



TO: Mayor and Council

FROM: Howard S. Lazarus, City Administrator

CC: Jackie Beaudry, City Clerk
Tom Crawford, CFO
Derek Delacourt, Community Services Area Administrator
Craig Hupy, Public Services Area Administrator
Cresson Sloten, Systems Planning Manager
Ellen Taylor, Assistant Fire Chief
Robyn S. Wilkerson, Human Resources and Labor Relations Director

SUBJECT: Council Agenda Responses

DATE: 6/5/17

CA-10 - Resolution to Approve the Collective Bargaining Agreement with the Ann Arbor Police Deputy Chiefs Unit, Teamsters Local 214 for the Term of January 1, 2017 - December 31, 2018

CA-11 - Resolution to Approve the Collective Bargaining Agreement with the Ann Arbor Assistant Fire Chiefs, Teamsters Local 214 for the Term of January 1, 2017 - December 31, 2018

Question: Is there a reason that redlined copies of the contracts as amended were not included in the packet? (Councilmember Warpehoski)

Response: The City's practice for at least 15 years has been to provide the significant highlights of the agreement to Council in the form of a resolution. The date of the approval of the resolution by Council becomes the effective date of the contract. The specific contract language (which frequently includes a significant amount of non-substantive cleanup and editing) often is not completed, reviewed and agreed upon by all the parties, until sometime later. We do not want to delay the start date of the contract while that editing is completed and agreed upon.

Question: Are there changes in the contracts beyond those described in the cover memos? (Councilmember Warpehoski)

Response: As noted above, there are always some additional changes in the contract language which is not specifically included in the resolution for council. Sometimes there are grammatical changes, or changes to language which has been confusing in the past. However, the substantive changes are included in the resolution.

Question: Is the dual pension plan structure in these two agreements the same as the non-union structure that was put in place? (Councilmember Lumm)

Response: The pension plan structure in these two agreement is the same as the non-union structure which was put in place.

Question: Both proposed agreements mention changes in the education reimbursement policy to match the non-union policy. What is the policy for non-union and how is that different from the current policy in place for these two bargaining units? (Councilmember Lumm)

Response: The non-union policy provides for up to \$5000 in approved educational reimbursement per calendar year. Both contracts previously had a limit of \$2500 per year. That has been increased to \$5000.

Question: While the cover memos cover the highlights of the negotiated agreements, are there any other significant changes (work rules etc) contained in either agreement? (Councilmember Lumm)

Response: Please see above response to Councilmember Warpehoski's question.

Question: Can you please provide a status update on the expired bargaining unit agreements and when it is likely those will be presented to Council for approval? (Councilmember Lumm)

Response:

- Firefighters are currently in negotiations for the successor contract to the one which expired on December 31, 2016.
- AAPOA – beginning an Act 312 hearing in mid June. We will not have a decision until August or September.
- AFSCME, PPA (Police Professional Assistants), PSS (Police Service Specialists), COAM and Teamster Civilian Supervisors: Their contracts expire December 31, 2017, and negotiations will start this summer.

CA-13 – Resolution to Approve Amendment No. 2 to the Professional Services Agreement with URS Corporation Great Lakes Inc., (URS) for the Ann Arbor Station Environmental Review (\$137,026.00)

Question: The letter from staff to the FRA implied that the Ann Arbor Station may be financed with debt. If the City used bonds to finance the local portion of the Station cost, would those bonds need to be approved by the voters? (Councilmember Eaton)

Response: Project cost estimation and financial planning are tasks of Preliminary Engineering. Therefore, it is premature to identify a likely amount and source of local funding.

Question: To understand the delay in progress on the Ann Arbor Train Station EA & PE, it would be helpful to see the communication between the FRA and City staff that has previously been redacted. Can you provide us with the un-redacted communications? (Councilmember Eaton)

Response: As the City is working collaboratively with MDOT and FRA, both agencies who do not release draft reports and the fact that we are still revising and addressing questions in the draft documents, the materials remain restricted to protect the full and frank discussion among agencies.

Question: If we go through this process and get any finding no significant impact, how long will that finding be good for? (Councilmember Warpehoski)

Response: There is no specific expiration date on a Finding of No Significant Impact (FONSI). Generally, conditions of the issues studied in the EA report would not change from year to year. Over a course of several years, however, a series of small changes or a significant change could occur. It is for that reason, if a Federal grant recipient is not making reasonable progress on a project over a three-year period, one would need to verify with the responsible Federal Agency, FRA in our instance, to confirm whether an amendment, supplement or revised EA would be warranted. Those discussions would occur when federal funding becomes available and a project would be proceeding to construction.

Question: In January 2017, residents were told that the AASEA report would be released for public comment, followed by a response to those public comments, and that subsequently Preliminary Engineering and Design (PE&D) would be initiated. Now the residents have been told that activities for PE&D have already been initiated as of May 22, prior to a report being released to the public. The public has been provided with no information on which location is the preferred alternative. Can you please provide us the rationale for proceeding with PE&D prior to identification of the preferred alternative. Why is the contractor being directed to provide multiple engineering plans and designs, when the original contract with Neumann/Smith Architects clearly indicated that PE&D would focus only on a single preferred location? Please provide us with the documents/reports/emails from FRA that has prompted the staff to proceed with multiple engineering design option. (Councilmember Kailasapathy)

Response: The FRA has noted the limited remaining time available to complete the work elements remaining in the agreement. As such, although we continue to refine the EA, the FRA has requested the City to advance the PE effort to assure we have sufficient time to complete the PE effort within the terms of the agreement, before the end of the calendar year.

FRA has requested us to initiate the PE to advance understanding of the options and advance the project effort in light of the limited time for performance under the grant. Previously, the City expected PE to follow selection of a preferred alternative. As part of ongoing discussions, FRA has since requested PE on multiple sites prior to selection of a preferred alternative.

Questions from May 30 – Councilmember Lumm

Question: On January 17, 2017, Council approved the Preliminary Design and Engineering (PE) phase professional services agreement and associated additional local taxpayer funding. Based on the cover memo and staff responses to questions, Council (and the public's) very clear understanding was that PE work would not commence until the EA phase was completed ("The preliminary design and engineering phase will follow completion of the Environmental Review phase") and that the EA phase was not completed until after the required 30 day public review and comment period ("There is a required 30 day public review process as part of the formal Environmental Assessment (EA). It will be initiated as required once FRA authorizes the release of the report for that purpose.")

In your letter to the FRA dated May 26th, you indicated that "the Neumann Smith team is now underway and making progress on the engineering services." Given the previous understanding, on what authority was it decided to commence the PE work?
(Councilmember Lumm)

Response: At the time, the City expected PE to follow selection of a preferred alternative. FRA has since requested PE on multiple sites prior to selection of a preferred alternative.

Question: The January 17, 2017 staff responses also indicated that, "The preliminary engineering (PE) phase cannot start until FRA authorizes to do so." Has the FRA provided formal, written authorization to start the PE phase? If so, when was the official authorization provided, and if not, doesn't proceeding without formal authorization place grant funding at risk? (Councilmember Lumm)

Response: As indicated above, as part of ongoing discussions, FRA has requested the local project team to proceed with PE activities on multiple sites. FRA has indicated that there is not necessarily a formal separation of PE from the environmental assessment and selection of a preferred alternative.

