

ANN ARBOR DOWNTOWN DEVELOPMENT AUTHORITY MEETING MINUTES

Wednesday, November 4, 2015

Place: DDA Office, 150 S. Fifth Avenue, Suite 301, Ann Arbor, 48104

Time: Mr. Hewitt called the meeting to order at 12:01 p.m.

1. ROLL CALL

Present: Bob Guenzel, Roger Hewitt, Marie Klopf, Joan Lowenstein, John Mouat, Keith Orr, Steve Powers, Sandi Smith, Phil Weiss

Absent: Al McWilliams, Rishi Narayan, John Splitt

Staff Present: Susan Pollay, Executive Director
Joseph Morehouse, Deputy Director
Amber Miller, Planning & Research Specialist
Jada Hahlbrock, Management Assistant

Audience: Marianne James, The Ark
Bill Kinley, The Ark
Charlotte Csisila, The Ark
Karen Farmer, Kerrytown District
Deanna Relyea, KDA
Lee Berry, Michigan Theater
Nancy Shore, getDowntown
Jeremy Kennedy
Ray Detter, CAC

2. AUDIENCE PARTICIPATION

Bill Kinley, Ark Board Member, said that the Ark had recently purchased its space on Main Street, and they are working to implement a master plan for building improvements and maintenance. He shared images of a proposed new façade and entry, saying that the design was intended to help to activate the sidewalk and create a more memorable entrance and identity for the Ark.

Marianne James, Ark Executive Director, said plans for façade improvements had been developed giving careful consideration to the DDA's Development Plan and in consultation with stakeholders. She shared that planned renovations will total \$1M, including the new entryway which will cost \$250,000. The Ark is requesting funding from the DDA for this new entryway.

Karen Farmer, said that the Kerrytown District Association asks the DDA to provide a grant to the Association so they can hire an Executive Director. She said the group has been led by a dedicated board of volunteers, but they would like to hire someone to help them meet their

mission and act as the public face of the neighborhood. She said there is interest in working to coordinate events and promotions with the other three downtown area associations.

3. REPORTS FROM CITY BOARDS AND COMMISSIONS
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Downtown Area Citizens Advisory Council- Mr. Detter extended an invitation to the dedication of the final series of historical street exhibit displays at North University and State on November 10th at 5:00 pm. He said the November CAC meeting included a discussion about the proposed development on Huron Street next to Sloan Plaza, and reported that nearby residents continue to meet with the development team to provide input.

Mr. Detter said they also discussed the two proposed plans for the Library Lot. He said that while the CAC is not supportive of turning all of the space into a park, they believe the development and plaza space should connect with Liberty Plaza, Blake Transit, the historic structures on the block, as well as be a benefit to the public library.

4. DDA MEMBERS COMMUNICATIONS

Mr. Guenzel, Mr. Mouat and Mr. Weiss all shared that they have a connection to the Ark. Mr. Hewitt said the Board should consult with the DDA attorney to evaluate these relationships and determine if a conflict of interest exists.

Mr. Orr said that Scio Township approved a transit millage on Tuesday.

Mr. Powers said there will be an open house to meet the three police chief candidates on November 5th from 6-7 pm at City Hall.

Mr. Powers said there will be a open house to see the Library Lot development proposals on November 4th from 5-9 pm at City Hall.

Mr. Powers said today would be his last DDA Board meeting. He said he greatly appreciates the dedication, time and leadership provided by the DDA Board and Ms. Pollay. He said that Mr. Crawford, interim City Administrator, will be attending future DDA Board meetings.

Ms. Klopff said that Washtenaw County is looking for a DDA member to serve on a newly-created economic development committee. She said she would volunteer; other board members indicated their support that she represent the DDA.

5. EXECUTIVE DIRECTOR COMMUNICATIONS

Ms. Pollay said the Greenway Taskforce is looking for a DDA member and asked for a volunteer. She said that she had attended a CEO Roundtable event led by SPARK focusing on talent attraction and retention, and the lack of public parking was mentioned as a concern, as was the lack of strong regional transit.

