



TO: Mayor and Council

FROM: Howard S. Lazarus, City Administrator

CC: Jacqueline Beaudry, City Clerk
Tom Crawford, CFO
Derek Delacourt, Community Services Area Administrator
Craig Hupy, Public Services Area Administrator
Raymond Hess, Transportation Manager
Nick Hutchinson, City Engineer
Matt Kulhanek, Fleet & Facilities Manager
Jennifer Lawson, Water Quality Manager
Brett Lenart, Planning Manager
Molly Maciejewski, Public Works Manager
Colin Smith, Parks and Recreation Manager

SUBJECT: Council Agenda Responses

DATE: February 19, 2019

CA-1 - Resolution to Close Streets for the 19th Annual Mayor's Green Fair, Friday, June 14, 2019

Question: How much does this event cost to hold? (Councilmember Ramlawi)

Response: Event costs average between \$1,620.00 -1,700.00 (in 2018 there was a one-time cost of \$1,175.04 for a new Green Fair street banner). A sponsorship of \$2,000.00 from Washtenaw County helps to defray any additional costs and pays for exhibitor's booth fees.

Question: What fund is the money drawn from? (Councilmember Ramlawi)

Response: The costs for Green Fair come from the Mayor's Office budget

Question: Has there been consideration to changing the day of the event to a Saturday or Sunday so that the impacts on downtown can be a net positive? Having the event on Friday @ 5pm causes undue traffic congestion which is counterproductive to the goals of the Green Fair. (Councilmember Ramlawi)

Response: There is no evidence that this event causes undue traffic congestion. Many events are held on Friday evenings, and the grid nature of the downtown streets provide alternatives to moving through and around the area.

We have not considered changing the date as this is the only event that the City holds on Main Street (most events held on Main Street are initiated by the MSAA). We coordinate with Summer Fest and the University in promoting Green Fair. We choose this night because it is usually the last day of school and the beginning of Summer Fest so people are out and about and eager to participate in Green Fair by walking and riding their bikes between both events while perusing alternative transportation choices available to them. In addition, we have been coordinating with the U-M's School for the Environment and Sustainability that has been holding environmental case studies/seminar on this same evening that then spills over into Green Fair.

CA – 6 – Resolution to Approve a Construction Contract with All Season Gutters to Install New Gutters at the Farmers Market (\$29,099.00)

Question: Does the Downtown Development Authority contribute any funding to the operation or maintenance expenses of the Farmers Market? (Councilmember Eaton)

Response: The DDA is responsible for maintenance of the Farmers Market parking surface. As an example, in FY18 the DDA spent \$88,688 to regrade and repave the Farmers Market lot off of N. Fourth Avenue, and it will spend approximately \$50,000 this spring to repave the portion of the Farmers Market lot located off N. Fifth Avenue, adjacent to the Kerrytown Shops. In addition, the DDA recently paid the majority of the cost for new lighting in the Farmers Market lot to improve vendor visibility, closed an unneeded curb cut on Fourth Avenue and replaced it with new parking to enhance customer access, extended a loading zone on N. Fourth Avenue to enhance delivery, and also created a new plaza adjacent to the Farmers Market on N, Fifth Avenue to allow for greater programming and enhanced customer experience. Additionally the DDA through its parking contractor annually takes responsibility for snow plowing and winter maintenance of the lot.

The Farmers Market, in their General Fund Parks revenue budget, recognizes revenue collected at the Market lot from the DDA as part of the parking agreement between the DDA and the City. That budgeted amount, for FY19, is \$19,674.

Question: Regarding CA-6 (Farmer's Market gutters), can you please provide a status update on the Farmer's Market renovation plan that was put on hold a couple of years ago or has the plan been abandoned? (Councilmember Lumm)

Response: The plan has not been abandoned. The site plan is still approved and staff are investigating potential funding sources with a goal of potentially rebidding the construction work.

CA – 8 – Resolution to Accept and Appropriate the Second Phase of a Hazard Mitigation Assistance Grant from FEMA to Construct Openings in the Railroad Berm to reduce the Floodplain of Allen Creek (\$4,360,980.00) (8 Votes Required)

Question: What will be the total expenditures of the City (local a2gov funding) counting the design phase(s) of this project through completion if the project goes forward? (Councilmember Hayner)

Response: The estimated City's share of the project cost is \$2,063,239.00.

CA – 9 – Resolution to Award a Construction Contract to J. Ranck Electric, Inc. for the 2019 Streetlight Replacement Project (\$546,924.00, Bid No. ITB-4557)

Question: Do the replacement streetlights have shields to prevent light pollution on private property and contain the light emission to the bottom 180 degrees of the fixture? (Councilmember Griswold)

Response: Yes, there are two types of luminaires being installed as part of this project. The first fixture, which is being installed outside of downtown, is a cobra head type fixture that is dark sky friendly and designed to minimize backlight. The second fixture is the latest globe type fixtures for downtown use that includes an internal light shield.

Question: Do the replacement streetlights minimize glare? (Councilmember Griswold)

Response: Both fixtures have been selected with the goal of reducing glare. Downtown globes include a prism feature that diffuses the light. A warmer color temperature is being installed on both fixtures to reduce perceived glare.

Question: Does lighting over crosswalks provide positive contrast lighting? (Councilmember Griswold)

Response: None of the proposed streetlight replacements are located at crosswalks, or could be adjusted to improve crosswalk lighting. The locations in this contract are for maintenance of existing streetlights where the poles are in poor condition. Along South Fourth and East Liberty, the intersection lights have previously been replaced and are not being addressed as part of this project. A separate contract will be developed for new installations, including crosswalks.

Question: Are these LED light fixtures? (Councilmember Griswold)

Response: Yes.

Question: Does the city staff use the standards of the National Highway Administration, the NLRIP, or some other lighting standards? (Councilmember Griswold)

Response: The majority of the replacements are in the downtown. In those locations the overall street lighting was analyzed against ANSI/IES RP-8 Roadway Lighting Standards. These calculations were used to select lighting levels to be consistent with the standards.

The streetlights being replaced outside of downtown are individual lights within larger lighting corridors. In those locations, the intent is to provide lighting consistent with the original design since the overall corridor lighting is not being altered.

Question: Did the bid for this contract address dark skies elements? (Councilmember Eaton)

Response: The cobra head fixtures that are specified for outside of downtown are Dark Sky Certified. The globe style fixtures that are specified in the downtown core are not Dark Sky Certified. However, the City has worked with the lighting manufacturer to specify an internal light shield that minimizes uplight from the globe as much as possible.

Question: Would a short delay in awarding this contract to include dark skies elements interfere with the construction season? (Councilmember Eaton)

Response: A short delay would not allow full compliance with dark sky. There are no lighting manufacturers currently producing a dark sky certified globe style fixture. Due to the shape, it is not possible to produce a fixture that eliminates 100% of the uplight. The selected globe fixture has been modified to eliminate as much uplight as possible. This modification originates from discussions with the astronomy group at the University of Michigan in 2017.

Question: Regarding CA-9, is the DDA sharing any of these costs or is it all city funds? Also, does the DDA share the costs if there are new streetlights installed in the DDA district? (Councilmember Lumm)

Response: The proposed FY20 and FY21 DDA budgets will be reviewed and approved by the DDA board for submittal to the City at its March 6 meeting; these budgets include \$150,000 for FY20 and \$150,000 for FY21 for streetlight replacements in the DDA District. In the past the DDA has repeatedly provided grants to the City for replacement street lights, including a grant in FY18 of \$150,037.68 to help replace deteriorated streetlights in the Kerrytown area. Over the past several years DDA and City staff coordinated downtown capital projects to more effectively address infrastructure needs. DDA capital projects such as was completed on S.U. last fiscal year, Fifth/Detroit this fiscal year, and upcoming projects on Huron, First and Ashley includes replacement of downtown street light fixtures and/or street light poles.

Question: Are fixtures and lamps designed to be compatible with Dark Skies initiatives? (Councilmember Hayner)

Response: The cobra head fixtures that are specified for outside of downtown are Dark Sky Certified. The globe style fixtures that are specified in the downtown core are not Dark Sky Certified. However, the City has worked with the lighting manufacturer to specify an internal light shield that minimizes uplight from the globe as much as possible.

Question: Do all streetscaping projects require a video survey? (Councilmember Hayner)

Response: Yes, it is typical practice on most construction projects to have a video survey performed prior to construction.

Question: What is the purpose of the video survey, and are the results public? (Councilmember Hayner)

Response: The video survey is used to accurately record pre-construction conditions of all adjacent pavement, landscaping, buildings, etc. In the event that there is a dispute as to whether a contractor caused damage to property, the video is referenced to determine responsibility.

Question: Can you provide a sample list of other recent projects that have required a video survey? (Councilmember Hayner)

Response: Most City of Ann Arbor construction projects include a pre-construction video. Recent examples include the Hoover, Greene, & Hill Improvement Project; Longshore, Indianola, Ottawa, Argo, Amherst Water Main Replacement Project; and the Riverview Drive Sanitary Sewer and Water Main Extension Project.

Question: Are curb profiles being reconfigured as part of this work; for example, will bump outs or neck downs part of this work? (Councilmember Hayner)

Response: No.

CA – 11 - Resolution to Increase the Sole Source Purchase Order with Jack Doheny Companies Inc. for the Purchase of Parts and Service for Water, Sanitary and Storm Sewer Equipment (\$50,000.00 annually)

Question: Regarding CA-11, the cover memo indicates that the PO's need to be increased because Fleet Services was now purchasing parts under the PO in addition to Public Works. That was a bit surprising to me as I thought Fleet Services handled all vehicle maintenance and purchases – can you please clarify? (Councilmember Lumm)

Response: Fleet Services handles the purchase, repair and maintenance of the vehicle. If the Vactor were to breakdown or have a mechanical issue, Fleet Services would order the necessary parts and make the repairs. Many of these parts are specific to the Vactor brand and must be purchased through Jack Doheny Companies as the sole distributor of these parts in the State of Michigan.