Question: The January 17, 2017 staff responses also indicated that “The Neumann/Smith Architecture team will initiate work once a preferred location is approved by the FRA.” Has a preferred location been approved by the FRA? If yes, what is it and when did that approval occur? If no, on what grounds has Neumann/Smith initiated work? (Councilmember Lumm)

Response: No, FRA has not approved a preferred alternative at this time.

Question: In response to a question January 17th regarding public meetings in the planned PE process, the response was “once FRA has provided authorization to proceed into Preliminary Engineering (PE), we will establish and announce the updated schedule of activities.” If the FRA has in fact authorized proceeding into PE, why hasn’t the schedule of activities been announced and when do you plan to announce it? (Councilmember Lumm)

Response: Staff continues to coordinate with FRA seeking concurrence to release the draft EA for public comment. Once that draft EA report is released, staff will provide a complete schedule for all anticipated activities.

Question: Another January 17th staff response indicated that “Staff anticipates that Neumann Smith will perform PE on only one site in accordance with FRA authorization” while the work plan attached to your May 26th letter to the FRA indicates there are quite a few (12 actually) “PE activities initiated on four design alternatives.” While that suggests a preferred site has not been determined and that PE work would not proceed on just one site before that declaration has been made (and that’s certainly appropriate) it also suggests there will be PE work done on sites not ultimately chosen that would be wasted. Approximately how much parallel work and expense do you expect in the period before the EA is completed and preferred site officially declared? (Councilmember Lumm)

Response: FRA has requested PE on multiple sites to assist in the determination of a preferred alternative. It is the local team’s intent to expeditiously develop the required data for each site to allow selection of a preferred alternative without unnecessarily expending resources. However, the determination of what level and amount of work is sufficient to select a preferred alternative is up to the FRA.

Question: Your May 26 email to Council states that “staff believes, under this structure, we can advance the majority of PE effort before the end of July.” Given the fact that, even under the admittedly aggressive timetable, the public comment period is not closed until July 19th, then “completing the majority of the PE effort by the end of July” seems to confirm the public’s fears that the public review process is an academic exercise and nothing more than checking a box. Can you please comment on that? Also, how do you reconcile the “completing the majority of the PE effort by the end of July” with the bullet point in the work plan attached to the FRA letter that says “complete at least 5% PE for preferred alternative by early Fall”? (Councilmember Lumm)

Response: The upcoming public review process is related to the Draft EA and the considerations about environmental features described in the NEPA process for the sites under consideration. FRA has requested that PE proceed on multiple sites to inform the site selection process, possibly to the extent that a majority of PE is completed for multiple sites prior to selection of a preferred alternative. Once a preferred site has been nominated, it is Staff's intent to convene a public meeting to introduce the PE phase and team. At this meeting, we will also be listening for public comments on PE activities. There is also an additional public input opportunity currently being contemplated near the completion of the PE phase to collect further public input on the materials produced during the PE phase.

The FRA defines the amount of progress they consider acceptable during each phase of effort. FRA has indicated they recognize a wide range of effort as satisfactory completion of PE. The FRA's defined range of acceptable effort has been described as at least five (5) percent to seventy-nine (79) percent of design. Although we are near the lower end of the spectrum, once we have advanced design to this level and generated several key reports i.e., Construction Project Cost Estimate; Financial Planning Documentation; Construction Project Implementation Schedule; and Construction Project Benefits Estimate and Project Management Documentation, listed as project deliverables for the selected site, we will have met our obligations under the grant. When the PE deliverables are combined with the product from the EA process, we will have satisfied our requirements under the current Grant.

Question: Your May 26 email states that "Council should note that the FRA cannot guarantee that invoices sent to them after June 30th will be processed prior to their mid-September cutoff for FY17 funds disbursements." Previously it had been indicated the cutoff for invoices was May 30, 2017. Has something changed, and do we have a commitment from the FRA that invoices submitted by X date will be reimbursed and if so, is June 30th now that date? (Councilmember Lumm)

Response: FRA initially stated that May 30, 2017 was the invoice deadline. Through continuing discussion they have expressed a more recent opinion that they will guarantee processing of all invoices received by June 30, 2017. They have also indicated they will not accept any invoicing after September 1, 2017. We are now using June 30, 2017 as the final date of guaranteed invoicing. Invoices submitted between June 30 and September 1, 2017 may, but are not guaranteed, to be processed.

Question: I have a couple questions about the viability of the work plan (see below), but assuming the work plan IS achieved as outlined, what are the estimated total costs once the work plan is completed (for both EA and PE) and of that total, how much will be paid by the grant and how much paid by the City? (Councilmember Lumm)

Response: At this time, it is premature to anticipate how much work will be completed by what date. It is important to note, this project was just awarded a grant amendment establishing a "tapered match" and an extension in time. The tapered match allows for 100% federal funding of all invoices, received under the timelines described in A7. above, up to the federal maximum under the agreement of \$2.8M. The tapered match

includes the understanding that the final grant is still an 80 percent federal and 20% local funded project. The final accounting will determine what amount of federal and local shares are appropriate as the grant is to be closed out in the future. What a tapered match allows is for the ongoing efforts to be funded entirely by the federal agency until the funding period closes, the local match is then contributed as work continues past the federal funding deadline outlined above. This concept and amendment allows work to progress beyond the funding sunset date. Since we do not know what the date our last reimbursable invoice will be processed, it is impossible to forecast how much of the initial grant will be drawn down and how much local funding is needed to match the federal funding as we complete the requirements of the grant. It is staff's desire to maximize the use of grant resources and work within the existing budget authority granted by Council. It is understood that in order to complete PE activities on the preferred site, the overall City share will likely result in an overmatch, greater than 20 percent of overall funding defined under the grant. Regardless, City staff is working with the Neumann/Smith Team and is focused on having the PE Tasks outlined in our Agreement completed for one site within the total amount of local funding approved, \$700,000.

Question: In exhibit A-2 to the amendment #2, additional work plan items are listed which include references to "Broadway Bridge widening" and a "Fuller Road/EMCD/Maiden Lane roundabout for the base year and two future year scenarios". That suggests the traffic analysis started last July has been completed. If so, can you please share it? (Councilmember Lumm)

Response: This information remains draft as part of the EA. The traffic study among a series of technical resource materials will be released as part of the EA public review process.

Question: The May 26 letter to the FRA (and attached work plan) reference FRA comments on the Cultural Resources Documents and working with the State Historic Preservation Office. Can you please explain what that refers to? Also, has the FRA responded to AECOM's May 3 request and please provide an update prior to June 5th confirming if the FRA has met the June 2 work plan timing identified for that item? (Councilmember Lumm)

Response: The NEPA process requires federal agency consultation with the SHPO on select cultural resource issues. FRA has not delegated that authority to state departments of transportation as has FHWA and FTA. As such, only the FRA can coordinate with information about cultural resource including historic structure issues on a project like ours. The issues in this case are related to the reuse of the Michigan Central Depot. As of this writing FRA has not contacted the local team with the requested information.

Question: The work plan calls for the FRA to authorize release of the draft EA by June 19th, but it sounds as though a bit of work is still required and that the ball is largely in the FRA's court in terms of drafting the public review EA. Is that accurate, and how

would you assess the probability that key date will be met? (And if a low probability, what do you believe is a more likely/high probability release date?) (Councilmember Lumm)

Response: Yes, ultimately the authorization to release the draft EA resides with the FRA. AECOM is in the process of responding to FRA comments on the recent draft. Many sections have already been updated, others await additional input from FRA prior to the report being updated. We anticipate FRA providing needed information to AECOM in a timely manner. We see no reason the FRA cannot make that date.