Ms. Pollay said that it had become a DDA tradition to consider a resolution of thanks when an individual left the DDA board. She asked the Board Chair for permission to present the following resolution, which she read aloud:

RESOLUTION THANKING STEVE POWERS

Whereas, Steve Powers generously contributed dedication, time, and energy to the Ann Arbor Downtown Development Authority since joining the board in 2014;

Whereas, Steve Powers brought great intelligence, a strategic understanding, and quiet leadership to the DDA board;

Whereas, Steve Powers helped foster a collaborative and supportive culture at the City, which helped strengthen the connections between DDA and City staff;

Whereas, Steve Powers regularly made the time to hold meetings with downtown stakeholders, often walking the downtown sidewalks and alleys, to hear about their challenges and opportunities, and to learn how the City could better meet their needs;

Whereas, Steve Powers is granted permanent rights to cheer for the Wolverines, which are represented by a fierce and noble beast that eats Ducks and Beavers;

RESOLVED, The Ann Arbor Downtown Development Authority, on behalf of the downtown and the community, thanks Steve Powers for his great service and abundant contributions to the downtown, and indeed to the community as a whole, through his work on the Ann Arbor Downtown Development Authority.

Ms. Smith moved and Mr. Hewitt supported the resolution.

A vote on the resolution showed:

AYES: Guenzel, Hewitt, Klopf, Lowenstein, Mouat, Orr, Smith, Weiss

NAYS: none

ABSENT: McWilliams, Narayan, Splitt

ABSTAIN: none

The resolution carried.

6.

APPROVAL OF MINUTES

Mr. Mouat moved and Ms. Klopf supported approval of the October 2015 DDA meeting minutes.

A vote on the motion showed:

AYES: Guenzel, Hewitt, Klopf, Lowenstein, Mouat, Orr, Powers, Smith, Weiss

NAYS: none

ABSENT: McWilliams, Narayan, Splitt

ABSTAIN: none

The motion carried.

7. A. SUBCOMMITTEE REPORTS- PARTNERSHIPS/ECONOMIC DEVELOPMENT COMMITTEE

Resolution DDA Grant Policy. Ms. Lowenstein moved and Mr. Mouat supported the following resolution.

RESOLUTION TO APPROVE A DDA GRANT POLICY

Whereas, The DDA mission is to strengthen the downtown and spark private reinvestment;

Whereas, An important way for the DDA to accomplish its mission is to provide a DDA grant in support of a project that supports important DDA values, such as downtown walkability, diversity of people and mix of uses, sustainability, mix of downtown uses, and downtown Ann Arbor's unique identity and creating an attractive and memorable sense of place;

Whereas, The DDA Partnerships Committee has developed a recommended DDA Grant Policy which includes criteria and procedures, which it is recommending for DDA approval;

RESOLVED, The DDA approves the attached DDA Grant Policy.

Ms. Lowenstein said that over the course of many meetings the Committee worked on the proposed DDA Grant Policy. She said the policy sets forward criteria, and a procedure to help the DDA consider grant requests. She highlighted some of the threshold elements and additional criteria, and said the Committee recommends approval.

Ms. Smith moved and Mr. Mouat supported an amendment to the policy that made the following change to the section regarding application submission. The change would appear as:

"The DDA has determined that it can receive grant applications all year, but it has scheduled a review of grant applications ~~twice a year~~ at least once a year, ~~beginning on October 1st and March 1st~~ with a deadline for written submission by November 30th."

Board members discussed the timing and approval sequence for grant requests.

A vote on the motion to change the policy showed:

AYES: Guenzel, Hewitt, Klopf, Lowenstein, Powers, Smith, Weiss

NAYS: Mouat, Orr

ABSENT: McWilliams, Narayan, Splitt

ABSTAIN: none

The motion carried.

Ms. Smith moved and Mr. Powers supported an amendment to the policy that made the following change to the section regarding applicant presentation to the Board. The change would appear as:

“A grant applicant shall make a presentation about the project ~~(no more than 4 minutes)~~ to the full DDA at a regularly-scheduled monthly Board meeting.”

A vote on the second motion to change to the policy showed:

AYES: Guenzel, Hewitt, Klopf, Lowenstein, Mouat, Orr, Powers, Smith, Weiss

NAYS: none

ABSENT: McWilliams, Narayan, Splitt

ABSTAIN: none

The motion carried.