Public Works uses the PO with Jack Doheny Companies for equipment that is mounted on the Vactor itself. This includes items such as sewer cameras, hoses, nozzles and other items used by staff when operating the vehicle. If a cleaning head nozzle is damaged or there is a problem with the sewer camera, Public Works handles that directly with Jack Doheny Companies.

It is very similar to the operation of fire apparatus. If there is a problem with the fire truck, Fleet Services handles the repair to the truck. If the hydraulic extraction equipment carried on board the truck is broken, fire staff deals directly with the appropriate vendor to have the hydraulic extraction equipment repaired.

CA – 12 – Resolution to Approve Public Art Enhancement Recommendations for FY2020 - FY2026 Capital Improvement Projects

Question: The TR-PF-20-02 Parking Structure Fencing project is within the Downtown Development Authority (DDA). Is that project being funded by the DDA? Is the art enhancement of that project being funded by the DDA? If the project and art enhancement are being funded by the DDA, why does it require Council approval? (Councilmember Eaton)

Response: The DDA has funded suicide deterrent fencing installations at all parking structure rooftops and at the higher levels on many of the garages. The material that is used generally consists of galvanized or coated chain link fencing. The DDA has not

been approached by the Art Commission about the possibility of including an art enhancement as part of its remaining garage fencing installations, so it is not clear what is intended. But it is likely that this project may not be appropriate for an enhancement of this kind.

Question: The TR-SC-20-17/18 State Street Road Improvements project is well into the future. Why are the art improvements for this project being sought now?
(Councilmember Eaton)

Response: Under Chapter 24 of City Code, review of CIP projects for designation as enhanced projects occurs when the projects are first included in the CIP. See 1:833 (2): The Public Art Commission shall work with city staff to evaluate proposed capital projects from the initial planning stage and make an annual recommendation to City Council as to which projects from the current Capital Improvements Plan are appropriate for designation as enhanced projects. After receiving the recommendation, City Council shall approve the list of designated enhanced projects, with or without modification. City Council may modify the list at any time.

Question: Have there been any preliminary discussions about what \$250,000 might be used to purchase? (Councilmember Eaton)

Response: No, this will be considered as the project is designed.

Question: Would the \$250,000 for the State Street Road Improvement art enhancements come from funds that could otherwise be used for road projects?
(Councilmember Eaton)

Response: It depends on the source of funding and the funding for this project has not yet been determined. Based on past practice, it is expected that the funds to be used for art in this project would be usable for road projects. However, if some or all of the funds were restricted in some manner, such as a grant specifically for art, then they probably could not be used for road projects.

Question: Q1. Last year, the January 4, 2018 memo from the AA Public Art Commission included all of the projects in the CIP recommended for public art enhancement (23 projects with public art enhancements of over \$2M). This year, however, the January 9, 2019 memo from the AA Public Art Commission covered public art enhancements for just 2 (presumably new) projects.

I'm assuming this represents a change in the approval process where only the additions are being acted upon and that the enhancements covered in February last year remain as recommended a year ago. Can you please confirm that (1) the process is being changed and (2) none of the previous recommendations have been revised at all? Also, please provide the full list of enhancement recommendations so that council members and the public have the complete list of projects (and costs). (Councilmember Lumm)

Response: This year, only the changes in the list of enhanced projects were presented to Council. The previous years' recommendations have not been revised. The full list will be provided. The 2017-2026 AAPAC CIP list of enhancements is attached for reference.

Question: Q2. The memo from the Public Art Commission states that "Our understanding is that once this report is formally accepted by City Council, the acceptance will provide staff with authority to include the art enhancement in the project budget as it moves forward toward design and construction." This same statement appeared in last year's letter as well, and in response to my question, it was indicated that " *When a capital improvements project is designated to include Art, city staff will identify the project budget /contracts attributable to public art in the items coming before City Council.*" Can you please confirm that remains the commitment and that no public art-related expenditures have been made where council was not informed?
(Councilmember Lumm)

Response: Yes, staff will continue to identify art components in capital improvement projects that come before Council. Other than expenditures for maintenance or repair of existing public art that are below Council approval thresholds, we do not believe there have been any expenditures for art as part of capital improvement projects (at least since the ordinance was amended in 2013) that Council was not aware of.

Question: Q3. Has any progress been made in securing private funding for public art and/or developing an approach to potentially securing private funding? (Councilmember Lumm)

Response: City Code 1:838(2)(E) makes this a charge of the Public Art Commission, as the City does not have staffing for this purpose. At this time staff is not aware of any change in approach to securing private funding, which remains a case-by-case basis.

Question: Q4. As we've discussed for years, the existing approach to public art of linking the public art enhancement to specific capital infrastructure projects is very limiting. Has staff or the Public Art Commission had any discussions on a different approach to public art enhancements in Ann Arbor? (Councilmember Lumm)

Response: Neither staff nor the Public Art Commission are currently proposing any change in approach. Staff continues to follow the direction of Council set forth in Chapter 24 of City Code.

Question: What other governments are sharing the cost for the State St/94 ramp reconstruction? (Councilmember Hayner)

Response: Funding for this project has not yet been determined, but it is anticipated that significant federal or state funds will be needed for this project.

Question: What is the process for striking items from the greater Public Art FY2020-FY2026 CIP recommendations list? (Councilmember Hayner)

Response: Per City Code 1:833(2), Council may modify the list at any time. This would typically be done by resolution.

CA – 13 - Resolution to Approve a Collaborative Agreement with the Treeline Conservancy for Development of the Treeline Trail

Question: Q1. As we benchmarked other cities who have successfully implemented similar major projects/initiatives as the Treeline (urban trails etc), did they have a similar two-party public-private partnership structure at the core like this or something different? Also, for those successful efforts elsewhere, were there other common structural/organizational elements we should consider such as direct participation by a public university or business organization/association? (Councilmember Lumm)

Response: Public-private partnerships related to trails vary greatly among communities based on the specific conditions, needs, and opportunities at hand. In our case, we are beginning a public-private initiative with the Treeline Conservancy since they are well-positioned to receive funds from granting entities, like foundations, as well as receiving sponsorships and donations from businesses and the public in general. We will look for opportunities to engage other groups that have an interest in supporting the Treeline as we move forward.

Question: Q2. In the Implementation section of the agreement, it indicates the expectation is that “the City will own the Treeline Infrastructure and that a third party will operate and maintain it.” In other cities with similar assets (urban trails, etc.), is it common for the city to own the assets/infrastructure and outsource the operations and maintenance? Also in that section, the language seems to suggest that the Conservancy desires to be the Operator, and the City recognizes that, but that there would be a RFP process for operations – is that a correct takeaway? (Councilmember Lumm)

Response: A local jurisdiction owning the infrastructure and a third party operating and maintaining the trail is a fairly common arrangement, which we will continue to evaluate as the project progresses. It is correct that the Conservancy has expressed interest in serving in the operator role, but the City would issue an RFP to follow procurement protocol and help assure that the operator has the capacity to meet the needs. The Conservancy is aware of this.

Question: Q3. In the Fundraising section of the agreement, the language is the City “may” and the Conservancy “shall”. While I recognize having that language limits the City’s potential liability, it also suggests to me a strong lead by the conservancy in fundraising. Is that the expectation, and if so, how will the City assist, particularly in the area of grant writing and accessing public funding? Also, what is the expectation at this point for the City’s specific involvement in fundraising and financial support? (Councilmember Lumm)

Response: It is expected that the Conservancy's role is to lead fundraising from private entities, such as foundations, sponsors, and donors. The Conservancy has already begun this work by:

- Reaching out to foundations to seek funds for design-engineering at least the first, and possibly second, phase of the Treeline.
- Raising the money for and purchasing the property along the Ann Arbor Railroad between Felch and Miller for possible inclusion in the Treeline.
- Developing a professional promotional video and launching a sponsor and donor campaign that will involve meeting with key individuals and groups to show the video and solicit their support.

The City has supported this work by developing language for grant applications and providing input on the direction of the Conservancy's efforts. It is anticipated that City staff will continue to help the Conservancy as needed and as City capacity allows. It is also anticipated that the City will work to pursue funding designated for local governments, such as the MDNR Trust Fund, and will be the manager these funds.

Question: Q4. In the Relationship section of the agreement there's a reference to the Conservancy's hiring of an Executive Director – where does that stand? (Councilmember Lumm)

Response: The Conservancy hopes to have the position filled within 2019.

Question: Will the City of Ann Arbor have a seat on the Board of the Treeline Conservancy? If so, how will that seat be filled? (Councilmember Hayner)

Response: There are not currently any plans for a representative from the City to have a seat on the Board of the Treeline Conservancy. However, the City has been invited to and has been attending their board meetings.

CA – 14 – Resolution to Approve a 5-Year Contract with the Huron River Watershed Council to Support Stormwater Permit Requirements (\$229,611.00 total, for 5 years)

Question: Regarding CA-14, Can you please provide a brief explanation as to why the costs are increasing so significantly during the term of this contract (from \$29K net of lab costs in FY19 to \$62K net of lab costs in FY23)? (Councilmember Lumm)

Response: The overall costs for the 5-year work plan increased substantially due to the partners requesting an increased effort on several task items (meetings, report templates, annual calendar, etc.). In addition, the funding of a revamped program to

increase water chemistry, macroinvertebrates and flow monitoring in the watershed was added to the work plan.

Because the increased annual amount was substantially more, the HRWC presented the budgets as a gradual annual increase, to allow for smaller communities to allocate funds over time.

Question: Is “public outreach in keeping with the requirements of the MS4 permit” a decent summary of the HRWC’s role in this contract? (Councilmember Hayner)

Response: Yes. The Municipal Separate Storm Sewer System (MS4) Permit has very specific topical public education requirements and public participation plan requirements as indicated by the Federal Stormwater Regulations. The work that the HRWC does, as a part of this contract, addresses those requirements for all permittees that are a part of this partnership.

Question: Has a cost/benefit analysis been done to compare this to providing these services in-house with our large public relations staff? (Councilmember Hayner)

Response: No. The services that the City’s public relations staff provide are not the same services that HRWC provides, and would not be comparable.