Question: It sounds as though once the 30 day public comment period is concluded, it is still necessary to (1) compile an acceptable comment and response document and (2) draft and finally execute a Finding of No Significant Impact for the preferred/selected location before the EA phase is completed. It also sounds as though the FRA needs to be engaged in those tasks. Can you please confirm that's the process and elaborate on how workload-intensive these steps are and how extensively the FRA needs to be involved? (Councilmember Lumm)

Response: A comment and response document is a requirement of an EA public review process. The amount of resources needed for preparation of a comment response document will vary depending on the number, type and complexity of comments received. Under NEPA, we are required to properly and fully respond once the public input process is complete. With regard to the draft Finding of No Significant Impact (FONSI), a FONSI is one possible outcome of the NEPA process. We will work with the FRA in accordance with the term of our agreement and provide the appropriate support in their adoption of a FONSI, should that be the outcome of the NEPA process.

Question: The communications Council has received from the City suggest the long delays experienced to date are the result of FRA's not being responsive. Assuming that's accurate, what gives us confidence the FRA will become significantly more responsive/supportive these next few months in "meeting review times, timely and open working discussions, and focused on getting to completion?" Also, have there been any delays resulting from the City not responding promptly to FRA requests/questions or perhaps submitting incomplete drafts or reports? (Councilmember Lumm)

Response: We are all working under a tight deadline collaboratively and have every reason to believe we share the goal of a positive outcome resulting from this multi-year effort. The FRA has stated that some the materials provided for their review did not meet their requirements. In the drafting of a technical report and preparation of materials, experts may differ as to their meaning. That is why this process has included lengthy review processes. Right now, both the local team and the FRA believe we can complete this effort and that is our emphasis at this time.

Question: The resolution approved by Council on January 17th included a resolved clause indicating "Resolved that to the extent that alternative funding becomes available during the life of this project, it shall be utilized to replace the General Fund reserve that

was expended on funding this project.” Has any alternative funding become available? (Councilmember Lumm)

Response: No.

Question: The work plan assumes the FRA (and MDOT) will review/approve several draft PE documents (construction cost estimate; financial planning documentation; construction project implementation schedule; construction project benefits estimate) in 30 days. How realistic is that assumption? (Councilmember Lumm)

Response: These documents are designed to meet FRA requirements and have well understood contents. It is likely that we can and will see the materials reviewed in a reasonable timeframe.

Question: The work plan as outlined is acknowledged as “aggressive, but achievable.” If that work plan represents an “optimistic” scenario (and the costs/funding sources are provided in response to Q 8), how would you define a “most likely” scenario and a “pessimistic” scenario? Under those scenarios, what would be the total costs incurred and how much would be paid by grant vis-à-vis the city? What work would not be completed and how much more would it cost the City to complete that work? (Councilmember Lumm)

Response: Most likely, the final deliverables would be completed by the end of 2017. Under a pessimistic scenario, the City, MDOT, and the FRA are unable to agree on a preferred and selected site and the work ends without a project that is eligible for federal assistance moving forward.

As to costs and borne by which party, as indicated above there are many variables starting with the cutoff date for federal reimbursement. Therefore, it is impossible to make a reasoned forecast at this time. Staff will be maintaining close monitoring of efforts and expenses moving forward and can provide Council with updates each quarter as we move through the end of calendar 2017. We can provide updates on both the status of effort and financial particulars at those intervals.

Question: While the “tapered match” approach is clearly financially advantageous for the City, it does not have anything to do with getting the work done. If the project reaches the date where federal funding is no longer available (the City is absorbing all the costs) and it is clear PE can't be completed with the budgeted local funds, what will be the strategy? As I see it, there are four options:

1. Stop work at that point
2. Stop work at a subsequent natural break point and button-up the study
3. Keep working until all the local dollars are expended and get done whatever that allows, then stop?
4. Keep working and come back to Council for more local funding to complete PE

Which of these options would you/staff recommend, and if #3, please provide a sense of the range of additional local dollars that you would be requesting? (Councilmember Lumm)

Response: We anticipate completing the work on schedule and within the amounts currently authorized by council. In order to respond to the hypothetical scenarios outlined above, if due to circumstances we cannot control, the project is close to being finished and there is a known and reasonable differential, staff may consider coming back to Council for additional funding to complete the work. It is our view that it would be unwise to have expended several years of effort and a substantial amounts of public funding, ours and the FRA's, to not attempt to close a small gap and finish the work. Of course, staff would be addressing that with Council as we move forward in our attempt to keep you apprised with progress and risk.

CA-15 – Resolution No. 2 - Miller Maple Sidewalk Project - Sidewalk Special Assessment and to Appropriate Funds (\$50,000.00) (8 Votes Required)

Question: The funding sources include \$50K from the General Fund. What elements of the project is the General Fund paying for? (Councilmember Lumm)

Response: The General Fund portion is to pay for the planning and design phase of the project. As the majority of this work was performed before the approval of the Street, Bridge, and Sidewalk millage, it was the only viable funding source for this phase of the work.

CA-19 - Resolution to Approve Change Order No. 2 with Doan Construction Company (Bid No. 4417) for the 2016 Ramp & Sidewalk Repair Project (\$88,863.56)

Question: How is the identification of sidewalk slabs for replacements decided? Is it done by City staff or by a private contractor? What is the review process for the field work? (Councilmember Warpehoski)

Response: The sidewalk slabs to be repaired or replaced are determined by City staff only. The criteria for when to repair or replace sidewalk is outlined on the Sidewalk web page (www.a2gov.org/sidewalks), but in general it focuses on removing hindrances to mobility. In most cases this consists of sidewalk slabs that have shifted, creating a "lip" between slabs. However, another hindrance to mobility can be drainage issues, particularly in the winter and early spring. These are also addressed through the program, so in some cases sidewalk slabs that otherwise seem to be intact are either replaced or lifted in order to solve ponding problems. Once the repair locations have been marked for the contractors, the work is inspected by City staff.

CA-31 - Resolution to Approve a Standard Form of Lease for Private Hangar Owners at the Ann Arbor Airport (8 Votes Required)

Question: It's good to see there will be a standard lease form for the private, non-commercial hangars and it certainly does make sense that lessees will be more likely to make investments if they know they are locked in. How was 10 years (with 10 year option) chosen? Is that typical for hangar leases and is that what the commercial lease periods are as well? (Councilmember Lumm)

Response: The 20 years (10 + 10) is a common term for airport land leases. The tenants would always like longer, but the term allows for them to adequately recover the cost of their hangar without over committing the Airport for the future. The 20 years is also common for commercial uses, though based on the value of a proposed building, can go longer. The Bijan hangar was the last new privately owned commercial structure built at the Airport and it had a 20 years land lease.

Question: The cover memo indicates the lease rates established will be consistent for all the Airport's land lease tenants. That makes sense, but do the lease rates going forward for the private, non-commercial hangars represent an increase vs how much they are now paying (and if so how, much of an increase)? (Councilmember Lumm)

Response: Even without current leases, the private non-commercial hangars have continued to have their rates increased annually based on a CPI indicator. This is consistent for all the Airport land leases. The rate per square foot for these tenants will initially stay the same as they are currently paying, but will be subject to a CPI based increase on December 1st. Last year's rate increased 1.64% based on the CPI. There may be some small deviation to their overall monthly bill (plus or minus) since we will be re-measuring their hangar areas prior to offering the new lease.

