement with Axon that refer to Councilmember Nelson's questions. The "Agency" stated below is the City of Ann Arbor. We do not release video/data or give any rights to our video/data from our In-Car or Body Worn Camera systems to 3rd parties.

4. Agency Owns Agency Content. Agency controls and owns all right, title, and interest in Agency Content. Except as outlined herein, Axon obtains no interest in Agency Content, and Agency Content are not business records of Axon. Agency is solely responsible for uploading, sharing, managing, and deleting Agency Content. Axon will have limited access to Agency Content solely for providing and supporting Axon Cloud Services to Agency and Agency end users.
5. Security. Axon will implement commercially reasonable and appropriate measures to secure Agency Content against accidental or unlawful loss, access or disclosure. Axon will maintain a comprehensive information security program to protect Axon Cloud Services and Agency Content including logical, physical access, vulnerability, risk, and configuration management; incident monitoring and response; encryption of uploaded digital evidence; security education; and data protection. Axon agrees to the Federal Bureau of Investigation Criminal Justice Information Services Security Addendum.
7. Privacy. Axon will not disclose Agency Content or information about Agency except as compelled by a court or administrative body or required by law or regulation. If Axon receives a disclosure request for Agency Content, Axon will give Agency notice, unless legally prohibited from doing so, to allow Agency to file an objection with the court or administrative body. Agency agrees to allow Axon access to certain information from Agency to (a) perform troubleshooting services upon request or as part of regular diagnostic screening; (b) enforce this Agreement or policies governing the use of Axon Evidence; or (c) perform analytic and diagnostic evaluations of the systems.

~~DC-2 – Resolution to Approve the City of Ann Arbor Membership in the Washtenaw Regional Resource Management Authority (WRRMA)~~

Question: Could we please see the complete resolution that was approved by WRRMA in July of 2020, which is being referenced to within this resolution? (Councilmember Ramlawi)

Response: Staff uploaded the Resolution and the Articles of Incorporation into Legistar.

Question: A specific proposal to join the WRRMA was last considered by Council on March 4, 2019, when we were asked to approve Articles of Incorporation (it was tabled). Is this agenda item meant to effect the City's membership in WRRMA without explicit approval of the Articles of Incorporation? (Councilmember Nelson)

Response: No. The Resolution 20-1841, Resolution to Approve the City of Ann Arbor's membership in the Washtenaw Regional Resource Management Authority (WRRMA) will enable City staff to petition current WRRMA members to join the regional authority. Once Ann Arbor City Council passes a resolution to join, the process will start for amending the Articles of Incorporation to include the City of Ann Arbor as a Constituent member. The WRRMA Board will have to unanimously approve of acceptance and each Constituent member's legislative body listed (including the City of Ann Arbor) will have to accept the amended Articles of Incorporation. If Ann Arbor is accepted as a member of WRRMA, the City will have the power to vote on any resolutions impacting WRRMA and its Articles of Incorporation, adopted by founding WRRMA members in 2019.

WRRMA adopted Resolution 20-1 in July 2020. The recently adopted resolution and the articles of Incorporation address the topics of voting and contracts in the following ways:

- WRRMA must secure approval from each member community's legislative body before entering into any contract over \$5000 per member community.
- In the process of negotiating and securing any contract as the Authority, WRRMA will consider and acknowledge the particular needs and requirements of each member community including, but not limited to, existing and future labor terms, wage matters, and other issues raised by any member community.
- In the process of negotiating and securing future contracts as the Authority, WRRMA will consider a weighted voting system to be decided by the then sitting WRRMA board and subsequently approved by member legislative bodies, that is designed to reflect a voting system linked to contract costs on tonnages at issue in the contract. No single WRRMA member community shall become a majority of the voting structure for any contract situation.

Should the City of Ann Arbor become a member of WRRMA, the Authority would not have the power to contract on the City's behalf or impose unilateral directions or contracts on the City's behalf. Additionally, in the process of negotiating and securing any contract involving the management of recyclables, Ann Arbor's current labor and wage requirements would be incorporated into the contract terms. (Attachment in Legistar)

Question: Have the Articles of Incorporation for WRRMA changed since 3/4/19? (I'd like to request that whatever Articles of Incorporation currently exist for WRRMA be attached to this agenda item on Legistar.) (Councilmember Nelson)

Response: The Articles of Incorporation have not changed since WRRMA was established. (Attachment in Legistar)

Question: In March 2019, it was my understanding that the governing structure of WRRMA defined one-vote-per-municipality (i.e. one vote each for Ann Arbor Township, City of Dexter, Pittsfield Charter Township, City of Saline, Township of Scio, City of Ypsilanti, and Charter Township of Ypsilanti). Is that the current governing structure of WRRMA? (Councilmember Nelson)

Response: Yes.

Question: I appreciate that the City would prefer proportional representation and voting power that reflects the larger size of our community and this continues to be a goal. Please share the approximate populations/municipal budgets of each WRRMA member community (AA township, Dexter, Pittsfield Township, Saline, Scio township, Ypsilanti, Ypsilanti township) and the comparable numbers for Ann Arbor. (Councilmember Nelson)

Response: The following chart contains population and budget data for WRRMA member communities and the City of Ann Arbor.

Voting Members	Population	Budget (Total Expenditures)
Ann Arbor Township	4,202	\$1.2 million (2018)
Pittsfield Township	38,567	\$14.8 million (2018)
Scio Township	17,624	No data available
<u>Ypsilanti Township</u>	<u>55,089</u>	<u>\$32,636,537 (2018)</u>
City of Dexter	4,644	\$11.3 million (2019-2020)
City of Saline	9,251	\$9.9 million (2018)
City of Ypsilanti	20,828	\$39,332 \$13.7 million (2017-18)
Non-Member		
City of Ann Arbor	120,735	\$104.6 million (2018)
Population Data: Southeast Michigan Council of Governments Community Explorer Tool . https://maps.semco.org/CommunityExplorer/?shortcut=Total_Population		
Budget Data found on member communities' websites – see embedded links above.		

Question: The memo states that University of Michigan and Eastern Michigan University were also “part of the process.” What was their involvement? (Councilmember Nelson)

Response: The University of Michigan and Eastern Michigan University were invited to participate in the Authority Formation Committee and regularly sent updates as a part of the WRRMA formation process. The University of Michigan participated in initial Authority Formation Committee meetings.

While state law (Section 123.301, Joint Garbage and Rubbish Disposal) excludes universities and county governments from incorporating as an authority for the purpose of collection, or disposal, or both, of solid waste, Universities cannot be WRRMA members, but they can be customers of the Authority and may provide input on topics including collections and processing, as appropriate.