Question: Who is the city’s appointed representative on the HRWC Board? (Councilmember Hayner)

Response: The City Council appointed representatives on the Board of Directors for HRWC are:

- Janis Bobrin (term ending 5/31/2019)
- Cheryl Darnton (term ending 5/31/2019)
- Dick Norton (term ending 5/31/2019)
- Molly Maciejewski (term ending 5/31/2019)

C – 1 – An Ordinance to Amend Chapter 55 (Unified Development Code), Rezoning of 3.77 Acres from PUD (Planned Unit Development District) to PUD (Planned Unit Development District), Malletts Wood 1 & 2 PUD Zoning and Supplemental Regulations, 3300 Cardinal Avenue (CPC Recommendation: Approval - 9 Yeas and 0 Nays)

Question: Q1. What (if any) implications does Amended PUD vs. R1E have on the site plan proposal on the table now or on future proposals? (Councilmember Lumm)

Response: Little implications, as the proposed site plan, or any future proposal would likely comply with either the PUD proposed or R1E.

Question: Q2. The staff memo indicates that 1.23 acres of the 3.77 acres is open space. Is that the property being conveyed to Mary Beth Doyle park or in addition to the park property? (Councilmember Lumm)

Response: 1.23 acres of open space has been conveyed to Mary Beth Doyle. 3.77 acres is the size of the Malletts Wood 2 PUD Revision area.

Question: Q3. Have there been any neighbor comments or objections raised since the citizen participation meeting in October? (Councilmember Lumm)

Response: A neighbor across the street has expressed concern about the loss of wildlife habitat for deer and other animals as a potential result of the project.

C – 2 – An Ordinance to Amend Chapter 55 (Unified Development Code), Rezoning of 3.52 Acres from R1C (Single-Family Residential District) to PUD (Planned Unit Development District), Lockwood of Ann Arbor PUD Zoning and Supplemental Regulations, 3365 Jackson Road (CPC Recommendation: Approval - 6 Yeas and 1 Nays)

Question: Q1. The Planning Commission Minutes for the Jan 15th meeting indicate only that Chair Milshteyn stated he was not supporting the proposal. Assuming Mr. Milshteyn provided his rationale for not supporting, can you please provide it? (Councilmember Lumm)

Response: Commissioner Milshteyn stated that he struggled with the petition, seeing valid positions on both sides. In the end, he expressed that the significant number of conditions being added to the proposed Development Agreement was indicative of how hard this was to consider, and thus, would not be supporting the petition.

Question: Q2. There are 65 parking spaces planned for the 95-unit site. Can you please provide the analysis (and assumptions used) that concludes 65 spaces would be sufficient? Also, how many staff are expected at the facility and where will they park? (Councilmember Lumm)

Response: Planning staff has requested extensive background data and made independent visits to two similar facilities operated by this petitioner. Field visits and aerial photographs do verify that the majority of the parking lots at those locations were empty. Planning staff reached out to two municipalities (Burton and Fenton) where other Lockwood properties are located. They did not report any issues of concern regarding parking at those locations. The petitioner estimates approximately 18 workers during the

day and one worker at night. Petitioner has based the proposed need on the experience at 3 other Lockwood facilities in Michigan in addition to parking counts based on several Ann Arbor facilities of similar use. In addition, background studies (Parking Solutions, Planning Advisory Service by the American Planning Association) of the same uses indicate significantly fewer vehicles at similar use locations and recommend municipalities reduce required parking counts for senior citizen use. Several factors such as the affordability, convenient public transit and private shuttle for residents further reduce the need for a vehicle here.

Question: Q3. The cover memo also indicates that at least 40% of the units will be offered as affordable housing for seniors. Can you please clarify what “affordable housing for seniors” actually means (e.g. percent of AMI/other definitions, restrictions)? (Councilmember Lumm)

Response: The petitioner has committed to 40% of the units being provided for senior households at or below 50% of Area Median Income. This means an individual senior would have an annual income of \$32,550 or less, and a senior couple would have a combined income of \$37,300 or less under current published limits.

Question: Q4. Can you please provide the details of any precedent there has been for revising the zoning of a property from single-family residential to PUD (to permit an apartment building, or any building of this size for that matter) in a single-family zoned area where the Master Plan land use recommendation was single or two-family residential? (Councilmember Lumm)

Response: As noted below in response to Q5, each Planned Unit Development application is considered uniquely, so no specific precedent is established from one PUD to another. The City has previously taken action to enact PUD zoning for the Peace Neighborhood Center and Sequoia Place Apartments on N. Maple for a community center and senior affordable apartment building. Portions of this area were rezoned from R1C to PUD.

Question: Q5. The cover memo states “The existing land use recommendation designates the site for single or two family residential use. While this proposed use does not meet this single-family land use designation, the proposed petition does accomplish several Goals, Objectives, and Action Statements City’s Master Plan.” The primary goals and objectives listed in the cover memo are housing-related which suggests that it is staff’s view that more housing/density alone is a justification for changing an existing single family residential zoning (and Master Plan land use recommendation) – is that staff’s view? If so, please elaborate on the rationale including the value (if any) staff places on the importance of compatibility of new development and the character of existing neighborhoods? (Councilmember Lumm)

Response: In this circumstance, staff and the Planning Commission have found that the proposed PUD Zoning is appropriate based on meeting a variety of community

goals and objectives including impervious surface reduction, non-motorized transportation enhancements, the provision of publicly-accessible recreational opportunities and the provision of both senior and affordable senior housing. Staff utilizes the goals and objectives of the Master Plan on every zoning request. Any action on a Planned Unit Development designation requires consideration of compatibility with the City's Master Plan and surrounding land uses.

Question: Q6. Council has received communications regarding the proposed infiltration system and its suitability for placement over contaminated groundwater, a placement the EPA apparently does not recommend. It has also been brought to council's attention that approx. three high concentration 1,4-dioxane plumes are located under this site, and that the infiltration system, as proposed, would seal over a critical monitoring well. Can you please address these concerns regarding the proposed infiltration system and its potential impact on and risk to the underlying dioxane plumes. (Councilmember Lumm)

Response: The EPA has not specifically provided the City with any determination regarding this development. An EPA publication has been shared that recommends against stormwater infiltration when contamination is present. The City has independently reached similar determinations on other sites, where the nature and depth of contamination warrants such restriction (e.g. 1140 Broadway). For the Lockwood development, In this circumstance, representatives from the City and Michigan Department of Environmental Quality do not share the concern of stormwater infiltration at this location, or with the loss of any critical monitoring well.

Question: Would this parcel eligible for Greenbelt acquisition? (Councilmember Hayner)

Response: This parcel is not eligible for Greenbelt acquisition because it is within the City and City Code defines the Greenbelt District to be outside the City. However, any property within City limits may submit a request for acquisition as a park or natural area, which would be reviewed by the Park Advisory Commission. Such acquisitions can be funded from Open Space and Parkland Preservation Millage proceeds, which also fund Greenbelt acquisitions.

Question: Can you provide any historical records of this property's consideration for acquisition by either PAC, Greenbelt, or other public use? (Councilmember Hayner)

Response: Circa 2005, the City was considering the property as a potential park acquisition. Sometime prior to the 2008 recession, the City commissioned an appraisal of the property and the landowner rejected the appraisal. Circa 2012, the property was considered again, but this time as a joint effort between the City Parks and Recreation Department and the Housing Commission. The concept was to establish affordable housing on a portion of the property, and add the remainder to the Dolph Nature Area. The last communication on record was a 2012 letter from City staff to the owner

restating the City's interest in the property. There is no record of response from the property owner since.

Question: How much of the developer's funding is coming from LIHTC or other tax credits tied to providing affordable housing? (Councilmember Hayner)

Response: 10% of the development is anticipated to be supported by LIHTC. An additional 83% will be supported by other state and federal programs.

C-3 – An Ordinance to Amend Chapter 8 (Organization of Boards and Commissions), Section 1:210, Title I of the Code of the City of Ann Arbor to Allow Council to Waive City Employment Restriction (Independent Community Police Oversight Commission)

Question: Do election poll workers have a job classification, such as intermittent, temporary or seasonal, that describes the kind of employment they engage in that distinguishes them from other classifications of City employees? (Councilmember Eaton)

Response: Election Inspectors are hired as temporary City employees and receive a regular City paycheck. They are not contract workers. There are several job titles that describe election inspectors including election inspector, election chairperson and AVCB Supervisor (Absent Voter Counting Board).

Question: What is the maximum number of days a poll worker could potentially work in a calendar year? (Councilmember Eaton)

Response: Election inspectors are hired each election and are paid for election day and any training that they attend for that election. There could be up to four elections in a Presidential Election year, including the Presidential Primary, and a maximum of three in all other years (May, August and November). They remain in the City's payroll system (UltiPro) for the calendar year once they are hired and all inspectors are terminated following the November election.

Question: What is the maximum number of paychecks a poll worker could receive in a year? (Councilmember Eaton)

Response: The maximum paychecks would be four.

Question: Are City Council representatives considered city employees? (Councilmember Hayner)

Response: No.

Question: Are the 2 current City Council members assigned to the IPOC ex-officio or voting members? (Councilmember Hayner)

Response: They are nonvoting members.

Question: Please provide a list of voting status of city council liaisons to all boards and commissions where the public also serves. For example, Energy Commission, non-voting, PAC, voting, Planning Commission, voting. (Councilmember Hayner)

Response: This list may not be exhaustive:

Airport Advisory Committee – Voting

Cable Communications Commission – Nonvoting

Commission on Disability Issues – Voting

Energy Commission – Nonvoting

Environmental Commission – Voting

Housing and Human Services Advisory Board – Nonvoting

Human Rights Commission – Nonvoting

Independent Community Police Oversight Commission – Nonvoting

Park Advisory Commission – Nonvoting

Planning Commission – Voting

Public Art Commission – Nonvoting

Recreation Advisory Commission – Nonvoting

Transportation Commission – Voting

Zoning Board of Appeals - Voting

Question: In the above given example, all are advisory commissions, with public members. Why are some City Council seats eligible to vote, and others not? (Councilmember Hayner)

Response: The enabling laws or resolutions that create the commissions determine the voting members.