C-2 - An Ordinance to Amend Section 8:525 of Chapter 105, Housing Code, of Title VIII of the Code of the City of Ann Arbor

Question: The existing section 8:525 explicitly states that the booklets are to be picked up at the Clerk's Office (that it's not the responsibility of the Clerk to mail/deliver them). I'm assuming that's the expectation with this added requirement as well, but can you please confirm (I ask because paragraph (2) does not contain that same language). Also, can you please confirm there's no federal or state laws or guidelines that this requirement would be in conflict with? (Councilmember Lumm)

Response: Yes, the expectation remains that the landlords will come to the City Clerk's Office personally to pick up the booklets and forms. There is no restriction in State or federal law that prohibits the distribution of voter registration forms.

C-3 - An Ordinance to Amend Sections 9:101, 9:103, 9:104, 9:105, 9:108, 9:109, 9:114, 9:115, 9:116, And 9:118, and to Delete Section 9:111, of Chapter 111, Fire Prevention, of Title IX of the Code of the City of Ann Arbor

Question: Do the penalties listed in pages 2-4 represent changes in the penalties for violation? If so, please detail. (Councilmember Warpehoski)

Response: The current ordinance states that, unless otherwise provided for in the ordinance, the fine for a civil infraction violation and noncompliance respectively, upon conviction, was not more than \$500, or by imprisonment for a period of not to exceed 90 days or both in the discretion of the court. In adopting the 2015 Fire Code, specific fine or fine minimums established for the 2009 ed. of the Fire Code were deleted and fines for violations were moved to the actual second being amended and uniformly the maximum under the discretion of the court was inserted. In addition for those sections of the Code which do not have a penalty listed, or were previously listed as a misdemeanor, the statutory misdemeanor penalty under the discretion of the court applies. Since the penalty is within the discretion of the court, it is not possible to determine whether this change will result a specific change for any individual penalty.

DB-1 – Resolution to Approve Participation Agreement with Ann Arbor Township and Washtenaw County Parks and Recreation for the Purchase of the Development Rights on the Lada Rolling Acres, LLC Property in Ann Arbor Township, and Appropriate Funds, Not to Exceed \$81,000.00, from the Open Space and Parkland Preservation Millage Proceeds (8 Votes Required)

Question: Can you please confirm my takeaway from the Activity Report that over the first 7 years of the Greenbelt Program (FY04 through FY10), 32% of project expenditures were for acquisitions/projects inside the City (\$7.55M of \$23.58M, which is consistent with the program criteria of spending 1/3 inside the City), but over the last 6 years (FY11 through FY16), only 9% of spending has been for acquisitions/projects inside the City (\$1.35M of \$14.4M)? (Councilmember Lumm)

Response: Yes, these numbers are correct. Over the life of the program, however, the expenditures have averaged 77% of project expenditures in the Greenbelt Program and 23% for additions to the City's parks system.

Question: In FY06, \$20M in bonds were issued. What were the terms (type of bonds, maturity etc) and what is the principal balance currently? Also, debt service had been running about \$1.2M annually from FY07 through FY14, then jumped to \$1.6M in FY15 and dropped to \$878K in FY16. Can you please explain what caused that (re-finance?) and what the debt service projections are for the next five years or so? (Councilmember Lumm)

Response: The \$20 million of bonds issued in FY2006 were refinanced in July 2015 via Council resolution R-15-131. The refinancing is saving approximately \$1.8 million over the 18 year remaining term. The refinancing bond was issued for \$16.2 million with an interest rate of 3.05% and annual payments of \$1.2 million for each year through FY2034.

Question: For the first 10 years of the program, project expenditures averaged about \$3.6M a year, but for the last three years, the average has been about \$460K a year (and the average over the last five years has been about \$1M a year). That suggests a diminishing demand for the program. Can you please comment on the outlook for acquisitions going forward assuming the boundaries of the Greenbelt remain as they are and are not expanded again? (Councilmember Lumm)

Response: While the project expenditures have decreased on average in recent years, a part of the reason for that is the decrease in the real estate market with the accompanying decrease in fair market values for the appraised properties. That resulted in not only lower acquisition prices for the City for completed projects, but also diminished interest from landowners who felt that it may be in their best financial interest to wait for higher land values. The average number of projects for millage-funded projects has been around 6 per year for the first 9 years of the program, 4 per year in the last 3 years, and in FY 2017 we have completed 3 projects to date. The Greenbelt Program has continued to receive applications from interested landowners in the Greenbelt District, and has received 5 applications in 2017 alone. The Parks Program has received 2 application in 2017. It is anticipated that with recent increases in real estate values landowner interest will increase again.

Question: It would seem that Allen Creek Greenway land acquisitions would clearly be eligible under the current Greenbelt program charter and criteria and given that other expenditures related to the Allen Creek Greenway are certainly consistent with the intent of the Greenbelt program (and spending 1/3 inside the City), what (if anything) would need to be done to utilize a portion of Greenbelt funds on the Allen Creek Greenway (at least the park-related current fund balance of \$5.4M and/or 1/3 of the annual tax millage revenue of \$2.3M that continues for another 18 years)? (Councilmember Lumm)

Response: Parcel eligibility is determined on an individual basis, potential incorporation into the ACG does not automatically exclude or qualify a subject parcel. There does not appear to be any change necessary to the process for a parcel within the ACG to be considered for purchase. The nomination and review process in place does not preclude a parcel identified in the ACG from being considered. A change in the review standards to prioritize parcels in the ACG or to change the nomination and review process is a policy discussion that would need to be considered by Council and the appropriate review Ccommittee. The standard process is identified below.

The process for parks acquisitions consists of:

- 1) The landowner submits an application to the City (application attached)
- 2) Parks staff acquisition committee meets to score the property. When evaluating a site for acquisition, many criteria are considered, included but not limited to (not weighted or listed in any order of priority):
 - a) City-wide system balance/ geographic distribution, as well as open space convenient to each neighborhood,
 - b) Natural resource protection,
 - c) Open space and green space imagery/aesthetics,
 - d) Enhanced access and linkage,
 - e) Protection of the Huron River, watersheds, and water quality,
 - f) Recreation value and suitability for intended use,
 - g) Method of acquisition/direct costs,
 - h) Provides for future needs/anticipates growth, and
 - i) Long-term development and maintenance costs.

I have attached the scoring sheets used for natural areas vs. recreational parks

- 3) If Parks staff recommend the purchase, the application goes to the Land Acquisition Committee (LAC) of the Parks Advisory Commission.
- 4) If LAC is in favor of the project, an appraisal is commissioned to determine the fair market value of the property.
- 5) A contingent offer is made to the landowner (pending City Council approval of the purchase)
- 6) If the landowner accepts the contingent offer, the project goes back to LAC for recommendation to City Council for acquisition
- 7) If City Council approves the acquisition of the parcel, a purchase agreement is prepared and due diligence (survey, final title work, environmental assessment) is initiated.
- 8) Once all due diligence is completed to the parties' satisfaction, closing can occur.