A vote on the resolution to approve the amended policy showed:

AYES: Guenzel, Hewitt, Klopf, Lowenstein, Mouat, Orr, Powers, Smith, Weiss

NAYS: none

ABSENT: McWilliams, Narayan, Splitt

ABSTAIN: none

The resolution carried.

Partner Updates. Ms. Lowenstein said the Committee heard updates from DDA partners.

The next Partnership Committee meeting will be on December 9 at 9:00 am. There will be no November meeting.

7. B. SUBCOMMITTEE REPORTS- FINANCE COMMITTEE
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Resolution FY2015 DDA Audit. Mr. Mouat moved and Ms. Lowenstein supported the following resolution.

RESOLUTION TO ACCEPT THE DDA FISCAL YEAR 2015 FINANCIAL AUDIT

Whereas, The auditing firm of Rehmann Robson, LLC. was contracted by the DDA to audit the DDA's financial records for the fiscal year ending June 30, 2015;

Whereas, The Finance Committee went through the document in detail with the DDA auditor and recommends acceptance of the audit by the DDA;

RESOLVED, The DDA accepts the Fiscal Year ending June 30, 2015 financial audit prepared by Rehmann Robson, LLC.

Ms. Klopf said that the audit was clean and that no issues or errors were found. She noted that the audit material was ready for the auditing team two weeks early, and thanked Mr. Morehouse for his good work preparing for the audit. She said the Finance Committee recommends the Board accept the audit. Questions were asked and answered.

A vote on the resolution showed:

AYES: Guenzel, Hewitt, Klopf, Lowenstein, Mouat, Orr, Powers, Smith, Weiss

NAYS: none

ABSENT: McWilliams, Narayan, Splitt

ABSTAIN: none

The resolution carried.

The next Finance Committee meeting will be November 17 at 1:00 p.m.

7. C. SUBCOMMITTEE REPORTS – CAPITAL IMPROVEMENTS COMMITTEE

Resolution Signal Box Art “Power Up”). Mr. Mouat moved and Ms. Smith supported the following resolution.

RESOLUTION APPROVING FUNDS FOR THE NEXT PHASE OF TRAFFIC SIGNAL BOX ARTS INSTALLATIONS (“POWER UP”)

Whereas, The DDA’s Development Plan sets forward strategies to encourage walkability and to support downtown identity by working to bring art into the public realm;

Whereas, At its October 2013 meeting, in partnership with the Art Alliance, the DDA approved a \$20,500 matching grant to install vinyl art wraps on downtown traffic signal boxes;

Whereas, The art for these wraps were selected by a jury, and the 8 locations that were installed were selected in part by representatives of the four downtown Area Associations;

Whereas, In addition to generating a great deal of positive public acclaim, the project helped dissuade graffiti and handbills, and helped make the downtown area more memorable and attractive;

Whereas, The DDA applied for and received a Michigan Council for Arts and Cultural Affairs grant for this project in the amount of \$22,500, which now requires \$50,000 in matching funds from the DDA, which can be split over two fiscal years;

Whereas, The project partners will also seek additional funding with the goal of covering the remaining 34 downtown signal boxes with original art;

Whereas, The DDA Capital Improvements Committee recommends approval of these funds, as it supports DDA efforts to reduce blight and graffiti, and improve the appearance and use of the public right of way, plus it serves the DDA strategy to foster downtown's unique identity and sense of place;

RESOLVED, The DDA approves \$50,000 in funding for this project from its (003) TIF funds directed to sidewalk maintenance, with half to be assigned from its FY 2016 budget and half from its FY 2017 budget.

Mr. Mouat said the first phase of this project was very well received. He said the DDA and Arts Alliance applied for and received a \$22,500 grant from the State of Michigan to help fund the second phase. The grant requires \$50,000 in matching funds from the DDA. Mr. Mouat said the program will be administered by the Arts Alliance who will seek additional private funds with the goal to cover the remaining 34 downtown signal boxes.

Ms. Pollay was asked why the project didn't involve a grant to the Arts Alliance, and instead was being funded from sidewalk maintenance. Ms. Pollay said that the project helped address downtown graffiti, and as an anti-blight effort, it fit within the DDA's sidewalk maintenance efforts. But she also noted that the State grant was time-limited, and a DDA match commitment was needed by the end of the month. She suggested that the DDA could forgo the State funds, and opt instead consider DDA support for the project along with other grant requests later this year. Other questions were asked and answered.