Question: Do all boards and commissions require 7 votes to seat a member who lives outside the city? (Councilmember Hayner)

Response: Generally yes, under Charter section 12.2(b) an appointee who is not a registered elector of the City must have that requirement waived by a resolution concurred in by not less than seven members of the Council.

Question: Are there any instances of boards and commissions where a 7 vote majority is required for ANY action taken by City Council on that board or commission's business? (Councilmember Hayner)

Response: There is no seven-vote requirement of Council directly tied to commission business. There are various seven- and eight-vote requirements for Council that may

indirectly relate to commission business, such as budget approvals and one-step nomination and confirmation of appointments.

Question: Are there any boards or commissions where a criminal background check is required of those seeking to serve? (Councilmember Hayner)

Response: No.

Question: Do all city HR/employment policies apply to actively serving City Council members? (Councilmember Hayner)

Response: No.

Question: Given the staggered terms described in the ordinance, can we assume that approximately one-third of the initial appointments to the ICPOC will expire in one year? (Councilmember Nelson)

Response: Yes.

Question: How many people (as a percentage of the total number of applicants) would be excluded by the current wording of the ordinance re: eligibility? (Councilmember Nelson)

Response: There were 62 applications to the Commission. Six of the applicants are excluded based on the current wording of the ordinance (so, 9.7%). One was a full-time employee within the past two years, and 5 served as election inspectors within the past 5 years.

Question: I am told that the four council member liaisons to the HRC and ICPOC are working collaboratively to reach agreement as to a slate of appointments. However, the ordinance says, 1:214(1) that the 11 members of the commission members are “to be appointed by 1 or more of the City Council liaisons to the Human Rights Commission or liaisons to the Commission with the approval of the City Council.” With passage of this amendment, is it conceivable that only “1 or more” of the four liaisons could present a former or current member of city staff to Council for approval? (Councilmember Nelson)

Response: With passage of the amendment, one or more of the four liaisons could present a former or current member of City staff to Council for approval, but Council as a whole would need to approve the appointment. Additionally, with passage of the amendment, Council would also need to approve a resolution with at least 7 votes to waive the restriction on City employment within the past 5 years for a specific appointee, if applicable.

DC – 2 – Resolution to Amend the Old West Side Residential Parking District - West Mosley Street and Appropriate General Fund Unobligated Fund Balance (\$1,000.00) (8 Votes Required)

Question: The resolution notes that the fee for permits support the costs associated with the residential permit costs. What percent of the cost of the program, including signs, administration and enforcement, is covered by the permit fee revenues? (Councilmember Eaton)

Response: The \$1,000 estimate provided in the resolution is based on the cost to establish the RPP, notably sign creation and placement. The fees from permits are estimated based on the number of spaces available. The intent is that over time, the revenues generated from the annual permit will completely offset the installation; and that enforcement costs are offset by the revenue from issued citations.

DC-3 – Resolution Establishing Center of the City Task Force

Question: Please place a dollar amount on the staff time and assignment of personnel to support this task force. (Councilmember Smith)

Response: Staff was not provided with an opportunity to work collaboratively with the authors of this resolution prior to its posting on the agenda, so it is difficult to understand the extent of support required for this effort. However, based upon the skills mentioned in the resolution (Urban Planner, Historic Preservation, Engineering, Community Engagement, Administrative Support) plus the cost of materials and incidentals, a reasonable estimate is in the \$175,000 to \$200,000 range.

The best approach is for the sponsor to provide the points of contact who approached him with this resolution and conduct a scoping exercise prior to the finalization of the FY20/21 Financial Plan. The scoping exercise will also include discussion of private funding under “conservancy” or “partnership” models.

Question: Please provide detail on how re-assigning staff and budgeting will impact other city efforts. Where will the money and staff come from to provide this support? (Councilmember Smith)

Response: This effort will require funding from the General Fund budget. The City Administrator has identified \$2.1M in non-recurring funding from the City’s Risk Fund to be allocated to the General Fund, and this appears to be the most probable funding

source. The largest commitment of these funds is a proposed \$1.5M toward pedestrian safety and crosswalk improvements, and this commitment would likely be reduced to free funds for the scope of work proposed in this resolution.

The planning process envisioned in this resolution is multi-disciplinary and would require staff support from several service units. The ongoing efforts that could potentially be delayed include the planning for North Main Street improvements, the Y-Lot, the Treeline Trail, potential redevelopment of 415 West Washington and 721 North Main Street, traffic calming and pedestrian improvements, updating of the Master Plan, or other efforts. Other basic services, particularly planning and plan review, could also be affected. As an alternative, the City could contract for support using outside consultants.

Question: How will this "visioning" work with the process for the "Y-lot" visioning process that is currently soliciting bids? (Councilmember Smith)

Response: The City currently has a Request for Proposal published to provide for community outreach and planning for the Y-Lot. An amendment to the scope of services for the Y-Lot contract would most likely be issued to incorporate visioning for the Library Lot. Issuing an amendment would most likely result in a delay of the Y-Lot contract.

Question: What kind of material support (staff time and public dollars) was provided to the Friends of the Ann Arbor Skatepark as they pursued the construction of the Ann Arbor skatepark? Did that effort receive staff support or budget support? (Councilmember Smith)

Response: Starting in 2005, the Ann Arbor Skatepark Action Committee (now FOAAS) began its mission of building a free skatepark facility in Ann Arbor. In 2008, City Council passed a resolution designating a location in Veterans Memorial Park for the future skatepark. In 2009 City staff, FOAAS, and the Ann Arbor Community Foundation then developed a Memorandum of Intent that laid out how the parties would work towards developing a skatepark. The City Park Planner and Park Manager provided significant staff support time to this project over its duration. An extensive public process took place over the course of more than five years to designate a location, develop a design and fundraise for the project. The selection of a design for the skatepark in 2011 was a collaborative effort between the FOAAS, staff from the Washtenaw County Parks and Recreation Commission, a member of the Park Advisory Commission, and City staff. The cost for design contract (\$89,560.00) was fully funded by donations the FOAAS fundraised. The ultimate construction of the skatepark received funding from numerous sources:

- \$400,000 Washtenaw Parks & Recreation Commission
- \$300,000 DNR Trust Fund grant
- \$288,979 Parks Maintenance and Capital Improvements Millage
- \$80,000 Stormwater Funding

- \$32,356 Park Memorials and Contributions Fund
- \$22,977 Unobligated Parks General Fund funds from Parks Fairness Resolution

Question: How is the expenditure of staff time and budget supported by the Parks and Recreation Master Plan? (Councilmember Smith)

Response: The property at 350 S. Fifth Avenue (Library Lot) is mentioned in the Parks and Open Space (PROS) plan. Specifically, the subcommittee that prepared the revisions stated, “the subcommittee is strongly in favor of a mixed-use vision for the Library Lot that utilizes the city’s investment in development-ready foundation and infrastructure. Development of the site and adjacent parcels, including the accompanying increases in activity, is essential for the future success of this site. In order to adequately address issues of safety and security, the Ann Arbor District Library must also be strongly represented in the planning process.

The PROS Plan makes mention of desired uses of the “Library Lot” and makes reference to Downtown Parks and Open Space recommendations report produced by a sub-committee of the Park Advisory Commission. The recommendation includes the following: “Given the limits of current parks funding, the development of new parks should not be approved without an identified funding source for capital development, ongoing maintenance, and programming.” The final report can be found at this link: [https://www.a2gov.org/departments/Parks-Recreation/administrative/Documents/pac/Park%20Advisory%20Commission%20\(PAC\)%20Downtown%20Parks%20Subcommittee%20Report%20-%20Final.pdf](https://www.a2gov.org/departments/Parks-Recreation/administrative/Documents/pac/Park%20Advisory%20Commission%20(PAC)%20Downtown%20Parks%20Subcommittee%20Report%20-%20Final.pdf)

Question: Has the Parks Advisory Commission reviewed and weighed in on this resolution? (Councilmember Smith)

Response: This matter has not been presented to the Parks Advisory Commission.

Question: I had understood that the interest group that supported the ballot initiative had raised funds to support this effort? Why is that group not being asked to fund this effort? (Councilmember Smith)

Response: Staff members were neither consulted in the preparation of this resolution nor provided with the opportunity to review it prior to its posting on the agenda. Staff does request that the resolution’s sponsor provide the appropriate points of contact so they can better understand the degree of partnership support.

Question: Based on the request for staffing and the detailed scope of work involved, this seems to require a budget amendment due to the requirement of staff and/or a consultant. Why does this not indicate an 8-vote requirement? (Councilmember Smith)

Response: The resolution calls for the City Administrator to include funds in his budget proposal (i.e., for FY20) for these staff, so there is no 8-vote amendment to the current budget, and funding will be included in the FY20 budget if City Council approves it. That in turn implies, and as a practical matter requires, that the task force not start until July 1, 2019.

Question: This resolution seems to demand a great deal of staff time. Approximately how many hours of staff time would be needed to complete the process outlined in DC-3? How much does this equate to in terms of cost? What outside resources/consultants would need to be procured to complete this process as proposed? How much would this cost? (Councilmember Grand)

Response: Staff was not provided with an opportunity to work collaboratively with the authors of this resolution prior to its posting on the agenda, so it is difficult to understand the extent of support required for this effort. However, based upon the skills mentioned in the resolution (Urban Planner, Historic Preservation, Engineering, Community Engagement, Administrative Support) plus the cost of materials and incidentals, a reasonable estimate is in the \$175,000 to \$200,000 range.

Question: It was my understanding that any efforts to fund a park on the Library Lot would be privately funded, or funded through a private-public partnership. What level of financial commitment has the Library Green Conservancy or other funders made thus far? (Councilmember Grand)

Response: Staff members were neither consulted in the preparation of this resolution nor provided with the opportunity to review it prior to its posting on the agenda. Staff does request that the resolution's sponsor provide the appropriate points of contact so they can better understand the degree of partnership support.