More information regarding acquisition priorities and evaluation can be found in the City of Ann Arbor Parks & Recreation Open Space Plan 2011 – 2015 (PROS Plan). Copies of the PROS Plan can be found online at www.a2gov.org.

DS-1 - Resolution to Approve Interim Operations Services Agreement with Recycle Ann Arbor for Ann Arbor Material Recovery Facility (MRF) (Estimated \$1,272,216.00 - \$1,375,992.42/Year in First Year)

DS-2 - Resolution to Approve Interim Operations Services Agreement with Waste Management of Michigan, Inc., for Ann Arbor Material Recovery Facility (MRF) (Estimated \$1,172,236.10/Year in First Year)

Question: It appears that DS-1 and DS-2 are unchanged from when they were originally presented. Can you provide a reason why the RAA proposal to bale

commercial paper and cardboard was rejected. I'd also like to know, if these are the same, why no additional changes were able to be negotiated with raa over the last month? (Councilmember Smith)

Response: The proposals have not been rejected. Staff was evaluating all of the proposals and preparing a comparative evaluation of the proposals and the resulting contract modifications that would result from these proposals, but the final review of these documents was not completed so as to allow them to be posted with the agenda the afternoon of Thursday, June 1. These documents were finalized on Friday, June 2 and were posted before close of business that day.

Question: One reason that's been cited for the inability to produce comparative budget figures has been the time required for on-going negotiation with raa. Would you please detail the number of face to face and phone negotiation meetings and agendas for such meetings over the last month? (Councilmember Smith)

Response: The reason for the difficulty in producing comparative budget figures is the complexity and variation of the proposal methods and pricing for these methods. Staff invested several hours of time to develop a spreadsheet tool to perform this comparative analysis, which is included in the evaluation memo now attached to both DS-1 and DS-2. As to the number of meetings, etc. over the last month, there was one sit down meeting with staff and RAA, multiple e-mails between staff and RAA, e-mails between staff and WMM, and multiple meetings and e-mail discussions among multiple staff members. Also, as noted in the evaluation document, among these communications staff requested, and did not receive, complete information material requested from RAA regarding their new subcontractor that has been added to their team in their new proposal.

Question: Can you provide guidance on the amount of staff time that went into getting a new price proposal from Waste Mgmt? (Councilmember Smith)

Response: Staff did not spend measurable time getting a new price proposal from Waste Management. In preparing the comparative cost analysis staff was not including the \$50,000/month flat fee charge for "operation of the Property" included in Waste Management's original cost proposal submitted in response to RFP No. 980, as this was included in their fees for "Solid Waste," which are no longer applicable as this contract will not include operation of the Transfer Station. As there have been questions throughout this process as to whether or not this fee was still applicable, staff contacted Waste Management to confirm or correct staff's approach, and Waste Management confirmed that the fee is not applicable under the Interim Operations contract being considered. At the end of this conversation, the Waste Management representative asked the City staff member if Waste Management could submit a revised price proposal to the City. Staff reviewed this request with the City Attorney's Office and it was indicated that this proposal could be submitted, thus the revised pricing was submitted and accepted for consideration.

Question: My recollection is that council asked staff to renegotiate the MRF contract w RAA due to new information about a newly discovered opportunity in Detroit to recycle cardboard. It also appears that the WM contract proposal has been updated. Can you please send us an explanation of how those negotiations went and how it came to be that the WM proposed contract was updated. (Councilmember Frenzel)

Response: In preparing the comparative cost analysis staff was not including the \$50,000/month flat fee charge for “operation of the Property” included in Waste Management’s original cost proposal submitted in response to RFP No. 980, as this was included in their fees for “Solid Waste,” which are no longer applicable as this contract will not include operation of the Transfer Station. As there have been questions throughout this process as to whether or not this fee was still applicable, staff contacted Waste Management to confirm or correct staff’s approach, and Waste Management confirmed that the fee is not applicable under the Interim Operations contract being considered. At the end of this conversation, the Waste Management representative asked the City staff member if Waste Management could submit a revised price proposal to the City. Staff reviewed this request with the City Attorney’s Office and it was indicated that this proposal could be submitted, thus the revised pricing was submitted and accepted for consideration.

Question: What does the City get for the extra cost of the RAA contract? Do we get a greater quantity or variety of what actually gets recycled? I understand that RAA would be required to do a study comparing baled vs. loose loaded transport. Is that part of the cost differential? (CM Eaton)

Response: If the contract is awarded to RAA, the City will have its recyclable materials processed under a different method that is intended to result in less greenhouse gas impacts. The measure and confirmation of the environmental benefit of these approaches are terms of the proposed contract, and not a study. The measures will be performed and reviewed, and if it is found that the anticipated environmental benefits are not obtained, the City could choose to have RAA change its method to baling; however, this change could potentially result in additional cost to the City.

Question: RAA also hopes to get the MRF operating during the contract period. When the MFR is running again, will the City get better safety conditions and monitoring? Is there staff training that would provide the city with on-site expertise down the road? (Councilmember Eaton)

Response: Safety and monitoring will be two of the major aspects of the Request for Proposals (RFP) for the long-term operation of the MRF when it is developed. Public Services staff have initiated discussions with Washtenaw County staff on the potential of moving the MRF to a more regional service model. In addition to staff’s interest in this potential, this has also been suggested by the Environmental Commission. If this move in service model is undertaken, it will take an extended period of time to lay the groundwork, to cultivate the relationships necessary to reach agreement on the cost sharing and other responsibilities of each participant, and to lay out and then implement

this approach. While it was staff's goal to be further advanced in determining the long-term approach for the operations of the MRF, staff resources have been, and continue to be spent on the negotiations and related work that have been required for the Interim Operations Contract for the MRF as well as on other priority needs in the solid waste program area.

Question: If MRF is going to be running again how much is it going to cost to repair/fix the machinery. Who is going to be paying for the repairs? (Councilmember Kailasapathy)

Response: There is need to replace all of the existing equipment (other than the new baler), which may include building/facility modification costs in addition to the equipment itself. Due to the level of investment such improvements would require, a determination must be made on the appropriate capacity/sizing of the facility... should the MRF serve a broader area than the City and become a more regional facility? Or should it serve the City and the operator be allowed to obtain outside third-party material? Once the level of investment is determined, then a decision will need to be made as to how to undertake that investment - - include it in the funding of a new long-term operating contract, or perform it separately from the operating contract. As staff resources have been, and continue to be spent on the negotiations and related work that have been required for the Interim Operations Contract for the MRF as well as on other priority needs in the solid waste program area, this determination has not yet progressed beyond initial discussions with Washtenaw County staff on the potential of moving the MRF to a more regional service model.

Question: Can you please explain what RAA's "hybrid" plan is and what impact (if any) it has on the commitment for residuals of 10% or less (that was part of the loose load plan)? (Councilmember Lumm)

Response: The hybrid method that RAA has proposed includes baling of the high-content OCC commercial stream materials and sending them to a facility in Taylor, Michigan and loose loading of the residential single-stream material and transporting it to Cincinnati for processing. The contractual measure for no more than 10% residuals is still included with this method.