A vote on the resolution showed:

AYES: Guenzel, Hewitt, Klopff, Lowenstein, Mouat, Orr, Powers, Smith, Weiss

NAYS: none

ABSENT: McWilliams, Narayan, Splitt

ABSTAIN: none

The resolution carried.

South University Project. Mr. Mouat said that at its meeting the Committee learned more about the issues and opportunities in the S.U. commercial area, and how the recently completed Street Design Manual will be utilized to design improvements. He said after the meeting ended, DDA staff and project consultants went to the S.U. area to walk the project area, and some of the Committee members joined them. Ms. Miller shared that a topographic survey is underway and public outreach will begin soon.

The next Capital Improvements Committee meeting will take place on November 18 at 11:00 am.

7. D. SUBCOMMITTEE REPORTS - OPERATIONS COMMITTEE

Parking Report. Mr. Orr reviewed the October parking report.

Construction at 4th & William. Ms. Pollay said that the new stair has been installed. The curtain wall is being installed, and installation of the handrail will soon begin.

The next Operations Committee meeting will be November 18 at 9:00 a.m.

7. E. SUBCOMMITTEE REPORTS – EXECUTIVE COMMITTEE

Mr. Hewitt reported that the Committee reviewed the board meeting agenda.

The next Executive Committee meeting will be December 2nd at 11 am.

8. NEW BUSINESS

FOIA Appeal Regarding Fees. Ms. Pollay said the DDA received an appeal of a FOIA fee. She said Mr. Askins was provided with an estimated fee total of \$224.76 to respond to his FOIA request dated October 7, 2015. The fee was calculated using the allowable charges under the FOIA statute. Actual costs, after preparing the response, were \$263.42.

Ms. Pollay said that Mr. Askins indicated that he did not intend to pay the fee, and subsequently requested two of the three elements of the October 7th FOIA in a new FOIA request dated October 28, 2015. Those documents were provided with no fee.

Ms. Pollay said that under section 10a of the FOIA statute a public body to which a fee appeal has been made may do one of the following: (1) waive the fee, (2) reduce the fee and issue a written determination indicating the specific basis that supports the remaining fee, or (3) uphold the fee and issue a determination indicating the specific basis that supports the remaining fee.

Ms. Pollay recommended that the fee should be upheld and the appeal denied, and provided a draft resolution to the Board for their consideration. Ms. Lowenstein moved and Mr. Powers supported the resolution. Ms. Lowenstein read the following resolution out loud.

RESOLUTION REGARDING A FOIA APPEAL

Whereas, an appeal has been taken by David Askins from the imposition of a fee of \$224.76 for provision of documents requested by him in a FOIA request dated 10/7/15; and

Whereas Section 10(a)(1)(a) of the Freedom of Information Act requires that an individual appealing a fee determination “[identify] how the required fee exceeds the amount permitted under the public body's available procedures and guidelines or section 4”; and

Whereas Mr. Askins did not identify how the required fee exceeded the amount permitted under the DDA's FOIA policy or Section 4 of the Freedom of Information Act and is therefore deficient on its face and subject to denial on those grounds alone; and

Whereas, it appears to the Board even if the appeal is not deficient on its face, after considering the information provided by the FOIA coordinator that said fee is within the requirements of Section 4 of FOIA regarding the items which can be taken into account for determination of such fees and the charge for the time expended in complying with a FOIA request, in that at least 6 hours were expended in reviewing and duplicating the required documents and the hourly rate applied to this labor did not result in a fee which exceeded statutory requirements,

It is resolved that the Board upholds the fee, and certifies that this determination is accurate and complies with applicable statutes and procedures.

Questions were asked, and answered by DDA attorney Mr. Kennedy.

A vote on the resolution showed:

AYES: Guenzel, Hewitt, Klopf, Lowenstein, Mouat, Orr, Powers, Smith, Weiss

NAYS: none

ABSENT: McWilliams, Narayan, Splitt

ABSTAIN: none

The resolution carried.