Question: DC-3 does not designate any commission members to the proposed Task Force. Why were members of PAC and/or Planning not included? On a related note, what does, "supporters of the concept of the center of the city" mean? How are they different from nearby residents or those who might use the space? (Councilmember Grand)

Response: Staff members were neither consulted in the preparation of this resolution nor provided with the opportunity to review it prior to its posting on the agenda. Staff does request that the resolution's sponsor provide the appropriate points of contact so they can better understand the degree of partnership support.

Question: Why was PAC's input not sought on this resolution prior to bringing it before council? (Councilmember Grand)

Response: This matter has not been presented to the Parks Advisory Commission.

Question: If this were to move forward, what other projects would have to be postponed? What does this mean for the proposed updates to the Master Plan? To the plan for the Y Lot? (Councilmember Grand)

Response: This effort will require funding from the General Fund budget. The City Administrator has identified \$2.1M in non-recurring funding from the City's Risk Fund to be allocated to the General Fund, and this appears to be the most probable funding source. The largest commitment of these funds is a proposed \$1.5M toward pedestrian safety and crosswalk improvements, and this commitment would likely be reduced to free funds for the scope of work proposed in this resolution.

The planning process envisioned in this resolution is multi-disciplinary and would require staff support from several service units. The ongoing efforts that could potentially be delayed include the planning for North Main Street improvements, the Y-Lot, the Treeline Trail, potential redevelopment of 415 West Washington and 721 North Main Street, traffic calming and pedestrian improvements, updating of the Master Plan, or other efforts. Other basic services, particularly planning and plan review, could also be affected. As an alternative, the City could contract for support using outside consultants.

Question: What is estimated budget impact of this resolution? (Councilmember Hayner)

Response: This effort will require funding from the General Fund budget. The City Administrator has identified \$2.1M in non-recurring funding from the City's Risk Fund to be allocated to the General Fund, and this appears to be the most probable funding source. The largest commitment of these funds is a proposed \$1.5M toward pedestrian safety and crosswalk improvements, and this commitment would likely be reduced to free funds for the scope of work proposed in this resolution.

The planning process envisioned in this resolution is multi-disciplinary and would require staff support from several service units. The ongoing efforts that could potentially be delayed include the planning for North Main Street improvements, the Y-Lot, the Treeline Trail, potential redevelopment of 415 West Washington and 721 North Main Street, traffic calming and pedestrian improvements, updating of the Master Plan, or other efforts. Other basic services, particularly planning and plan review, could also

be affected. As an alternative, the City could contract for support using outside consultants.

Question: What is the considered role of the DDA in this process, will they have a seat on the Task Force? (Councilmember Hayner)

Response: It is not known what if any role the DDA may play on this Taskforce. Because the scale and scope of the project is not yet clear it isn't feasible to respond with certainty what DDA funds may be available. It is worth noting that in the past the DDA responded affirmatively to previous City grant requests for significant downtown projects. This included a grant to fund the Calthorpe study and a grant for the construction of the Court/Police Municipal Building.

Question: What DDA funds are available to support this task force? (Councilmember Hayner)

Response: Please see above.

DC – 6 – Resolution to Amend Council Rules 1, 5B, 5D, 5E, and 5F

Question: If the new rules are adopted, what would be the timeline for submitting questions for agenda items added after the Thursday deadline? (Councilmember Grand)

Response: The agenda response memo would be provided to Council by 5:00 p.m. Any agenda questions from Council submitted after the deadline for Council agenda questions (Wednesday at noon) would need be addressed at the Council meeting. Once the City Administrator has submitted the draft agenda to Council, no matter from staff shall be placed on the agenda, so any items being added after the staff deadline would be sponsored by a Council member. Staff will only provide one agenda response memo.

Question: Historically, the Council Administrative Committee reviews staff's proposed agenda prior to release to all of council. How would this process change if these rules are passed? (Councilmember Grand)

Response: The Council Administration Committee would no longer be specifically tasked with prior review of the draft agenda, as the Council as a whole would receive the draft agenda. The Council Administration Committee could still review the draft agenda after its release along with the rest of Council.

Question: Q1. What is staff's view on the proposed changes – do you support them or not (or perhaps support some parts, but not others) How will this constrict staff's work turn-around requirements/window? Are there other changes with regard to meeting material preparation, distribution and subsequent Q&A that staff believes we should consider? (Councilmember Lumm)

Response: The change in the rules do not impact staff's publishing of the draft agenda. The Clerk's Office will follow the schedule as directed in the Council Rules. The Legistar tool automates agenda creation and publication so the agenda can be publicized at any time following the generation of the draft agenda. Early receipt of Council's agenda questions by Wednesday noon with a response deadline of Thursday afternoon does provide additional time to prepare replies to Council's questions. However, the City Administrator is concerned that Council will use the intervening time between Thursday and Monday morning to generate additional questions so that the agenda response period will expand to four days. Staff will only provide one response memo, so any questions received after the Wednesday at noon deadline would need to be responded to during the Council meeting. The City Administrator remains concerned about late Council additions to the agenda that do not provide adequate time for collaboration with staff on non-time sensitive matters.

Question: Q2. Will the new timing requirements (distribution of materials to Council 10 days prior to meeting) apply to work sessions as well as regular sessions? (If not, I could envision overlap problems – getting Work Session materials on Thursday evening for a Monday Work session and then getting Regular Meeting materials on Friday (day after Work Session materials) for a meeting the following Monday. With questions due on Wednesday at Noon, that's not a lot of time to review the regular meeting materials when there's a Monday work session. (Councilmember Lumm)

Response: The Council's Rules Committee did not specifically address work sessions in its proposed changes, however staff typically follows the same rules for Regular and Work Session meetings.

Question: Q3. Under the new rules, I'm assuming the materials that will be provided to Council 10 days prior to the meeting is the same we now receive at 5PM the Thursday before the meeting (e.g. agenda, all resolutions, all relevant attachments). Can you please confirm that's correct? (Councilmember Lumm)

Response: Yes.

Question: Q4. Under the new rules, when will the agenda, resolutions, attachments be posted on Legistar for public viewing? If not at same time Council receives the materials (10 days in advance), please explain why not? (Councilmember Lumm)

Response: The Clerk's Office will follow the schedule as directed in the Council Rules. It is our understanding that the Rule change would apply to both the distribution of materials to Council and to the public, and that nothing is proposed that directs a different schedule for distribution to the public.

Question: Q5. With the changes here requiring materials further in advance of meetings, why wasn't the requirement for Council-sponsored resolutions also changed? (Councilmember Lumm)

Response: This question would be best addressed by the Council Rules Committee.

Question: Using as an example the second meeting in April, scheduled for April 15, when will we receive the Agenda for that meeting, and when are the agenda questions due? (day/date please) (Councilmember Hayner)

Response: Agenda would be sent by Friday, April 5, 2019. Questions would need to be submitted to Sara Higgins by Wednesday, April 10, 2019 at noon.

DB – 1 – Resolution to Approve the Purchase of a Conservation Easement on the Lepkowski Property in Northfield Township and to Appropriate \$478,867 (8 Votes Required)

Question: How much is in the Greenbelt fund? (Councilmember Eaton)

Response: Prepared report for Q1 2018 indicates:

Total Open Space and Parkland Preservation Millage (OSPP) Fund	\$11,762,519
Greenbelt Fund Balance	\$5,550,278
Parks Fund Balance	\$6,212,241

Incomplete report for Q2 2018 indicates:

Total Open Space and Parkland Preservation Millage Fund	\$11,903,798
Greenbelt Fund Balance	N/A

Parks Fund Balance	N/A
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Question: Can Greenbelt funds be used for purchase of public land (such as school property)? (Councilmember Eaton)

Response: The Open Space and Parkland Preservation (OSPP) Program accepts applications for any property within the City limits, or within the Greenbelt District. The OSPP ordinance does not restrict any public entity from submitting applications.

Question: Did any staff member or Greenbelt Commission member make a commitment or promise in communication with the farm owner or the intended buyer? (Councilmember Eaton)

Response: No.

Question: Q1. We have been informed that the County will be contributing \$10,000 and Northfield Township \$2,000 (total of \$12,000), but the resolution on Legistar has not been updated. Will that be updated prior to this evening's vote? Also, do you know what the basis was for the relatively small county contribution (\$10K vs, City costs of \$250K)? (Councilmember Lumm)

Response: The resolution is currently in Council's control, as it has been reconsidered and postponed, so staff is not in a position to alter it. However, the resolution does not need to be amended since the appropriation is a not-to-exceed amount and the other contributions will only lower the City's projected costs. Unspent money will remain in the Open Space and Parkland Preservation Millage fund for future use.

The County's Natural Area Preservation Program millage is divided into 3 budgets: stewardship, agricultural preservation and natural area preservation. Since the Lepkowski property's primary use is agricultural production and given that a smaller portion of the property is a natural area, the county's contribution is \$10,000 from the natural area budget, since there are some species of note that may have been found on the property including bob-o-link, blue racers, as well as juvenile eagles.