Question: The memo attached to the Solid Waste Resources Management (SWRM) plan that was approved on 10/20/20 explained that staff would “attend the WRRMA board meetings as members of the public to observe their activities and monitor for potential opportunities of interaction with the City.” How many WRRMA board meetings have occurred since 10/20/20? Who attended those meetings on behalf of the City? Are there memos or updates related to those meetings that can be shared? (Councilmember Nelson)

Response: Eileen Naples, the City’s Resource Recovery Manager regularly attends WRRMA meetings, including the two meetings between October 20, 2020 and January 4, 2021, on behalf of the City. Eileen attends in listening mode only. Meeting agendas and other information are publicly available on WRRMA’s website—www.wrrma.org.

Question: Was the topic of proportional representation and/or changes in the voting power of participating municipalities discussed at any of the WRRMA board meetings attended by Ann Arbor City staff? Are we aware of any discussion of this topic at WRRMA board or committee meetings not attended by Ann Arbor City Staff? (Councilmember Nelson)

Response: City staff attended WRRMA board meetings in listening mode only during which WRRMA members discussed the topic of voting. City staff are not aware if WRRMA members discussed voting during meetings not attended by staff.

Question: The SWRM plan includes explanation that the City would “seek opportunities to partner with WRRMA to increase access to collection options for Ann Arbor residents.” What specific partnership opportunities have come up since 10/20/20 (or since 3/4/19) to warrant membership at this time? (Councilmember Nelson)

Response: Since March 2019, WRRMA members have:

- Discussed the status of the Washtenaw County full-service drop-off station (DOS), which is located at 2950 Ellsworth Road in Ann Arbor and receives approximately 30,000 vehicle visits each year (47% from City of Ann Arbor’s residents). The current DOS has non-repairable structural issues and space constraints and lacks paving.

- Applied for and received a \$125,000 grant from The Recycling Partnership and the Michigan Departments of Energy, Great Lakes, and Environment (EGLE) to support the Authority's goal of reducing recycling contamination, improving the long-term sustainability of local recycling systems and increasing the recycling rate of member communities.
- Drafted a Strategic Plan with short and long-term goals aimed at increasing the quantity of high-quality recycling, pursuing contracting recycling services as a group of member communities, and monitoring and supporting a regional full-service DOS to increase recycling access.

Question: If I am interpreting all of this material correctly, Council would need to approve any contract made by the Authority on our behalf and, so, could reject any contract that Authority makes that would violate the City's commitments to good labor practices. I have in mind here: 1) the City's commitment not to contract out union jobs to non-union workers; 2) the City's commitment to pay the County living wage (approx \$15/hr) to non-union workers hired for City contracts. Am I correct? (Councilmember Disch)

Response: Yes, per WRRMA Articles of Incorporation and Resolution 20-1, if the City of Ann Arbor became a WRRMA member, City Council would need to approve any contract made by the authority on the City's behalf. The City is always in a position to reject contract language and not move forward with any proposed contract that the City determines is not acceptable to the City.

Question: 1. Would joining the WRRMA supersede council's anti-privatization policy? (Councilmember Grand)

Response: Staff is seeking input from Washtenaw County and will provide a response at a later date.

Question: 2. Is this true that Ann Arbor could "opt out" of a regional contract supported by the majority of WRRMA members, especially if that contract were to outsource to a company that does not use union labor? (Councilmember Grand)

Response: Staff is seeking input from Washtenaw County and will provide a response at a later date

Question: 3. It seems that the initial focus of the WRRMA is on recycling. Are there plans to expand the scope to commercial waste, residential waste, and/or organics? (Councilmember Grand)

Response: Staff is seeking input from Washtenaw County and will provide a response at a later date

Question: 4. What is the role of RAA in the WRRMA? (Councilmember Grand)

Response: Staff is seeking input from Washtenaw County and will provide a response at a later date

Question: The staff memo noted that the WRRMA adopted a resolution in 2020 to “*consider and acknowledge the particular needs and requirements of each member, including but not limited to existing and future labor terms and wage matters.*” That seems like a good step towards addressing the concerns that we don’t want sacrifice our commitment to labor to advance our environmental priorities, but the language is a bit vague. Please elaborate. (Councilmember Briggs)

Response: WRRMA must secure approval from each member community’s legislative body before entering into any contract over \$5000 per member community. Should the City of Ann Arbor become a member of WRRMA, the Authority would not have the power to contract on the City’s behalf. Additionally, in the process of negotiating and securing any contract involving the management of recyclables, Ann Arbor’s current labor and wage requirements, environmental priorities, and operational considerations would be incorporated into the contract terms.

Question: It is my understanding that the WRRMA is not considering contracting for services in the near future, but that if it did 1) any future RFP would bundle the specific service needs and commitments of each member community, 2) there would be a contract with WRRMA, as well as individual contracts with member communities allowing us to honor our commitments to labor as well as other priorities; and 3) there would be the opportunity for portability, so that if a new contractor was selected that we hadn’t used in the past that contractor could be required to hire the same individuals currently providing the service at the same pay/benefits. Is this correct? (Councilmember Briggs)

Response: Per WRRMA Resolution 20-1, any future contract involving the management of recyclables (or for other authorized purposes for ARRMA as an authority) is subject to negotiation and the particular needs of member communities~~will consider member communities’ specific needs and requirements~~ including, but not limited to, existing and future labor terms, wage matter, hours of operation, days of operation, trucking routes, portability, and other issues raised by member communities.

In practice, WRRMA would hold a master, or “base” contract with a service provider and individual community members would separately identify specific services to meet the needs and requirements of their community over an above the base contract services for an additional fee(s). If appropriate terms cannot be reached, the City would never be compelled to be a part of the contract. As a final step, the City would always have the right to withdraw from the Authority.

If the City of Ann Arbor joins WRRMA, we may participate in contracts involving the management of recyclables as a member of WRRMA, and we may additionally have City of Ann Arbor-only contracts regarding the management of recyclables. Both types of contract vehicles would allow the City of Ann Arbor to meet Ann-Arbor specific requirements.

~~The issue of portability has not been determined and is an item for the WRRMA Board to discuss and for WRRMA member communities' legislative bodies to approve or deny.~~

Question: Also, is it correct that the bylaws don't prevent an elected official from serving as the voting member of WRRMA? (Councilmember Briggs)

Response: Correct. WRRMA's Articles of Incorporation do not prevent elected officials from serving as a designated representative on the WRRMA Board of Trustees.