Question: Is RAA proposing the "hybrid" in lieu of loose load or as an alternative for the City to consider? Given that the costs for RAA's loose load option are significantly higher than for RAA's hybrid option, is it accurate to say that staff would not recommend loose load over the hybrid option or are there other considerations? (Councilmember Lumm)

Response: RAA's hybrid proposal is an alternative method in addition to the original loose load method. As to staff's recommendations on methods, the proposed contract document states that *"RAA acknowledges that the material stream is owned by the City and the City can at its sole discretion make changes to its handling."*

Question: In looking at the cost comparisons of the new prices (WMM new, RAA new hybrid, RAA new baling, RAA loose load), my takeaway is that the annual RAA premiums range from:

- RAA hybrid (w/o residual impact) = \$77,296 to \$186,330
- RAA hybrid (with residual impact) = \$57,138 to \$127,539

- RAA new baled (w/o residual impact) = \$125,680 to \$143,644
- RAA new hybrid (with residual impact) = \$125,066 to \$141,855

- RAA loose load (w/o residual impact) = \$164,149 to \$302,272
- RAA loose load (with residual impact) = \$145,871 to \$248,961

Can you please confirm if these numbers are correct? (Councilmember Lumm)

Response: The numbers for the RAA hybrid and the RAA new baled are accurate as the annual premium range based on documented monthly market values this current fiscal year. The figures for the RAA loose load should be as follows:

- RAA loose load (not including GHG benefit credit) = \$215,695 to \$354,272
- RAA loose load (including GHG benefit credit) = \$197,417 to \$300,961

Question: The memo from Mr. Lazarus includes the following:

“ Under the new Hybrid and New Baled methods proposed by RAA, a new subcontractor (Taylor Recycling) has been identified as a member of the RAA team that was not included in the original proposal submitted in response to RFP No. 980. Staff has requested background information, references and resumes for key staff members from this new team member, consistent with the requirements of RFP No. 980. This complete information has not yet been submitted for review and consideration by staff. This further increases staff’s concern of the performance risk to the City if the contract is awarded to RAA, and the potential need of the City to invoke the terms of the performance bond and the potential financial impacts to RAA resulting from such an action”

Can you please elaborate on how significant a concern this is?

Response: On May 26, 2017 RAA indicated by e-mail to staff that they were still working to gather resumes for key staff of Taylor Recycling, and this information has not yet been submitted to the City.

Question: Is everything on track with the transition to Advanced Disposal Services for solid waste transfer, transport and disposal services and will that commence on July 1st ? Also, are there any updates/new developments with regard to potential regional MRF operations or facilities? (Councilmember Lumm)

Response: Yes. Public Services staff have initiated discussions with Washtenaw County staff on the potential of moving the MRF to a more regional service model. In

addition to staff's interest in this potential, it has also been suggested by the Environmental Commission. If this move in service model is undertaken, it will take an extended period of time to lay the groundwork, to cultivate the relationships necessary to reach agreement on the cost sharing and other responsibilities of each participant, and to lay out and then implement this approach.

DS-3 – Resolution to Approve Amendment of the Tax Increment Financing and Development Plan for the Ann Arbor/Ypsilanti SmartZone Local Development Financing Authority

Question: On May 1st (when tonight's public hearing date was set), I asked the following question, but the response provided referred to another topic. Can you please provide a response?

o The TIF and Development Plan states that "the amended plan will exclude the hold harmless portion of the local school millage in order to ensure there is no direct impact to local school district funding from the LDFA tax capture." The question of whether/ not the LDFA tax capture impacts local school funding was a discussion topic when Council approved the extension application two years ago and as I recall, city staff and the LDFA folks indicated that it didn't. Can you please remind us what the basis for that conclusion was and where specifically this tax capture for the Ann Arbor/Ypsilanti LDFA is funded from? (Councilmember Lumm)

Response: The SmartZone captures ½ of the increase in the State Education Tax millage and ½ of the increase in the School Operating millage. For the extension period, incremental taxes captured over the FY2018 base will be ¼ of the increase in both millages. Despite the names of these millages, school funding is actually provided by the State via an annual "Foundation Grant". The local TIF capture does not affect the schools payment from the State's Foundation Grant.

Question: Also related to potential impacts on school funding, on p. 10 of the amended Plan, it states that "the amended plan will exclude the hold harmless portion of the local school millage in order to ensure there is no direct impact to local school district funding from the LDFA tax capture". That suggests there has been an impact up to this point. Can you please speak to that? (Councilmember Lumm)

Response: Any cumulative impact to date would be de minimis. As staff projected forward 15 years with existing tax laws, there were scenarios where an impact could be created due to some nuances with the hold harmless millage, so this extension plan proactively eliminates the hold harmless millage from capture to insure no impact could occur.

Question: The amended Tax Increment Financing and Development Plan (p. 10) states that "the LDFA would continue to not capture property taxes within the City of Ypsilanti" and also states (p. 6) that "for the remaining duration of the 2002 Plan and the duration

of the new Plan, up to 10% of the annual TIF capture will be allocated towards Ypsilanti-related programs". These two statements raise a couple of questions:

3A. If the TIF capture really does not adversely impact the jurisdiction generating it (as previously indicated – see Q1), then why not capture the TIF in Ypsilanti as well as Ann Arbor?

3B. Are there other SmartZones in Michigan where there is an imbalance between jurisdictions in where tax capture is generated vis-à-vis where funds are used like this suggests for Ann Arbor and Ypsilanti?

3C. For the Adrian-Tecumseh satellite, will the spending there match the TIF generated? (Councilmember Lumm)

Response: 3A. The property taxes in the Ypsilanti TIF capture zone are not projected to increase in an amount that would generate support having a capture there given the reporting / administration burdens that go with the capture.

3B. In the past the Mt. Pleasant SmartZone shared TIF capture with Midland. Today, Midland has their own independent SmartZone, so the Ann Arbor/Ypsilanti SmartZone is the only one with the structure.

3C. The Ann Arbor/Ypsilanti SmartZone will not be sharing TIF capture with the Adrian-Tecumseh satellite even though technical support and coordination of programming will be occur. The Adrian-Tecumseh satellite does have funding from Adrian College in addition to the TIF capture, as a requirement by the State to approve their satellite status.

Question: In response to a question I asked on the LDFA budget related to the micro-loan program, it was indicated that the micro-loan program was being discontinued due to overlap with other MDEC programs. Can you please provide a bit more information on that and whether the overlap programs are providing a similar amount of available funding? (Councilmember Lumm)

Response: The MEDC just issued a grant to Invest in Detroit for a new program called the First Capital Fund. The intent is for startups to receive capital in the \$50 to \$150k range without a match. All Ann Arbor/Ypsilanti startups are eligible and will receive the same scrutiny for approval as our micro loans. In theory all companies we might have loaned money to could receive this funding instead.

Question: The FY18 LDFA budget increases the allocation to SPARK for Internship Support and Talent Training by \$150K (or 50%). Can you please elaborate on the need for that significant increase and what specifically the additional funding will pay for? (Councilmember Lumm)

Response: The demand for internship matching (half the salary paid by the company, half by LDFA) continues to climb. The Executive in Residence program has proven to be popular with startups and has helped retain executive talent. However, the largest increase is for the Digital Engagement Center program that provides faculty level training of student teams from WCC, EMU, U of M and other schools, that help our

startup companies materially grow their businesses. It benefits both the students and the entrepreneurs. The increased funding will significantly increase in the number of student teams and the number of times the program can run.