Question: Q2. In the Townships February 14th communication regarding their \$2,000 contribution, it was indicated that "The Township only became aware that the parcel was under consideration the same evening as the Council's first vote." Assuming that's correct, that's a process flaw on a couple of levels (1) the Townships deserve to be aware and (2) a host Township for a Greenbelt PDR or conservation easement should always be asked for financial support as the primary beneficiary. Can you please comment on whether the lack of Township engagement early on is typical or just an oversight in this instance? (Councilmember Lumm)

Response: Given the recent change in program staff, it is difficult to say for certain if the lack of communication was a shortcoming of the program's standard operating

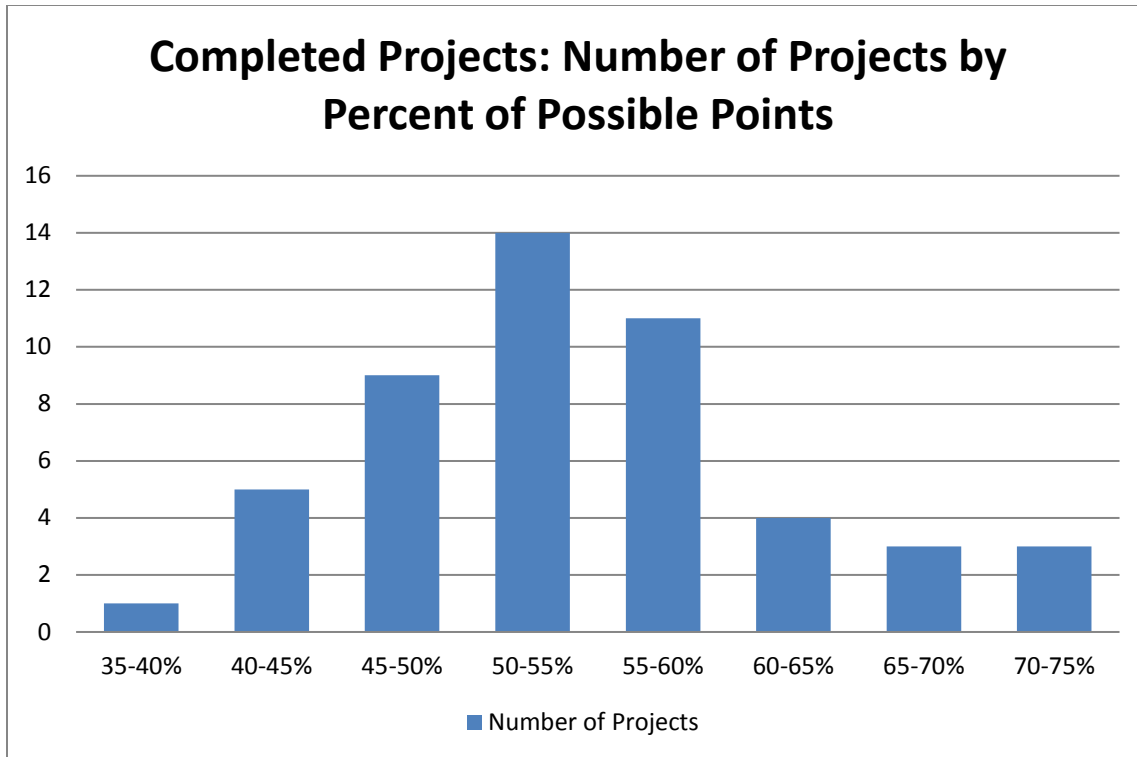
procedures, or if the transition in staff caused a lapse in communications with the township. Moving forward, all acquisitions being considered by Council will be brought to the attention of township supervisors once the initial recommendation from the Greenbelt Advisory Commission has been made.

Question: Q3. In Mr. Delacourt's January 14th memo on this, it was indicated that not completing this transaction would likely mean the City would not meet our 2022 commitment in the grant. Does that suggest there are not many eligible quality properties that are candidates for the Greenbelt program? (Councilmember Lumm)

Response: In addition to the Lepkowski property, there are currently two other City-led projects under consideration in the Huron River RCPP area. One project is in an early stage, the other is in the same stage as the Lepkowski property and will soon come before Council. These projects take considerable time to complete – often two or more years from the Greenbelt Advisory Commission's initial recommendation to secure an appraisal through to closing. While there are two additional projects to pursue in the Huron River RCPP area, removing the Lepkowski project from the pipeline reduces the City's chances of fulfilling its \$1 million commitment within the RCPP area by 2022.

Question: Q4. Thank you for providing the information I requested on the Greenbelt scoring for this property and the specific grant application. I have a couple of follow-questions on those items: The Lepkowski property score was 85 points out of a possible 153.5 points, which at 55% of the maximum, seems low. Can you please comment on that and provide the scores for the other greenbelt investment properties? (Councilmember Lumm)

Response: The Lepkowski parcel scored 55.4% percent of all possible points. As the table below indicates, that places the project in the higher half of all projects completed to date.



Question: Q5. On the Lepkowski scoring, 10 points were awarded for having two possible matching funds sources. Why would points be awarded for “possible” matching sources rather than actual matching contributions? (Councilmember Lumm)

Response: The first step after receiving an application is to score it. At that point, is unclear who will definitively be a partner, so the points are awarded for the number of potential funding sources available.

Question: Q6. The grant application indicated there are six “contributing partners” of which four contribute dollars (two are just in-kind contributors) and of the four, the City of Ann Arbor pledged \$2.0M, Washtenaw County \$600K, and both the Legacy land Conservancy and 6 Rivers pledged \$50K each. How are those shares determined (especially the City/County shares)? (Councilmember Lumm)

Response: Those contributions are determined by the partners, as a measure of what their programs can feasibly commit in funds or in-kind services. As the map in the February 14th memo to Council illustrates, staff felt that within a 5 year timeline the City would be able to leverage \$1 million in RCPP funds in the Huron River RCPP area. An important note: Between the final Huron River RCPP application submission and the final award, NRCS contacted the partners to inform them there was not enough RCPP funds available to match partners contributions 1:1, so the total commitments from the partners was reduced. For the City, that meant a reduction in \$2 million in committed funds to \$1 million in committed funds, which would leverage \$1 million in RCPP funds.

Question: Can you provide an updated funding breakdown for this acquisition?
(Councilmember Hayner)

Response: The February 14th memo from City staff provided a financial breakdown, but since that time Northfield Township voted to contribute \$2,000 to the project. Here financial summary including Northfield Township's contribution:

City of Ann Arbor	\$201,750.00	42.13%
NRCS RCPP/ACEP (<i>awarded</i>)	\$213,750.00	44.64%
Washtenaw County (<i>new, awarded</i>)	\$10,000.00	2.09%
Northfield Township (<i>new, awarded</i>)	\$2,000.00	0.42%
City Due Diligence (<i>estimated</i>)	\$20,000.00	4.18%
City Closing Costs (<i>estimated</i>)	\$7,500.00	1.57%
City Endowment	\$23,866.67	4.98%
Total cost	\$478,866.67	100%
Total City costs	\$253,116.67	52.86%

Question: Does the Office of Sustainability consider Greenbelt agricultural easements as having any value towards our Climate Action Plan or our Sustainability goals? (Councilmember Hayner)

Response: The Office of Sustainability views the Greenbelt Program as integral to advancing the Sustainability Framework's goals. Integrated land use, healthy ecosystems, local food, engaged community and economic vitality are all goals addressed through the accomplishments of the Greenbelt Program. Through the Greenbelt, land is forever added to the green infrastructure surrounding the City. This green infrastructure – comprised of both prime agricultural lands and high quality natural areas – provides ecosystem services that positively influence water quality and species diversity in Ann Arbor area, and contributes to long-term economic viability of our food systems.

Question: Where do properties like this, and the Greenbelt Program generally, fit in our Sustainability Framework? (Councilmember Hayner)

Response: See above.

DB – 2 - Resolution to Approve 830 Henry Street Site Plan and Development Agreement, 814-830 Henry Street (CPC Recommendation: Approval - 9 Years and 0 Nays)

Question: Does the neighborhood surrounding the project site have a neighborhood organization registered with the Planning and Development Services Unit? (Councilmember Eaton)

Response: Yes, the Rose White Neighborhood Association.

Question: Is the area surrounding the project large enough to satisfy the residential permit program's requirement that it encompass "a minimal area of four square blocks, 16 block faces, or equivalent area or distance, all contiguous and all zoned for residential uses"? (Councilmember Eaton)

Response: Under the current "Criteria for Residential Parking," requesting areas may petition the City for formation of residential parking districts so long as (and absent a waiver from staff) the petition "encompass[es] a minimum area of four square blocks, 16 block faces, or equivalent area or distance, all contiguous and all zoned for residential uses." Under these requirements, if the requesting area is that of the Rose White Neighborhood Association, it is insufficient. Accordingly, and absent a waiver or exemption by the City, the district would have to be formed by a process outside of that prescribed by the Criteria (e.g., creation by Council). Staff is working on revisions to the Criteria to recommend to Council and that if those are adopted, the analysis could change.

Question: Regarding DB-2, Planning Commission raised the issue of parking and transportation to campus and in response, the petitioner has agreed to have a ride share vehicle and shuttle. That's encouraging, but I am still concerned about an apartment building with 66 renters (11 units all 6BR) and just 18 parking spaces. What actual data do we have (if any) that shows the typical/average ratio of vehicles to renters in student apartment buildings"? (Councilmember Lumm)

Response: Staff does not have such data.

DS - 1 - Resolution to Authorize a Professional Services Agreements with Orchard, Hiltz & McCliment, Inc. (OHM) for the Lower Town Area Mobility Study (RFP No. 18-21) (\$579,478.00) and Appropriate Funding from the Major Street Fund Balance (\$649,478.00) (8 Votes Required)

Question: What are other typical uses of funds from the Major Street Fund Balance? (Councilmember Hayner)

Response: Other "typical" uses of Major Street Fund Balance include funding higher than anticipated winter maintenance costs, severe weather impacts; including increased pothole repair and pavement marking restoration, in addition to major infrastructure maintenance and upgrades such as traffic signal system upgrades and road capital maintenance projects.

Question: Will this study result in recommendations for intersection re-designs?
(Councilmember Hayner)

Response: This is a possibility. The study is meant to address overall transportation issues in the Lower Town area. Changes to intersections (which may represent bottlenecks of a transportation network) will likely be part of the identified solution set.

Question: Does this study provide any engineering or construction drawings? If so, for what? (Councilmember Hayner)

Response: No, this is a study to determine feasibility and public support for different options. Engineering and construction drawings would need to be programmed at a later date after the completion of the study.