Question: Finally, please share the current bylaws and any adopted resolutions since incorporation. The WRRMA does not have meeting minutes/records posted on their website. (Councilmember Briggs)

Response: WRRMA Resolution 20-1 is attached in Legistar. [WRRMA meeting agendas and minutes are posted on WRRMA's website—www.wrrma.org—under the "Meetings" menu tab.](#)



TO: Mayor and Council

FROM: Tom Crawford, City Administrator

CC: Derek Delacourt, Community Services Area Administrator
Matthew Horning, Interim Financial Services Area Administrator/CFO
Craig Hupy, Public Services Area Administrator
Nick Hutchinson, City Engineer
Brett Lenart, Planning Manager
Molly Maciejewski, Public Works Manager
Marti Praschan, Chief of Staff, Public Services
Tom Shewchuk, ITSU Director
Missy Stults, Sustainability & Innovations Manager

SUBJECT: Solid Waste edits to January 19, 2021 Council Agenda Responses
Regarding WRRMA (DC-7 in this memo)

DATE: January-February 14, 2021

AC-2 – Response to R-18-291 FY21Q2 Equity and Inclusion Report

Question: The report states that one housing choice voucher participant purchased a home. Is the home in Ann Arbor or Washtenaw County? (Councilmember Disch)

Response: Ypsilanti Township

Question: Did AAHC expend all the HUD funds by Dec 31st or was there a balance available to reimburse the City? If so, how much? (Councilmember Disch)

Response: All HUD CARES Act funds were expended, however, the AAHC was awarded additional funding from HUD related to COVID for CY2021. Rather than reimbursing the City for funds spent in the previous fiscal year with these new HUD funds (because that is not an eligible expense), the AAHC stopped drawing down its monthly general fund allocation. We have \$66,666.67 left to invoice on the \$160,000 city general fund allocation for FY21. These funds will remain in the general fund at the end of the FY.

In addition, we are reducing our annual \$160,000 general fund allocation to \$100,000 for FY22 and FY23. This will provide an additional \$120,000 in general funds to the City budget.

Question: It seems like it is good news that there was no need to pay late fees and court fees for tenants living with private landlords (budgeted 25k, spent 0)—any reason for that other than that there was no demand? (Councilmember Disch)

Response: The eviction moratorium is still in effect and Congress has provided several allocations of funding for eviction prevention to the State and County. Consequently, we have not needed to expend those funds for our voucher tenants. Now that Congress allocated another \$20,798,000 to the County for eviction prevention, these funds are not anticipated to be needed.

CA-2 – Resolution to Approve a Purchase Order to Azteca Systems, LLC for CityWorks Enterprise License and Annual Maintenance and Support Agreement for FY2021 – FY2023 (\$198,000.00) (8 Votes Required)

Question: Does this contract include the “web-based service request application. allowing citizens to request online (for example, sidewalk repair and pothole fill requests)”? Is this a duplicate or replacement for A2FixIt? (Councilmember Nelson)

Response: This contract does not provide a replacement for A2FixIt but rather provides the ability for A2FixIt (a separate application) to communicate directly with our Cityworks application. This contract is solely for the Cityworks application. Sorry for any confusion.

Question: Will this investment replace any of the functionality provided by SeeClickFix or improve the interface between SeeClickFix and CityWorks? (Councilmember Griswold)

Response: No – this investment extends our relationship with the Cityworks vendor an additional 2 fiscal years and provides us with two additional modules (Inspections and Inventory) to help the operations be more efficient. The interface between SeeClickFix and Cityworks will continue to function as it always has.

Question: Will this investment provide an interface with DTE’s work order system for streetlights? (Councilmember Griswold)

Response: No – this investment only considers the City’s Cityworks application.

Question: The resolution includes the statement, “A CityWorks web-based service request application is also available, allowing citizens to request and track service requests online (for example, sidewalk repair and pothole fill requests). Do we currently have or will we be purchasing the module for citizen reporting of sidewalk repair or pothole fill requests? (Councilmember Griswold)

Response: No – this contract does not provide a replacement for A2FixIt but rather provides the ability for A2FixIt (a separate application) to communicate directly with our Cityworks application. This contact is solely for the Cityworks application.

Question: Will this investment allow for aging reports and exception reporting, for example streetlight outages over 10, 20, 30, 60 and 90 days? If so, will this be available for citizens to view? (Councilmember Griswold)

Response: Yes, Cityworks tracks when tickets are opened and closed and can generate an aging report. With regard to streetlights, this does not necessarily correlate to when the outage occurred and when it was repaired - but rather when the ticket was reported open and closed. Streetlights are also complicated because roughly 2/3 of the streetlights are owned, operated, and maintained by DTE and outages of their assets are forwarded to them to address. This data will be made available to the public.

Question: How will Azteca's GIS modules be integrated with A2 Fix It? For example, will we be able to visualize requests over a period of time in certain areas of the city? (Councilmember Song)

Response: This investment extends our relationship with the Cityworks vendor an additional 2 fiscal years and provides us with two additional modules (Inspections and Inventory) to help the operations be more efficient. The interface between SeeClickFix and Cityworks will continue to function as it always has. In addition, when the request is submitted with geo-location, it can be displayed geographically and over time.

Question: Will this link to eTrakit? (Councilmember Song)

Response: No – the two systems perform very different functions.

Question: Will there be exportable data that's available to the public in relation to this purchase? (Councilmember Song)

Response: There is no specific additional functionality being purchased to allow for exportable data.

CA-4 – Resolution to Approve Amendment No. 1 to the Professional Services Agreement with Wade-Trim Associates, Inc. for General Civil Engineering and Surveying Services (\$168,729.00)

Question: Funding for this work will come from Public Services Area Capital Budgets. Given this location, has there been any discussion about or is there any cost-sharing with the Downtown Development Authority (DDA)? (Councilmember Nelson)

Response: The City typically pays for 100% of street resurfacing and watermain maintenance costs. Exceptions to this include projects lead by the DDA that advance

walkability, safety, and downtown operations and access. In these cases, the DDA pays a larger share to help the project proceed and to cover costs related to/resulting from DDA work. As this project does not include such elements and is not lead by the DDA, the DDA does not have any financial stake in the project and has not been asked to budget for these expenses.

CA-8 – Resolution to Accept Grant Funds from Michigan Saves and Appropriate to the Office of Sustainability and Innovation for Aging in Place Efficiently Program (\$14,000.00) (8 Votes Required)

Question: The awarded funds are \$14,000 over 2 years and I appreciate explanation that it will support the hiring of two part-time program coordinators. Does the \$14,000 fully fund these two new positions or is there additional expense? (Councilmember Nelson)

Response: The \$14,000 will fund roughly 2/3rd of the salaries for these positions. The other 1/3 will come from the existing OSI budget for FY21 and be included as part of the FY22 OSI budget request.

Question: Is the expectation that these new positions will be ongoing (and adopted into future budgets) or just for the two years? (Councilmember Nelson)

Response: At this point there isn't a clear expectation about how these positions will evolve. The intent of the pilot is to explore how best to support low-income seniors with aging in place by combining social services, physical home improvements, and efficiency upgrades. We've purposefully chosen local and regional partners with expertise and interest in these areas so that we can collaboratively design the pilot and, hopefully, design a program that builds on the pilot and supports low-income seniors throughout Washtenaw County. If the pilot is successful, we'll then have to evaluate how best to scale to a full program. That might mean a new initiative at the City. It might mean something housed at the County. But it also could mean a program supported by our nonprofit partners. Overall, it's too early to know exactly how the pilot will go and what that might mean for future staffing.