Question: In response to a question I asked on the LDFA budget related to the \$102K in new funding in FY18 for Mobility Support, it was stated that “the \$102K for Mobility reflects the cost for the LDFA to contract for an additional employee at SPARK to specifically focus on start-ups related to the mobility space. With emerging autonomous and self-driving car infrastructure being supported locally, the LDFA is attempting to bolster this growing sector as a potential focus area of “cluster” for new innovative technologies” Is it typical for the LDFA to directly fund employees at SPARK and can you please expand on what this employee will be doing beyond the work that’s already taking place/being led by the automakers? (Councilmember Lumm)

Response: When approaching a new activity, the LDFA considers the most effective way to achieve the desired results. In this particular case, this person with specific experience and expertise will singularly focus on making connections between local startups and larger companies in the emerging autonomous vehicle industry. Larger companies are not focusing on the startups, which is where the LDFA desires to contribute as the region builds the full ecosystem. Other SPARK employees and programs help entrepreneurs get their ideas and products into a business and to commercialization. This new activity goes a step beyond and strives to get new products into the plans and products of existing companies.

Question: In the SPARK 2016 annual report financial highlights page, the total budget is indicated as \$5.4M. The LDFA payments to SPARK in FY16 were \$2.4M and are budgeted for FY18 at \$3.2M. Are the LDFA funding increases offsetting funding decreases from other sources or are the LDFA increases increasing SPARK’s total budget? Also, beyond the LDFA, who/what are the next largest funders/funding sources for SPARK’s budget? (Councilmember Lumm)

Response: The LDFA funds to SPARK increase the capacity to serve entrepreneurs and their startup companies. No LDFA funds offset decreases in other areas of SPARKs work. The balance of SPARKs funding goes toward the expansion and attraction of already successful companies in the region. Funding for this activity comes from many sources including U of M, EMU and WCC. The county and townships also contribute to this activity as well as a growing number of corporations. These funding sources are collectively increasing and make it possible to budget for non-LDFA activity like the American Center for Mobility at Willow Run.

Question: Also in the SPARK annual report, the number of “announced” jobs for 2011-2016 is shown as 5,936. Indicating that the number is the “announced” number of jobs is a positive step in terms of transparency. In the past, SPARK had performed audits/checks on the number of those jobs that were in fact created and have been

retained. Has SPARK (or the LDFA) done any similar audits recently and if so what were the results? (Councilmember Lumm)

Response: The previous audit was done for FY2014 results. The LDFA budgeted in FY2018 for another audit. The previous audit concluded the job creation numbers should be regarded by users as an approximation and not necessarily an exact figure. The job creation numbers maintained and reported by SPARK are the most accurate figures available on a “best efforts” basis.

Question: Also on jobs, in a previous response to a question regarding the methodology of tracking job creation/retention, it was indicated that “The methodology has been discussed with the MEDC, the State organization charged with tracking these job numbers.” Did the MEDC have any comments or suggested improvements to the tracking methodology utilized and if so, have the changes been implemented? (Councilmember Lumm)

Response: The MEDC looked at the SPARK methodology for tracking jobs and concurred it was as good a method as they were aware of. MEDC uses SPARK’s model as an example in discussion with other economic development organization as an indicator of what MEDC expects a tracking system should encompass.

SCORING NATURAL AREA		Low ← → High				
1	Connectivity to a natural area, riparian area, park, other land with public access, existing trail system, wetland area, or a tributary of the Huron River ("defined areas")	0 Site does not provide connection to any of the defined areas	5 Site connects to one type of defined area	7 Site connects to 2 or more types of defined areas	10 Site connects to one or more type of defined areas AND to the Huron River	
2	Access to Subject Parcel	0 Site does not have adequate access	3 Site provides adequate street frontage (min. lot frontage or greater per underlying zoning)	5 Site provides adequate street frontage AND opportunities for barrier free access	7 Site provides adequate street frontage AND opportunities for barrier free access AND multiple points of access	10 Site provides all criteria to left AND easy access for ¼ mile radius of site by sidewalk, trails, and low-volume residential streets OR via multiple transit modes
3	Access Improvement to an Existing Park	0 Subject parcel DOES NOT increase access to an existing park		10 Subject parcel DOES increase access to an existing park		
4	Method of Acquisition	2 Full fair market value paid for property	5 Partial donation of property value OR cost share opportunity	8 Complete donation of property	10 Complete donation of property AND endowment/contribution by donor to cover post-acquisition costs	
5	Capital Improvement Costs	2 Capital improvement costs needed to provide adequate and safe public use/access will be greater than \$100,000	4 Capital improvement costs needed to provide adequate and safe public use/access will be greater than \$50,000 but less than \$100,000	8 Capital improvement costs needed to provide adequate and safe public use/access will be between \$25,000 and \$50,000	10 Capital improvement costs needed to provide adequate and safe public use/access will be less than \$25,000	
6	Operational Costs	0 No opportunity for cost sharing of operational costs or management of the site		1-10 Partnership opportunities for shared operational costs and management of the site with another City department, County, or a private organization Note: Sliding scale based on percent of cost shared where 10% =1; 20% =2, etc.		
7	Sustainability Framework Goals	0 Does not meet any Sustainability Framework goals	4 Meets 1 - 2 Sustainability Framework goals	7 Meets 3 - 4 Sustainability Framework goals	10 Meets more than 4 Sustainability Framework goals	
8	Existing Plant Communities	2 Floristic Quality Index is less than 20	5 Floristic Quality Index is 20 or greater but less than 40	8 Floristic Quality Index is between 40 and 60	10 Floristic Quality Index is greater than 60	
9	Coverage of Invasive Plants	0 Coverage of invasive plants is extensive (75% or greater)	5 Coverage of invasive plants is moderate (greater than 50% but less than 75%)	8 Coverage of invasive plants is low (between 25% and 50%)	10 Coverage of invasive plants is very low (less than 25%)	
10	Rare Flora and Fauna	0 Site contains no rare flora or fauna		7 Site contains flora or fauna which are classified as rare locally	10 Site contains flora or fauna classified by the state or federal government as an endangered or threatened species or as a species of special concern	

SCORING ACTIVE PARK AREA		Low ← → High				
1	Connectivity to a natural area, riparian area, park, other land with public access, existing trail system, wetland area, or a tributary of the Huron River ("defined areas")	0 Site does not provide connection to any of the defined areas	5 Site connects to one type of defined area	7 Site connects to 2 or more types of defined areas	10 Connects to one or more type of defined areas AND to the Huron River	
2	Access to Subject Parcel	0 Site does not have adequate access	3 Site provides adequate street frontage (min. lot frontage or greater per underlying zoning)	5 Site provides adequate street frontage AND opportunities for barrier free access	7 Site provides adequate street frontage AND opportunities for barrier free access AND multiple points of access	10 Site provides all criteria to left AND easy access for ¼ mile radius of site by sidewalk, trails, & low-volume residential street OR via multiple transit modes
3	Access to an Existing Park	0 Subject parcel DOES NOT increase access to an existing park		10 Subject parcel DOES increase access to an existing park		
4	Method of Acquisition	2 Full fair market value paid for property	5 Partial donation of property value OR cost share opportunity	8 Complete donation of property	10 Complete donation of property AND endowment/contribution by donor to cover post-acquisition costs	
5	Capital Improvement Costs	2 Capital improvement costs needed to provide adequate and safe public use/access will be greater than \$100,000	4 Capital improvement costs needed to provide adequate and safe public use/access will be greater than \$50,000 but less than \$100,000	8 Capital improvement costs needed to provide adequate and safe public use/access will be between \$25,000 and \$50,000	10 Capital improvement costs needed to provide adequate and safe public use/access will be less than \$25,000	
6	Operational Costs	0 No opportunity for cost sharing of operational costs or management of the site		1-10 Partnership opportunities for shared operational costs and management of the site with another City department, County, or a private organization Note: Sliding scale based on percent of cost shared where 10% =1; 20% =2, etc.		
7	Sustainability Framework Goals	0 Does not meet any Sustainability Framework goals	4 Meets 1 - 2 Sustainability Framework goals	7 Meets 3 - 4 Sustainability Framework goals	10 Meets more than 4 Sustainability Framework goals	
8	Site Suitability	0 Site DOES NOT meet any need identified in the PROS Plan or identified by the community		10 Site meets at least 1 need identified in the PROS Plan or identified by the community		
9	Underserved Neighborhood	0 Site is NOT located in an area that is underserved for the intended use of the park as identified in the PROS plan	5 Site is located in an area that is moderately served for the intended use of the park as identified in the PROS plan	10 Site is located in an area that is underserved for the intended use of the park as identified in the PROS plan		