Question: The same question about coordinating with external partners and transparency also applies to the Northside STEAM SRTS project and the Quiet Zone for trains proposal. (Councilmember Bannister)

Response: Staff coordinates with different stakeholders on a multitude of projects on an on-going basis. UM and MDOT are often engaged since so many projects influence or are influenced by those entities. Coordination happens informally (e.g. correspondence) and formally (e.g. UM Policy Coordination Meetings, WATS meetings).

Question: Please provide the detail and meeting notes about who from City staff has met or spoke with which external counterparts, such as UM, the congressional delegation, MDOT, the FRA, etc., with regard to these projects? (Councilmember Bannister)

Response: The minutes from WATS meetings and the notes from the UM Policy Coordination meetings provide the record of what was discussed at formal meetings such as these.

Question: For example, the notes from the June 5, 2018 meeting of the City and UM Policy Coordination Meeting, show that coordinating traffic analysis in the Glen-Fuller-Maiden Lane- Broadway vicinity was a discussion topic. Please provide an update on the substance of these conversations, as the Ann Arbor taxpayer is looking for city staff to coordinate with external partners on in-kind expertise and funding, etc. (Councilmember Bannister)

Response: Resolution R-19-057 was approved by City Council on 2/4/19. The RFP for the Lower Town Study was conducted in summer of 2018 in response to direction provided by Council in January 2018. As such, the sequence of events and timing did not allow staff the opportunity to explore which in-kind expertise or funding could be

applied to the Lower Town Study since there was an existing contract presented to Council back in November 2018 and again in January 2019.

If major capital projects come out of the Quiet Zone or Lower Town Study, City staff will monitor grant opportunities and pursue external funding to the extent possible. Regarding the Glenn/Fuller/Maiden Lane issue, the City continues to explore the feasibility of different alternatives in this area and is coordinating with the University on this issue. The discussions with the University are preliminary in nature and decisions about funding have not yet been made.

F - 2- Transportation Commission 2017 and 2018 Annual Report

Please provide the bylaws of the Transportation Commission, specifically I am looking for the requirements for providing Annual Reports. (Councilmember Hayner)

Response: The bylaws of the Transportation Commission are available in [Legistar](#), and provided in the attachment. Article 3.2(6) states that the Commission is charged with the duty to “Report annually to the City Council and the City Administrator regarding the effectiveness of the City’s transportation strategy process and make recommendations for any changes thereto.” Additionally, City Code [Chapter 8, Sec. 1:207\(3\)\(e\)](#) states that the Commission shall “Report annually to the City Council and the City Administrator regarding the activities of the Transportation Commission, which shall reflect the effectiveness of the city’s transportation strategy process and make recommendations for any changes thereto.”

Ann Arbor Public Art Commission
Public Art Enhancement Recommendations for FY2017-FY2026 Capital Improvement Projects

1. CIP Project Number UT-SN-16-12, Sanitary Manhole Lid and Sealing, and UT-SN-10-05, Manhole Rehabilitation Project; both were recommended for the custom manhole covers; this project is in process.
2. TR-AT-13-01, Annual Sidewalk Repair Program, was recommended for artistic stamps in the concrete. We understand there may be technical issues to work out, but if possible would like to see this proceed. A 1% enhancement budget would be about \$10,000 per year for upcoming years. (annual)
3. TR-SC-14-07 Fifth Avenue Street/streetscape project: Our discussions with staff suggest that enhancement funding would likely be for relocation and sheltering of the Jewett Chairs (bronze sculptures). We recommend a preliminary enhancement budget of \$50,000 be included in the \$2,250,000 project budget. (Funds allocated by DDA).
4. TR-SC-06-05, Detroit Street Brick Road Pavement Reconstruction: Possibly custom cast bricks or a design created with the pavers. We recommend a preliminary enhancement budget of \$50,000 be included in the \$3,000,000 project budget. (FY2022-2023)
5. TR-AT-01-07, Arboretum/Gallup Underpass. We recommend a preliminary enhancement budget of \$150,000 be included in the \$2,200,000 project budget. (FY2022)
6. MF-SW-06-03, New Drop-off station. We recommend a preliminary enhancement budget of \$55,000 (1%) be included in the roughly \$5,500,000 project budget. (FY2021)
7. TR-AT-14-07, Ann Arbor Station Construction (Amtrak). We recommend a preliminary enhancement budget of \$650,000 (1%) be included in the \$65,000,000 project budget. (FY2020)
8. MF-CB-14-01: Fire Station #2 Reconstruction. We recommend a preliminary enhancement budget of \$30,000 (1%) be included in the \$3,000,000 project budget. (FY2023-2024)
9. MF-CB-18-03: New Fire Station A. We recommend a preliminary enhancement budget of \$43,000 (1%) be included in the \$4,350,000 project budget. (FY2021-2022)
10. MF-CB-18-05: New Fire Station B. We recommend a preliminary enhancement budget of \$27,000 (1%) be included in the \$2,700,000 project budget. (FY2022-2023)
11. MF-PR-10-01: Playgrounds and Neighborhood Parks. We recommend a preliminary enhancement budget of \$5,000 be included in each of the annual \$100,000 project budgets for upcoming years. (annual)
12. TR-AP-99-11: Terminal Expansion at A2 Airport. The scope of the project is apparently still to be determined, but if it involves a public area the possibilities for flight-themed artwork seem worth pursuing. We recommend a preliminary enhancement budget of \$20,000 be included in the \$776,000 project budget. (FY2023)

13. TR-AT-18-22: Expansion of the Border to Border trail in the Fuller/Maiden Lane area. We recommend a preliminary enhancement budget of \$50,000 be included in the \$1,750,000 project budget. (FY2021-2022)
14. TR-SC-08-01: Intersection improvement of Fuller/Maiden Lane area near the Medical Center. We recommend a preliminary enhancement budget of \$100,000 be included in the project budget (formerly roughly \$4,600,000, now increased to about \$7.8 million). (FY2021-2022)
15. TR-AT-10-22, Downtown Wally Station. We recommend a preliminary enhancement budget of \$500,000 be included in the \$143,360,000 project budget. (FY2024)
16. TR-AT-08-03, Plymouth Road Wally Station. We recommend a preliminary enhancement budget of \$50,000 be included in the \$920,000 project budget. (FY2023)
17. TR-OT-18-08, TR-OT-18-02, TR-OT-18-12, TR-OT-18-07, and TR-OT-18-13: Downtown streetscape projects. We recommend a preliminary enhancement budget of 1% be included in each project budget. (FY2023; FY2019-2020; FY2020-2021; FY2023; all DDA projects)
18. UT-WS-16-17: Water Treatment Plant Replacement Project. We understand the plant itself is not open to the public for security reasons, but art on or by the fence around the plant could be a welcome improvement to the neighborhood. We recommend a preliminary enhancement budget of \$150,000 be included in the \$82,400,000 project budget. (FY2022-2025)
19. TR-SC-18-02 and TR-SC-18-19: Two phases of road reconstruction of the Springwater neighborhood in southeast Ann Arbor (the project also includes multiple other utility projects). This is a relatively modest income area of Ann Arbor that would not be served by other public art. We recommend a preliminary enhancement budget of \$65,000 be included in the project budget; this appears to be about 1% of the coordinated road and utility projects. (FY2024-2025)
20. TR-OT-18-09, First & Ashley Two-Way Conversion & Streetscapes: This replaces two streetscape projects that were previously included in item 17 above. We continue to recommend a preliminary enhancement budget of 1% of the streetscape portions of the budget. (FY2020-2021; DDA project)
21. TR-OT-18-02, Huron Streetscape: This project was also previously included in item 17 above, but has been expanded and the timing accelerated in the proposed CIP. We continue to recommend a preliminary enhancement budget of 1% of the streetscape portions of the budget. (see No. 17 above)
22. TR-PF-19-01, Ann-Ashley Parking Structure Expansion: This is a new project; we recommend an enhancement budget of \$100,000 be included in the project budget. (FY2019-2020; DDA project)
23. TR-SC-19-02, Nixon Street Improvements Design: This is also a new project, and since it is only design work the scope is still unclear so an enhancement budget may be hard to project. However, it seems like an ideal opportunity to bring public art to a neighborhood outside the downtown core, and we encourage support to have the designers work with the AAPAC to look for opportunities for public art. (TBD)

23. TR-PF-20-02 Parking Structure Fencing - The Commission recommends a preliminary enhancement budget of \$10,000.00 of the \$863,000.00 budget. This fencing at the tops of the parking structures may have elements that maintains the desired safety of this fencing but aids in a more visually appealing solution. (DDA Project)

24. TR-SC-20-17/18 State Street Road Improvements - The work for the ramp construction is currently well into the future but the commission wants to maintain a recommendation going forward for art/ design enhancement to this important gateway to the city. Our recommendation is an initial budget of \$250,000.00 for this approx. \$26 million project.



BYLAWS OF THE TRANSPORTATION COMMISSION

Adopted on May 17, 2017

Article 1

NAME

The name of this commission is the Transportation Commission.

Article 2

ENABLING AUTHORITY

The Transportation Commission was established by ordinance of the Ann Arbor City Council on November 21, 2016. Ann Arbor City Code, Chapter 8, Section 1:207.

Article 3

PURPOSE, OBJECTIVES, AND DUTIES

3.1 The purpose of the Transportation Commission (the "Commission") is to foster excellence in the planning, design, construction, and maintenance of a sustainable and resilient multimodal transportation network for the City of Ann Arbor.

3.2 The Commission is an advisory body except for certain decision- and rulemaking authority delegated to it under Ann Arbor City Code, Chapter 85 (Taxicabs). The Commission is limited to performing the tasks enumerated in these bylaws, Chapter 85, or otherwise delegated to it by City Council. The Commission is subject to City administrative policies and directives. By ordinance, the Commission is charged with the following powers and duties:

- (1) To serve as an advisory body to the City Council and the City Administrator on transportation policy with a focus on accessibility, mobility, equity, and safety for all citizens.
- (2) To advise the City Council and City Administrator on:
 - (a) Transportation grants.
 - (b) Streets and highways.
 - (c) The use of, restrictions on, and upkeep of public rights-of-way.
 - (d) Bus and rail service.
 - (e) Pedestrian and bikeway programs and projects.
 - (f) Safety-related programs and projects.