Question: If this could be administered by current staff in the Sustainability Department, are there any non-administrative, non-staff related expenses that would support the Aging in Place Effectively program? (Councilmember Nelson)

Response: OSI has been administering the project to-date, but it needs dedicated attention as we move into program design and implementation. The Coordinators, which were explicitly identified in the grant application and requested by the funders, will provide this focused attention. In addition to the grant funds discussed in this resolution, OSI has programmed funds (approx. \$5,000 per FY) to support training, marketing, outreach, and engagement with low-income seniors.

B-1 – An Ordinance to Amend Sections 5.16.6.D, 5.17.4, 5.17.6.C, 5.26.2.A, and 5.28.8, and Tables 5.15-1, 5.15-2, and 5.15-3 of Chapter 55 (Unified Development Code) of Title V of the Code of the City of Ann Arbor (Marijuana Processor, ADU, Security, Building Materials, FAR Determination, Fence Graphic, Use Tables) (ORD-20-34)

Question: I do not quite understand how including right-of-way for public sidewalks in the lot area for calculating FAR would serve to encourage developers to increase setbacks (as desired by the Land Use Element and Street Design Manual). (Councilmember Disch)

Response: Currently, a property owner or developer may be reluctant to dedicate additional property to the public ROW for sidewalk use because of reduction in Floor Area Ratio and corresponding development potential of the site. For example, if an additional depth of sidewalk is desired and allocated to the City, that dedication of land reduces the land area of the lot, which translates to a reduction in available floor area for development. This has the most impact in the downtown districts, where FARs up to 900% could be significantly impacted by even small changes in lot size. The City applies a similar approach to the dedication of open space component to a development proposal (e.g. the dedication of land to parks/open space can be counted toward density calculations for development).

B-3 – An Ordinance to Amend Chapter 55 (Zoning), Rezoning of 7.23 Acres from R1C (Single-Family Residential District) to PUD (Planned Unit Development District), Lockwood of Ann Arbor PUD Zoning and Supplemental Regulations, 2195 East Ellsworth (CPC Recommendation: Approval - 7 Years and 0 Nays)

Question: “The City of Ann Arbor also has a payment in lieu of taxes (PILOT) ordinance requiring that all units maintained at 60% AMI pay \$1 per unit a year in taxes.” (From the [2017 Washtenaw County Assessment of Fair Housing](#)). If applicable, how will this ordinance impact the proposed Lockwood development? (Councilmember Radina)

Response: Ann Arbor has two different types of PILOTS \$1.00 and 4% of market rent. The Lockwood Development will most likely fall into the 4% of market rent. If the Lockwood Development has state or federal funding that restricts leasing to 60% AMI, then those specific units would be eligible for a \$1.00 per unit PILOT.

Question: In my conversations with Planning staff, I was shown a likely map should the 2195 E. Ellsworth property remain R1C and be redeveloped as a single-family subdivision. Can you please provide this map for an easier comparison of the impact on natural features vs. the proposed site plan? (Councilmember Radina)

Response: The map is attached.

Question: Some residents have suggested that once approved, the developer could increase the number of units within the Lockwood proposal and build a bigger/taller

structure? Is that possible and if so, what is the process by which this could occur?
(Councilmember Radina)

Response: The proposed zoning limits the height to 3 stories and 45 feet in height, and no more than 170,000 square feet, but does not specify a maximum number of units. The building as proposed is slightly under 170,000 square feet, so it is possible that a larger building be submitted that added an additional 1,870 square feet. The developer could increase the number of units within the building, however, the minimum number of 65 affordable housing units would need to be maintained, regardless of the final number of units.

In order to increase the maximum height or maximum building size, a rezoning/amendment to the PUD would be required. If the petitioner desired to increase the size of the building up to the 170,000 square foot limit, or increase the number of units, both would require Planning Commission Site Plan review.

DC – 1 – Resolution to Adopt the Board of Review Guidelines for Poverty Exemptions from Property Taxation of Principal Residence Pursuant to MCL 211.7u

Question: Is there any further information regarding the feasibility and budgetary impact of increasing the income eligibility threshold to 2.5 times the Federal Poverty Level? (Councilmember Disch)

Response:

1. The City Assessor's Office is meeting with the Housing and Human Services Advisory Board (HHSAB), Thursday evening, January 14, to review the assessor's office proposed 2021 Poverty Application for the City of Ann Arbor.
2. The City of Ann Arbor received 88 poverty applications in 2020. 66 applications were approved. 24 applications were denied for various reasons. Of the 24 applications that were denied, two applications would have qualified for poverty at 250% of the FPL (Federal Poverty Level). These two properties were single family residences and would not have had a material impact on city property tax receipts.
3. Regarding the 2020 budgetary impact of the poverty applications that were granted based on 200% of the FPL, below is a financial review of lost revenue for all taxing jurisdictions and separately for the city.

2020 PRE taxrate 0.0504649		2020 City Tax Rate 0.0156215	
taxable value prior to poverty adjustments \$ 7,488,997		Property Tax prior to poverty adjustment \$ 116,989.37	
property tax \$ 377,931.48		Property Tax after poverty adjustment \$ 76,295.23	
taxable value after poverty adjustments \$ 4,883,989		Difference \$ (40,694.13)	
property tax \$ 246,470.02			
Difference \$ (131,461.47)			

DC-3 – Resolution to Rescind R-19-139 (Community Engagement and Approval Processes for City Related Improvement Projects)

Question: Since the passage of R-19-139, have there been any difficulties, denials, or delays in the implementations of road diets which city staff have experienced when seeking council approval prior to implementing any lane reduction actions on major streets/corridors? If so, please describe. (Councilmember Ramlawi)

Response: Three road diets/road reconfigurations were brought before City Council since the passage of R-19-139:

- Earhart Road from US-23 to South Waldenwood Drive
 - first presented to City Council on 6/17/19;
 - City Council referred it to the Transportation Commission who recommended approval on 7/17/19;
 - defeated by City Council on 8/5/19.
- Green Road from Burbank Drive to Plymouth Road
 - first presented to City Council on 6/17/19,
 - City Council referred it to the Transportation Commission who recommended approval on 7/17/19;
 - defeated by City Council on 8/5/19.
- Traverwood Drive from Huron Parkway to Plymouth Road
 - first presented to City Council on 6/17/19;
 - City Council then referred it to the Transportation Commission who recommended approval on 7/17/19;
 - approved by City Council on 8/5/19;
 - reconsidered by City Council on 8/19/19 with direction to reconsider the design (bike lanes on both sides vs. bike lanes on one side with parking on the other);
 - postponed by City Council on 9/3/19;
 - amended and (re)approved by City Council on 9/16/19.

In addition to these three, the 2020 Healthy Streets projects could also be considered to fall under the auspices of the road reconfiguration requirements of R-19-139, albeit as temporary installations. These resolutions ([R-20-261](#) and [R-20-262](#)) were first presented on June 15, 2020 and approved by City Council on July 6, 2020. Part of the deployments in R-20-262 (outside of downtown) were then suggested for removal as identified in Resolution [R-20-393](#) which was first introduced on September 19, 2020. Action was postponed until October 19, 2020. However, City Council took action and approved Resolution R-20-393 on October 5, 2020.