CITY OF ANN ARBOR
OPEN SPACE AND PARKLAND PRESERVATION

PARKLAND
ACQUISITION APPLICATION



COMMUNITY SERVICES AREA
CITY OF ANN ARBOR
301 East Huron Street
Ann Arbor, Michigan 48104

Please complete the attached application completely. Please also include a copy of the deed for the nominated property, a copy of any existing easements, and any additional documents that would help us evaluate your application.

CITY OF ANN ARBOR
COMMUNITY SERVICES AREA
301 EAST HURON STREET
ANN ARBOR, MI 48104

FOR OFFICIAL USE ONLY
Application Number

PARKLAND ACQUISITION APPLICATION

This information is required by authority of the Open Space and Parkland Preservation Ordinance of the City of Ann Arbor (Ordinance No. 17-04, 1 5-3-04) for parkland acquisitions

LANDOWNER INFORMATION

*Please clearly print or type all information. **Be sure to complete the front and back sides of all pages.***

Landowner's Last Name	First Name	Middle Initial	Home Telephone Number
Street Address or PO Box Number			Business Name (if applicable)
City	State	Zip Code	Business Telephone Number
Best time of the day to call			Email

PROPERTY INFORMATION

Tax Parcel Number(s) of Nominated Property	Address of nominated property
Total Number of Acres Nominated	
Land Use on Nominated Property (i.e., Open space, forest, wetland, stream, river)	
Are there any existing surface or subsurface leases, easements, liens or other encumbrances on the property (i.e., mineral rights, utility easements, mortgages etc.)? Your land is eligible for consideration even if some easements, leases or liens exist.	
<input type="checkbox"/> Deed <input type="checkbox"/> Other:	


Type of Sale: Fee Simple Purchase of Development Rights

Is the nominated property already restricted from being developed? Are there any restrictive covenants, leases or easements on the nominated property, such as land entered into the Federal Wetland Reserve Program (WRP), an existing conservation easement with a private conservancy, or a long-term lease that restricts the use of the land for agricultural purposes only?

No Yes If yes, please explain:

Please provide a copy of deeds or land contracts that include the legal description of the property you wish to nominate. Please specify if you are not including the whole parcel described in the deed or land contract. Existing building sites should be excluded from the legal description of the property offered in the application since the City will not pay for areas that have already been developed. In addition, we recommend you also consider excluding future home site(s). You need not provide a survey of the excluded areas when you submit this application, but you may be asked to do so if your land is selected.

Please include a sketch of the nominated property, including areas to be excluded from the application, in the area provided below. This sketch should include property boundaries, existing roads and buildings.

Are there any contingencies that you would like to make the Greenbelt Advisory Commission aware of that may affect the property in the future (such as farm leases, oil or gas leases, death/estate plans etc)?

No Yes If yes, please explain:

How much public road frontage exists on the nominated property? This would not include seasonal roads or private farm lanes, but would include public paved, dirt, gravel, etc. roads. (Check only one box.)

None Less than ¼ mile ¼ mile or more, but less than ½ mile
 ½ mile or more, but less than ¾ of a mile ¾ mile or more

Is the nominated property enrolled in any of the following programs?

- Private Forestry Act (Part 513 of NREPA)
- Commercial Forest Act (Part 512 of NREPA)
- Hunter Access Program (Part 435 of NREPA)
- Wetland Reserve Program
- Crop Reserve Program

Is the nominated property (or a portion of the nominated property) currently enrolled in a PA 116, Farmland Development Rights Agreement (FDRA)?

No Yes, If yes, list the agreement number(s):

Are there any matching funds available to assist toward the purchase of the property or development rights? A private conservancy or local government may provide money toward the purchase. A landowner, willing to take less than the appraised value, would also be a match. Landowners who accept less than the appraised value need to identify the percentage of the property value or development rights value they are willing to donate. The donation may result in an income tax benefit. Discuss this with your CPA or tax attorney to confirm your eligibility. **Applicants offering to take less than the appraised value will be scored higher, but must honor that offer at time of closing.** A letter must be included with the application confirming the matching funds or individual donation.

Are there any matching funds available?

No Yes -- If yes, check the source below and list the percentage amount offered \$ _____

Private Conservancy Local Government Landowner Other

Would you like to donate a portion of your sale price or development rights? Yes No

5% 10% 20% Other _____

Please provide a description of the property (including features such as water bodies, scenic views, steams, wetlands, rare species, or other desirable features):

Please check the box if you do NOT want the City of Ann Arbor to share this application with other agencies or organizations that have matching funds available for land preservation? It is the City's goal to be able to protect as much land as possible by leveraging as many funds as possible.

The information contained in this Application may be considered exempt from disclosure to the public under the provisions of the Michigan Freedom of Information Act until purchase of the land / land rights offered in the Application is submitted to the Ann Arbor City Council for consideration. Some information may continue to be exempt thereafter on privacy grounds if so identified when the Application is completed (e.g., unlisted telephone numbers).

CERTIFICATION

I (we) certify that the statements made above are a true and accurate representation of the facts regarding the nominated parcel(s). It is understood that signature does not obligate sale of real property or development rights but simply permits the City of Ann Arbor to consider purchase of real property or development rights. I (we) also understand this information will be subject to public record if the nominated property is selected, and will grant reasonable access to the property for purposes of inspection and appraisal of the parcel by the City, its employees or contractors, and the Parks Advisory Commission.

Signature

Date

Signature

Date

Attachments included:

- 1. Deed / Land Contract**
- 2. Existing Easements**

When evaluating a site for acquisition, many criteria are considered, included but not limited to (not weighted or listed in any order of priority):

1. City-wide system balance/ geographic distribution, as well as open space convenient to each neighborhood,
2. Natural resource protection,
3. Open space and green space imagery/aesthetics,
4. Enhanced access and linkage,
5. Protection of the Huron River, watersheds, and water quality,
6. Recreation value and suitability for intended use,
7. Method of acquisition/direct costs,
8. Provides for future needs/anticipates growth, and
9. Long-term development and maintenance costs.

More information regarding acquisition priorities and evaluation can be found in the City of Ann Arbor Parks & Recreation Open Space Plan 2011 – 2015 (PROS Plan). Copies of the PROS Plan can be found online at www.a2gov.org.