9. OTHER AUDIENCE PARTICIPATION
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None

10. ADJOURNMENT

There being no other business, Mr. Orr moved and Ms. Klopf supported a motion to adjourn. Mr. Hewitt declared the meeting adjourned at 1:25 pm.

Respectfully submitted,
Susan Pollay, Executive Director

ANN ARBOR DOWNTOWN DEVELOPMENT AUTHORITY
Executive Committee Meeting
Wednesday, November 4, 2015

Place: DDA Office, 150 S. Fifth Avenue, Suite 301, Ann Arbor, 48104
Time: 11:10 a.m.
Present: Roger Hewitt, Marie Klopf, John Mouat (ex officio), Susan Pollay (ex officio), Sandi Smith,
Absent: Rishi Narayan
Others: Joan Lowenstein

Committee actions and discussions

Agenda Review. The group reviewed the November DDA monthly meeting agenda. Ms. Pollay said that she would be offering two resolutions for the board to consider. The first was a resolution to thank Steve Powers for his service to the DDA, and the second would be a resolution in response to a FOIA fee appeal. Ms. Pollay reported that City CFO Tom Crawford would be serving as Interim City Administrator, and she understood that the Mayor would ask Tom to attend future DDA board meetings until such time as a permanent Administrator was selected.

Other Business. Ms. Pollay noted that the DDA's lease for its office would expire next year and she asked that this topic be discussed at a future Executive Committee meeting.

There being no other business, the meeting adjourned at 11:40 a.m.
Susan Pollay, Executive Director

**ANN ARBOR DOWNTOWN DEVELOPMENT AUTHORITY
OPERATIONS COMMITTEE MEETING MINUTES
Wednesday, November 17, 2015**

Place: DDA Office, 150 S. Fifth Avenue, Suite 301, Ann Arbor, 48104

Time: 11:00 a.m.

Present: Bob Guenzel, Roger Hewitt, John Mouat, John Splitt, Phil Weiss

Absent: Joan Lowenstein, Marie Klopf, Al McWilliams, Rishi Narayan, Keith Orr, Steve Powers, Sandi Smith

Staff: Susan Pollay, Joseph Morehouse, Amber Miller, Jada Hahlbrock

Others: Tom Brown, Nelson Nygaard; Dan Grossman, GMC; Dave Orfield. RPS; Nancy Shore. getDowntown;
Bob Tiderington/GMC

Public: None

Parking/TDM Study. Mr. Brown presented an overview of existing conditions, and then outlined potential strategies for discussion. Some would build on existing go!Pass success, others would modify existing policies including raising rates, and others would explore new programs such as communal valet arrangement. Several questions were asked and answered. Ideas were explored, such as Uber/Lyft, and anticipating the potential impact of autonomous vehicles. It was noted that it will be helpful to meet with AAATA and the City to discuss final recommendations, because their partnership will be needed to implement many ideas.

GMC Car Share Proposal. Mr. Grossman and Mr. Tiderington said that GM would like to begin its first car-sharing operation in Ann Arbor and asked the DDA to provide public parking spaces. They said that they anticipate developing 1-way car sharing technology and arrangements within the next 90 days, but currently it would be a 2-way arrangement, similar to Zipcar. Committee members had questions about timing of the program roll out and marketing plans and also about the UM's involvement in this program. Mr. Grossman and Mr. Tiderington said they will return to the December committee meeting with additional information.

Parking System Review. Ms. Pollay said that she was interested to get an outside assessment of parking system operations. The system and revenues had grown over the past two decades, and it will be useful to assess procedures and operations against industry best practice, so that recommendations could be used with a future RFP when it comes time to rebid the parking management contract. Questions were asked and answered. Ms. Pollay said that it was her goal to have an RFQ out the door by the end of the year.

Parking. The new Republic Parking Ann Arbor General Manager Dave Orfield introduced himself and shared information about his background and experience. All welcomed him. The Committee reviewed the November parking report, and questions were asked and answered.

4th & William. The glass curtain wall installation is halfway complete. Installation of the handrail continues. The stairwell is anticipated to be complete by the end of December.

Public Comment – None

Next Meeting December 16 at 9:00 am (note earlier date & time)

The meeting adjourned at 1:22 pm.
Susan Pollay, Executive Director