Question: How many city lane reduction projects were implemented between 2010 and April 21, 2019 under staff supervision alone, including “public engagement components”? Please list each project and date. (Councilmember Nelson)

Response: The City’s [Non-Motorized Transportation Plan](#), adopted by City Council, sets the policy framework by which road reconfigurations would be advanced. This document identified a series of lane reductions for the purposes of achieving safety benefits and installing facilities for people to walk and/or bike. The table below lists these locations and their status (as could best be estimated by staff within the timeframe available to respond):

Location Proposed in Non-Motorized Plan	Status
N. Main St – Depot to Huron River	MDOT; outstanding
Packard - Stadium to Anderson	Installed prior to 2010
Packard – Anderson to Eisenhower	Installed 2013
Stone School – Packard to Eisenhower	Installed 2018
Green Road – Glazier to Gettysburg	Installed prior to 2010
Green Road – Plymouth to Burbank	Outstanding; last evaluated 2019
Green Road – Plymouth to Larchmont	Installed 2011
Earhart Road -north end of Blvd to south End of Blvd section	Outstanding; last evaluated 2019
Glazier Way – Green Rd to Earhart Rd	Installed prior to 2010
Huron Parkway - Plymouth to Nixon	Installed around 2010
Jackson Rd - Maple to Ravenna Blvd	MDOT; installed 2015
South Industrial – Stadium to Stimson	Last evaluation 2019; infeasible at time
South Industrial – Stimson to 800 feet south of Stimson	Possible installation with upcoming project
South Seventh St - Stadium to Scio Church	Installed prior to 2010
Maple Road – N. Circle Drive to Carbeck Dr.	Installed 2018
William St – Division to Thompson, First to Main St.	Installed 2019
N. University – Thayer to Washtenaw	Installed prior to 2010
Catherine – State to Fifth Ave	Installed around 2010

Platt Rd - Ellsworth to Packard	Installed prior to 2010
Platt Road - Packard to Canterbury Rd	Last evaluation 2019; infeasible at time
Oakbrook - Ann Arbor Saline to S. Main Street	Outstanding; last evaluated 2019
Geddes Ave – Huron Parkway to Hickory	Installed prior to 2010
Long Term Resident Request	
S. Main St. - Madison to Stadium	Outstanding
Platt – Huron Parkway to Packard	Last evaluation 2019; infeasible at time

The implementation of many of these projects have occurred opportunistically – that is to say, that when a road was scheduled for resurfacing it would be evaluated for reconfiguration or to implement other aspects of the Non-Motorized Transportation Plan. This is an important distinction because such projects have public meetings to discuss the project and receive feedback. The Non-Motorized Transportation Plan also solicited feedback before adoption.

Question: Is there any category of traffic/road reconfiguration that typically (as best practice) does not include “public engagement components”? (Councilmember Nelson)

Response: It is important to note that public engagement practices have changed over time. The contemporary public engagement protocols for transportation projects are spelled out in a [staff response to R-18-275](#) shared with Council in October 2018. Any lane reconfiguration projects that would be advanced in the future would include public engagement components.

Question: What might those be? (I am thinking specifically of the intersection reconfiguration at Scio Church/South 7th from 2019) (Councilmember Nelson)

Response: As stated above, the staff response to R-18-275 spells out current protocols for public engagement on transportation projects. To clarify, Seventh Street and Scio Church was reconfigured as part of the Scio Church resurfacing project. The project had public engagement for the entirety of the Scio Church project. There was supplemental public engagement on the intersection reconfiguration in a series of workshops and online surveys in March/April 2019 (more information is available on the [project website](#)). It is important to note that the intersection reconfiguration did not eliminate any lanes – it simply narrowed excessively wide lanes.

Question: How many lane reduction projects were subject to Resolution R-19-139 since it passed? (Councilmember Nelson)

Response: Three road diets or road reconfigurations were brought before City Council since the passage of R-19-139:

- Earhart Road from US-23 to South Waldenwood Drive
 - first presented to City Council on 6/17/19;
 - City Council referred it to the Transportation Commission who recommended approval on 7/17/19;
 - defeated by City Council on 8/5/19. (RH NOTE: is defeated the right term here? That's how Legistar identifies the status)
- Green Road from Burbank Drive to Plymouth Road
 - first presented to City Council on 6/17/19,
 - City Council referred it to the Transportation Commission who recommended approval on 7/17/19;
 - defeated by City Council on 8/5/19.
- Traverwood Drive from Huron Parkway to Plymouth Road
 - first presented to City Council on 6/17/19;
 - City Council then referred it to the Transportation Commission who recommended approval on 7/17/19;
 - approved by City Council on 8/5/19;
 - reconsidered by City Council on 8/19/19 with direction to reconsider the design (bike lanes on both sides vs. bike lanes on one side with parking on the other);
 - postponed by City Council on 9/3/19;
 - amended and (re)approved by City Council on 9/16/19.

In addition to these three, the 2020 Healthy Streets projects could also be considered to fall under the auspices of the road reconfiguration requirements of R-19-139. These resolutions ([R-20-261](#) and [R-20-262](#)) were first presented on June 15, 2020 and approved by City Council on July 6, 2020. Part of the deployments in R-20-262 (outside of downtown) were then suggested for removal as identified in Resolution [R-20-393](#) which was first introduced on September 19, 2020. Action was postponed until October 19, 2020. However, City Council unexpectedly took action and approved Resolution R-20-393 on October 5, 2020.

Question: Reverting to past procedure (without Council approval), does best practice include any public engagement components post-project, for feedback or assessment? Please explain any examples. (Councilmember Nelson)

Response: Staff continues to monitor changes to the roadway after implementation to make sure the desired effect is achieved. Staff receives and responds to feedback from the public and will consult this feedback to help determine if modifications are needed. Some examples of this monitoring include: the [annual crash report](#) which staff uses to identify areas of concern; a recent change to the merge condition on Stadium just west of Seventh Street which was a suggestion that came from residents; and the [N Maple performance analysis memo](#) identified the need for enhanced merge notification at Dexter and Miller - which were installed in the fall of 2020.

DC-5 – Resolution to Direct the City Administrator to Proceed with the Design of a

Healthy Streets Deployment for Spring of 2021, and to Appropriate \$40,000 from the General Fund Fund Balance? (8 Votes Required)

Question: What has been the basis or rational is being used to calculate the request for \$40k? (Councilmember Ramlawi)

Response: The \$40k request is based on a staff estimate to design and possibly collect data for a spring Healthy Streets deployment. There were requests last year from members of Council to receive engineering plan sets for the fall Healthy Streets deployment. This is meant to be responsive to that request with a further acknowledgment that modifications to the fall deployment would be advantageous.

Question: What is being proposed as to the scope of the preliminary design work? (Councilmember Ramlawi)

Response: The starting point of the design work will be to evaluate the fall Healthy Streets deployment and see what modifications can be made to improve upon them. This will be informed by the memo and technical report (available on the Healthy Streets [website](#)) which detailed the fall deployments. Furthermore, staff is looking at other opportunities informed by documents such as the Transportation Plan, Non-motorized Transportation Plan, A2Zero Carbon Neutrality Plan, and the draft Transportation Plan Update (aka “Moving Together Towards Vision Zero”). It is premature to speculate which specific projects could be folded into a Spring Healthy Streets deployment - but in addition to evaluating the fall deployments, staff is looking at other “quick build” opportunities which could enhance the safety and experience of people who walk and bike (examples could include bumpouts at crosswalks, protecting existing bike lanes, hardened centerlines, etc.).

Question: What aspects of the Healthy Street Program of 2020 will not pursued? (Councilmember Ramlawi)

Response: As stated above, staff and the consultant will evaluate all 2020 Healthy Streets deployments to determine which will be suggested for a spring deployment – but it is unknown which will be pursued or not pursued at this time. Keep in mind, that a future request for funding for implementation will come back before City Council which will afford Council the opportunity to weigh-in on what is proposed. If the \$40k is approved by Council for design, staff intends to solicit feedback from City Council on what changes they would like to see to a 2021 deployment

Question: What aspects of the Healthy Street Program of 2020 be maintained? (Councilmember Ramlawi)

Response: As stated above, staff and the consultant will evaluate all 2020 Healthy Streets deployments to determine which will be suggested for a spring deployment – but it is unknown which will be pursued or not pursued at this time. Keep in mind, that a future

request for funding for implementation will come back before City Council which will afford Council the opportunity to weigh-in on what is proposed.

Question: What aspects of the Healthy Streets Program of 2020 be emphasized and or expanded? (Councilmember Ramlawi)

Response: As mentioned above, staff is looking at other “quick build” opportunities which could enhance the safety and experience of people who walk and bike (examples could include bumpouts at crosswalks, protecting existing bike lanes, hardened centerlines, etc.).

Question: Where has staff identified “congestion points at bridges and food stores” referenced in this resolution? (Councilmember Nelson)

Response: The “congestion points at bridges and food stores” language was carried forward from [R-20-158 Resolution to Promote Safe Social Distancing Outdoors in Ann Arbor](#) adopted by City Council in May 2020. There was mention at that time that the Broadway bridge posed a challenge to social distancing. No other significant congestion points have been identified to-date.

Question: Where has staff identified “potholes, trip hazards, overgrown vegetation and construction debris” that interferes with sidewalks, pathways, and bike lanes? (Councilmember Nelson)

Response: The “potholes, trip hazards, overgrown vegetation and construction debris” language was carried forward from [R-20-158 Resolution to Promote Safe Social Distancing Outdoors in Ann Arbor](#) adopted by City Council in May 2020. Before the Healthy Streets on arterials in downtown and outside of downtown ([R-20-261](#) and [R-20-262](#) respectively) were implemented, staff conducted a field review to identify and address these issues. The same process is anticipated to be utilized to identify these issues in a future deployment.

Question: How does staff anticipate that this funding will be used to address these specific challenges? (Councilmember Nelson)

Response: The \$40k request is based on a staff estimate to design and possibly collect data for a spring Healthy Streets deployment. There were requests last year from members of Council to receive engineering plan sets for the fall Healthy Streets deployment. This is meant to be responsive to that request with a further acknowledgment that modifications to the fall deployment would be advantageous.

Question: Will the \$40,000 budget for the Design Phase be adequate to provide community engagement at the neighborhood level? Recent reviews of slow streets have called for greater, targeted community engagement. For example, a Jan 6, 2021, [Bloomberg City Lab article](#) states, “Sometimes people in marginalized communities are very caught off guard by what is seen as priority,” said Ortiz. “I knew if slow streets

were implemented without dialogue and consent and co-ownership, people would resent how it unfolded, and it'd become another example of how some people matter and others don't." (Councilmember Griswold)

Response: Staff has not started any engagement on a 2021 Healthy Streets program, pending City Council approval of the design phase. Staff anticipates conducting some sort of engagement as part of a future roll-out, but the mechanism for that engagement has not yet been determined. It should also be noted that in order to meet the April 2021 rollout date, there is not a lot of time to have an extended public engagement campaign, design the deployments, issue an Invitation To Bid (ITB), select a contractor, and get City Council approval for the contract. Staff sought community-wide feedback on the 2020 Healthy Streets program through an online tool which generated nearly 1,000 suggestions. Staff has had internal discussions about how to augment these efforts to do more focused engagement in order to get feedback from low income populations, populations of color, or other vulnerable populations.

DC – 7 - Resolution to Approve the City of Ann Arbor Membership in the Washtenaw Regional Resource Management Authority (WRRMA)

Question: What has been the response of the operators of the Ann Arbor MRF to the city joining the WRRMA? (Councilmember Ramlawi)

Response: Recycle Ann Arbor (RAA) operates the Material Recovery Facility (MRF). On January 26, 2021, RAA CEO Bryan Ukena provided the following response regarding the City joining WRRMA:

Good Afternoon Eileen,

Thank you for the opportunity for Recycle Ann Arbor (RAA) to provide feedback on City staff's request for comment on Ann Arbor joining the Washtenaw Resource Recovery Management Authority (WRRMA).

RAA is supportive of communities working together to improve recycling programs, services and impacts on a regional basis. It has been my experience that economies of scale, consistent messaging and other benefits can be realized by communities working cooperatively. WRRMA is no exception. It is heartening that at least seven communities have already agreed to come together to coordinate recycling messaging and services in their communities, and there are certainly good reasons for the City of Ann Arbor to join in this effort. Reasons include:

- WRRMA allows Ann Arbor to formally work with other communities in a coordinated effort to improve recycling collection, processing and drop-off station services in a comprehensive (not piecemeal) fashion in eastern Washtenaw County.

- WRRMA has the potential to reduce costs of these services for everyone by combining the purchasing power of eight communities together, not each on their own, undertaking similar services.
- WRRMA provides an important opportunity for consistent messaging, education and outreach to a mobile population on available recycling services and standards, not confusing and contradictory messages across communities.
- Ann Arbor has the ability to provide zero waste leadership as a member of the Authority, expanding our environmental impact beyond our borders, including not only recovery services but also potentially waste reduction education, material reuse and coordinated repair opportunities.

While seeing the potential environmental and financial benefit that WRRMA can provide to Ann Arbor and the region, we do want to acknowledge the reluctance of the labor community to support Ann Arbor's membership in the Authority. As a UAW union shop ourselves, we want to make sure that actions taken collectively by the Authority will not damage or minimize the important role of organized labor in providing services to member communities, including Ann Arbor. Trusting that the City and Authority can acknowledge and work through this issue, we remain steadfast in our support of comprehensive and coordinated recycling services to over 250,000 residents and thousands of businesses in Washtenaw County.

Thanks,

Bryan Ukena, CEO
Recycle Ann Arbor

The City is unaware of RAA's position in regards to the City of Ann Arbor joining WRRMA.

Question: Has city staff reached out to the new management of the MRF for a formal response to the effects it will have on their interest in the mutually beneficial collective goals of layer out by them and the WRRMA? (Councilmember Ramlawi)

Response: Following the January 19, 2021 City Council Meeting, staff reached out to RAA for a formal response supplement informal dialogue between the City and RAA on the topic of WRRMA. Please see the previous response for RAA's City staff has not reached out to RAA for a formal response regarding the impact of the City joining WRRMA, on recycling goals jointly held by the City and RAA.

Question: What are the consequences of joining WRRMA as it relates to the contracts that are set to expire on June 30, 2021 that include the collection of recycling? (Councilmember Ramlawi)

Response: City staff will continue to bid and secure new contracts or extend existing contacts for solid waste collection and recycling services currently set to expire on June 30, 2021.

If the City of Ann Arbor joins WRRMA, we may participate in contracts involving the management of recyclables as a member of WRRMA, and we may additionally have City of Ann Arbor-only contracts regarding the management of solid waste. Additionally, the Authority would not have the power to contract on the City's behalf without approval or impose unilateral directions or contracts on the City's behalf.

Subject to details regarding a specific proposal and legal review of the specific contract and applicable WRRMA documents and policies, it may be possible to arrange for WRRMA to take on a City contract whether through assignment, amendment or termination and substitution or replacement or other actions, any of which would likely need all parties involved to agree to the arrangements.

Question: Can you please include previous Q&As from the 1/4/21 agenda response memo on the Washtenaw Regional Resource Management Authority (WRRMA), including those that staff was seeking additional information on before this meeting? (Councilmember Radina)

Response: Here is a link to the January 4, 2021 Agenda Response Memo: [January 4, 2021 Agenda Response Memo](#). The bylaws have been attached to the [Legistar file](#). Below are responses to questions that we stated that were seeking input from Washtenaw County and would provide a response at a later date.

Question: Does staff have answers to the following questions that were unresolved from the last round of agenda responses? (Councilmember Disch)

- 1. Would joining the WRRMA supersede Council's anti-privatization policy? (Councilmember Grand)
- 2) Is it true that Ann Arbor could "opt out" of a regional contract supported by the majority of WRRMA members, especially if that contract were to outsource to a company that does not use union labor? (Councilmember Grand)
- 3) Does the WRRMA have plans to expand its scope to commercial waste, residential waste, and/or organics? (Councilmember Grand)
- 4) What is the role of RAA in the WRRMA? (Councilmember Grand)

Response: Please see responses below to the above referenced unresolved questions from the January 4th Agenda Response Memo.

Question: Would joining the WRRMA supersede Council's anti-privatization policy?

Response: No, joining WRRMA does not supersede Council's anti-privatization policy. If the City of Ann Arbor became a WRRMA member, City Council would need to approve any contract made by the authority on the City's behalf. The City is always in a position to reject contract language and not move forward with any proposed contract that the City determines is not acceptable to the City. The City

will always have the opportunity to present contract requirements of the City at WRRMA meetings. Any contract is subject to negotiations and the particular needs of the City. If appropriate terms cannot be reached, the City would never be compelled to be part of the contract. As a final step, the City would always have the right to withdraw from the Authority.

Question: Is it true that Ann Arbor could “opt out” of a regional contract supported by the majority of WRRMA members, especially if that contract were to outsource to a company that does not use union labor?

Response: Yes, the City could “opt out” of any WRRMA contract that City Council does not deem acceptable. The goals and objectives of the City will be communicated during any contract negotiation process. The particular needs of each WRRMA community member will also be considered. The City will never be forced to participate in a contract that is not acceptable to the City.

Question: Does the WRRMA have plans to expand its scope to commercial waste, residential waste, and/or organics?

Response: WRRMA’s initial goal is to increase the quantity of high-quality (in other words, uncontaminated) recycling through analyzing data, standardizing communications and media, and implementing a cohesive and comprehensive messaging campaign. Long-term, WRRMA’s goal is to analyze and pursue services as a group of member communities. WRRMA also plans a long-term focus on monitoring and supporting a regional full-service Drop-Off Station(s) to increase access. Any change in focus areas will be determined by WRRMA board members and may be reflected in the Authority’s strategic planning.

Question: What is the role of RAA in the WRRMA?

Response: WRRMA does not currently have any contracts with Recycle Ann Arbor (RAA). RAA has presented to WRRMA on their plans for the Materials Recovery Facility and is providing quarterly updates on their progress. RAA will also provide updates on the Drop-Off Station operations and metrics.



MEMORANDUM

TO: Mayor and City Council

FROM: Howard S. Lazarus, City Administrator

DATE: October 16, 2017

SUBJECT: **2017-2018 Snow Season Preparation**

PURPOSE: This memorandum provides an update on the City's preparedness for the upcoming snow season for your information. No response is required, but as always we are prepared to address any questions or concerns you may have and we appreciate your assistance in getting our community ready for the winter.

BACKGROUND: The plans for the upcoming snow season are only slightly changed from last year, as noted in the paragraphs below:

1. **Equipment/Materials:** All necessary equipment is operational and materials (road salt) will be on hand not later than November 1st.
2. The following additional **Pilot Projects** will be pursued this winter:
 - Public Works is looking to pilot the application of a **Liquid Brine Treatment** this year. If it proves feasible, we expect that we can move to full scale application with the following benefits:
 - After the first year (during which the necessary equipment is purchased), applying brine is less costly.
 - The brine solution is better than salt when applied proactively.
 - The brine solution has a more gentle impact on the environment.
 - The use of brine will enhance our abilities to remove snow to "treat for reasonable speeds," but also get closer to bare pavement.
 - Staff will notify Council on the specific streets where the brine will be tested on or about November 20th.
 - The **Winter Parking Restrictions** enacted last year will be more proactively enforced with enhanced communications to the residents of the impacted streets.

- Staff is working on identifying **Designated Routes to Schools** that will receive priority in snow clearance. Many schools are located in residential areas where the streets do not receive the same priority as major streets. The designated routes would be prioritized at a higher level, and would be cleared in advance of other neighborhood streets. Staff is communicating with the Ann Arbor Public School System on the routes.

The following **Additional Items** may be of interest to Council:

- Public Works will partially remove the signage on the outside of travel lanes where gateway treatments were installed at crosswalks to facilitate snow removal. The intent is to leave the signage at the center lane markings.
- Additional level of effort may be required to address snow accumulation on the solar panels that power the RRFBs.
- Public Works and Police staff are reviewing and refreshing operational knowledge related to snow advisories and snow emergencies and the related communications needs.

As always, please do not hesitate to contact me if I can be of any further assistance or if you would like additional information.

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MEMORANDUM

TO: Mayor and City Council

FROM: Molly Maciejewski, Public Works Manager

DATE: December 4, 2020

SUBJECT: 2020-2021 Winter Response Plan

This memo is meant to provide you with a brief overview of the City's winter weather preparedness and response plan, including what to expect before, during and after a snow event. Much of this information is also found at www.a2gov.org/snow.

The City of Ann Arbor's winter road maintenance objective is to provide surfaces that are safe to use at reasonable speeds. Public Works is mindful of the environmental impact of over-application of salt and therefore does not treat all roads to bare pavement.

The City is in a multi-year process of fully equipping its fleet to more widely utilize liquid brine solutions for anti-icing and de-icing. Brine solutions are less impactful to the environment, are more effective in certain situations than rock salt alone.

The vast majority of winter events requiring road treatment are small events, that often come without much warning and require treatment any time of the day or night. The City may apply rock salt, a liquid brine solution or a combination thereof at any time, often up to 24 hours ahead of any actual precipitation, during the event, and after the event. Snow plowing will occur whenever the City deems plowing necessary, generally at 1" of accumulation. The City will plow curb-to-curb where there are no obstructions. In many smaller events only major roads, hills and trouble spots require treatment.

In events less than 4" of snow plowing and treatments will occur on major streets. Local streets will be plowed as warranted by conditions and availability of equipment and staff.

In a large event, defined as a total snowfall accumulation of 4" or more, our goal is to plow all streets within 24 hours of the end of the snowfall. In order to meet this goal, staff from other work areas are redirected to aid in the response effort and Public Works shifts to a 24-hour operation until the roads are clear. Please note that the 24-hour goal depends on the overall amount of snow accumulation and whether there is blowing snow, ice or other adverse conditions that could slow progress. Additionally, full event cleanup, which includes clearing all

parking lanes and refined plowing in cul-de-sacs and other areas often takes longer than 24 hours.

Road Plowing Priority: Major roads, school routes, hills and other known trouble spots are treated first, followed if necessary, by local roads. Local roads are prioritized by the next day's trash route.

Treating and Plowing Bike Lanes: Bike lanes are treated along with major roads. Protected bike lanes are treated within 24 hours.

Other items to note:

- Plows will deposit snow or ice on sidewalks during normal plowing. Crews do their best to minimize this, but it is unavoidable in some locations. We recommend waiting until the plows have passed to shovel sidewalks and driveways. For tips on how to avoid large piles at the edge of driveways, see our diagram on www.a2gov.org/snow
- The City is not responsible for keeping mailboxes clear of snow/ice, including what might be moved by plows.
- Removing cars from the street ahead of forecasted events will allow the City to plow curb to curb. The City uses social media to urge residents to move vehicles ahead of snow events. Please remind residents that they can help emergency vehicles and solid waste collection trucks by removing cars from curb parking before a large event occurs.
- The City is not responsible for plowing or treating sidewalks adjacent to schools.
- The City is responsible for treating pedestrian crosswalk islands.
- Property owners are responsible for treating sidewalks, cross walk ramps and bus stops adjacent to their property.
- It is illegal for private property owners or contractors to plow snow into travel lanes.
- To report a problem, please do so using the A2FixIt app or at www.a2gov.org/a2fixit
- All vehicles are equipped with tracking devices to track speed and plow activity. Plow locations and activity can be viewed online at <http://bweb.rsiavlweb.com/AnnArborJS/PlowSpreaderActivity.html>
- Each year the City provides residents with up to five gallons of a sand/salt mixture, per visit, at various locations around Ann Arbor to help treat sidewalks. Locations include 721 N. Main Street, Gallup Park (boat launch area east of Huron Parkway), or one of five park locations: Allmendinger, Buhr, Burns, Leslie and Veterans Memorial. Visit www.a2gov.org/snow to see a map of locations.
- Residents need to bring their own shovel and bucket as well as load material themselves from the marked piles. Sand/salt mixture is not for contractors or landscapers.
- Property owners are responsible for removing and/or treating snow/ice on sidewalks, crosswalk ramps and bus stops with concrete pads adjacent to their property. Everyone is encouraged to be on the lookout for ways to help their neighbors clear sidewalks, especially during difficult times. By doing so, we can create a safer and more walkable community that helps each of us to travel, exercise and keep safe distances. Let's care for one another this winter.
- Sidewalk Clearing on Residential property: within 24 hours, any accumulation of snow greater than 1 inch must be cleared from adjacent sidewalks, concrete bus stops and

crosswalk ramps. Any ice accumulations must be treated within 18 hours of forming with sand, salt or other substance, to prevent it from becoming slippery. The city is not responsible for clearing mailboxes of snow and/or ice.

- Sidewalk Clearing on Non-Residential property: All snow/ice which has accumulated prior to 6a.m. on a sidewalk adjacent to property shall be removed by noon the same day. Snow and ice from walks and ramps that are at bus stops or that lead to a marked or unmarked crosswalk must also be removed. The owner or occupant shall keep the sidewalk effectively treated with sand, salt or other suitable substance in such manner as to prevent ice from being dangerous until such time as it can be removed.
- To report a problem sidewalk, please use the A2 Fix It app, visit www.a2gov.org/a2fixit or call 734.794.6942.



DEMOGRAPHIC SURVEY (OPTIONAL)

Thank you for participating with the City of Ann Arbor. The city is trying to gain a better understanding of who we are reaching to find ways we can continuously improve public engagement efforts and support inclusivity. To help us gain this understanding, please complete this brief, anonymous survey. This survey is completely voluntary; you are not required to fill it out.

1. Do you live in Ann Arbor?

- a. Yes
- b. No

2. Do you work in Ann Arbor

- a. Yes
- b. No
- c. Retired

3. Age:

- a. Under 15 years
- b. 15-19 years
- c. 20-29 years
- d. 30-39 years
- e. 40-49 years
- f. 50-59 years
- g. 60-69 years
- h. 70 years or older

4. Which identifiers would you use to describe yourself?

- a. American Indian or Alaska Native
- b. Asian
- c. Black or African-American
- d. Native Hawaiian or Pacific Islander
- e. White
- f. Middle Eastern or North African
- g. Hispanic or Latinx
- h. Other _____

5. What is your gender identity?

- a. Woman/girl
- b. Man/boy
- c. Transgender Woman/girl
- d. Transgender Man/boy
- e. Gender non-conforming or non-binary
- f. Other _____

6. Which best describes your household income last year?

- a. Less than \$24,999
- b. \$25,000 - \$34,999
- c. \$35,000 - \$49,999
- d. \$50,000 - \$74,999
- e. \$75,000 - \$99,999
- f. \$100,000-\$149,999
- g. \$150,000-\$199,999
- h. \$200,000 or more

7. Do you rent or own your primary residence?

- a. Rent
- b. Own
- c. Other

8. What would make it easier for you to engage with the city?