- (g) Regulation of vehicles for hire, including taxicabs, transportation network and ride-sharing entities, pedicabs, and other transportation vehicles; and all related matters including permits, annual permits, franchise permits, transportation franchise requests, renewals, rate adjustments, and hours of operation.
- (3) Provide comments to the Planning Commission, City Council, Downtown Development Authority, and the Ann Arbor Area Transportation Authority on transportation policy, and the impact of proposed projects to the same.
- (4) Recommend to the City Council and the City Administrator priorities and budget allocations related to transportation.
- (5) Provide recommendations on the City's transportation master plans including the City Transportation Plan and Non-Motorized Transportation Plan.
- (6) Report annually to the City Council and the City Administrator regarding the effectiveness of the City's transportation strategy process and make recommendations for any changes thereto.
- (7) Make proposals and recommendations to achieve and maintain a holistic and inclusive transportation ecosystem that meets the mobility needs of all people, including the mobility-impaired.
- (8) Have the powers and duties set forth in Chapter 85 (Taxicabs) of Ann Arbor City Code.
- (9) Form special purpose task forces and subcommittees to carry out the business of the Commission.
- (10) Perform other duties as directed by City Council.

Article 4
MEMBERSHIP

4.1 The Commission consists of 18 members. Eleven members are voting members and seven members are nonvoting. Insofar as possible, appointments of voting members are to be of individuals who have an interest in the various forms and modes of transportation needs of the community. Members are appointed by the Mayor and approved by the City Council unless otherwise stated. Voting members are as follows:

- (1) Six members of the public.
- (2) One owner or operator of a transportation business operating in Ann Arbor.
- (3) One member of the Planning Commission, appointed by the Planning Commission.
- (4) One member of the Commission on Disability Issues, appointed by the Commission on Disability Issues.
- (5) One individual appointed by the board of the Ann Arbor Area Transportation Authority.
- (6) One member of the City Council.

Nonvoting members are as follows:

- (1) The City Administrator.
- (2) A City Traffic Engineer.
- (3) A representative of the City Systems Planning Unit.
- (4) The Chief of Police.
- (5) A representative of the Regional Transit Authority of Southeast Michigan.
- (6) A representative of the University of Michigan.
- (7) A representative of the Ann Arbor Public Schools.

4.2 All members of the Commission shall serve without compensation.

4.3 Members appointed by the Mayor and City Council receive a three-year term, which are to be staggered so that one third of the terms expire each year. The Council Member is appointed for a one-year term. Members appointed by another City board or commission or a non-City entity serve until replaced by the appointing entity.

4.4 Consistent with City Charter § 12.2, each member of the Commission shall be a registered elector of the City of Ann Arbor at the time of appointment, unless this requirement is waived by a resolution concurred in by at least seven members of City Council.

4.5 A member whose term has expired may hold over and continue to serve as a member of the Commission until a successor has been appointed. Consistent with City Code § 1:171, no member shall be allowed to hold over for more than 60 days beyond the appointed term whether or not a successor has been appointed, except that City Council may extend terms for periods of 90 days upon the recommendation of the Mayor and vote of at least six members of Council.

4.6 Consistent with City Code § 1:171, the Mayor shall notify City Council of the expiration of a member's term at least 30 days prior and shall present to City Council all proposed reappointments no later than 60 days after the expiration of the term.

4.7 Consistent with City Code § 1:171, any vacancy on the Commission occurring in the middle of a term shall be filled for the remainder of the term in the same manner as for full-term appointments.

4.8 Members are expected to attend regularly scheduled meetings and to notify the Chair and staff liaison in advance if they expect to be tardy or absent. If a member misses more than three regularly scheduled meetings in a 12 month period, the Chair shall notify the Mayor and may recommend removal of the member.

4.9 Consistent with City Code § 1:171, a member of the Commission may be removed for cause by the Mayor with the approval of City Council.

Article 5

ETHICS AND CONFLICTS OF INTEREST

5.1 A member of the Commission shall abstain from discussion or voting on any matter in which that member has a real or apparent conflict of interest. Decisions regarding conflicts of

interest shall be evaluated on a case-by-case basis with reasonable application of the principles provided in this Article. A conflict of interest shall at a minimum include, but is not necessarily limited to:

- (1) Discussing, voting on, or otherwise acting on a matter in which a member or any member of his/her immediate family, his/her partner, or an entity with whom the member has family or business ties has a direct financial or beneficial interest.
- (2) Discussing, voting on, or otherwise acting on a matter involving work on property which is owned by that member or which is adjacent to property owned by that member.
- (3) Discussing, voting on, or otherwise acting on a matter when the member's employee or employer is an applicant or agent for an applicant, or has a direct financial or beneficial interest in the outcome.

5.2 A member of the Commission shall neither solicit nor accept gratuities, favors, or anything of monetary value from entities in a position to benefit from a decision of the Commission.

5.3 A member of the Commission shall not obtain, for himself/herself or for any person with whom he/she has business or family ties, any financial or beneficial interest in a matter which may be affected by a decision of the Commission. This restriction shall apply during the member's tenure on the Commission and for one year thereafter.

5.4 A member of the Commission shall disclose the general nature of any potential conflict, real or apparent, and, except when it violates a confidence, shall disclose all pertinent facts relating to the conflict. These disclosures shall be made prior to discussion and voting when possible and shall be recorded in the minutes of the proceedings. The member may then abstain from discussion and voting on the matter.

5.5 A member who cannot vote due to a conflict of interest shall, during deliberation of the matter before the Commission, leave the meeting or the area where the members sit until action on the matter is concluded.

5.6 When a question has arisen as to whether a member is ineligible to participate in discussion or vote on a matter because of a conflict of interest, the Commission may determine that the member is ineligible due to a conflict of interest by a vote of a majority of the other members present. Upon such a determination, the ineligible member shall not participate in discussion or vote on the matter.

5.7 Members of the Commission shall complete an annual disclosure of organization affiliations that could conceivably present a conflict of interest and shall update this disclosure in writing at any time during the year when such affiliations change. These statements will be available for viewing by City staff and Commission members and the public may request copies in accordance with City policies for public records and/or FOIA.

5.8 Members shall not act, hold themselves out, or permit themselves to be perceived as official representatives or spokespersons for the Commission without authorization from the Commission or the Chair. When communicating for personal purposes on matters that may relate to the Commission's business, members shall clearly indicate that their statements are made in a

personal capacity and do not necessarily reflect the views of the Commission. Whenever a member is asked to speak on behalf of the Commission, the member shall seek permission of the Commission or the Chair in advance.

5.9 To maintain public confidence in the objectivity of the Commission and to avoid the appearance of bias or prejudice, a member shall not speak or appear before the Commission on behalf of or as a representative of a potential or actual petitioner. A member should avoid speaking or appearing before another entity on behalf of or as a representative of a potential or actual petitioner and shall inform the Commission and recuse themselves from such a petition if the member does so. Outside of a Commission meeting, a member shall not advise an actual or potential petitioner regarding a petition, except to inform the petitioner of factual procedures of the Commission. This section does not preclude a member from discussing a petition within the scope of the Commission's duties at a Commission meeting.

5.10 Members of the Commission shall communicate with City staff through the Commission's designated staff liaison unless otherwise authorized by the City Services Area that supports the Commission.

5.11 Members shall conduct themselves in a fair, courteous, and understanding manner at all times in the discharge of their duties, and shall avoid exchanges or actions based upon personal differences.

Article 6 OFFICERS

6.1 The officers of the Commission shall be a Chair and Vice-Chair. The officers shall be elected each year from among the voting members of the Commission. The officers shall be elected for a one-year term. No member shall serve more than three consecutive full terms in the same office. The term of each officer shall run from March 1 to the last day of February of the following year. Elections of officers shall be held no later than the month before the officers' terms expire.

6.2 The Chair shall preside at all meetings and shall decide points of order and procedure, subject to the provisions of these bylaws. The Chair shall have the privilege of discussing and voting on all matters before the Commission. The Vice-Chair shall assume the duties of the Chair in the Chair's absence.

6.3 When an office becomes vacant before the expiration of the current term (whether by resignation, removal, incapacity, or other circumstance), the vacancy shall be filled by election in the same manner as for full-term officers and the new officer shall serve the remainder of the term. The replacement officer shall be elected at the next regularly scheduled meeting or as soon as practicable. The Vice-Chair may be elected as replacement Chair, in which case a replacement Vice-Chair shall be elected at the same time.

6.4 No member may hold multiple offices at the same time.

Article 7 MEETINGS

7.1 The Commission shall schedule regular monthly meetings. The entire schedule of regular meetings for the upcoming year shall be posted within 10 days after approval at the first meeting of the year. A change in the schedule of regular meetings must be approved by the Commission, and notice of the change shall be posted within 3 days after the meeting at which the change is approved.

7.2 Special meetings may be called by the Chair or by the written concurrence of a majority of the voting members currently serving on the Commission. When practicable, notice of the special meeting shall be provided to staff and all members of the Commission at least 48 hours in advance. Public notice of the special meeting shall be posted at least 18 hours prior to the scheduled starting time. Except when the special meeting is a rescheduled regular meeting, the purpose of the special meeting shall be stated in the public notice and the Commission may not conduct any business beyond the purpose stated in the public notice, except by unanimous consent of the voting members present.

7.3 Public notice of regularly scheduled committee meetings shall be posted in the same manner as the schedule of regular Commission meetings. Public notice of irregular or special committee meetings shall be posted at least 18 hours prior to the scheduled starting time.

7.4 Public notice of all meetings shall be posted at City Hall or at any location designated by the City Administrator or City Council.

7.5 When practicable, meetings shall be scheduled to allow the staff liaison to provide notice to all members of the Commission at least 48 hours in advance.

7.6 The Chair may cancel a meeting if there is no business on the agenda or if it is clear that a quorum will not be present. The Chair may cancel a meeting due to weather, emergency, or other circumstances that may substantially limit the ability of members of the Commission or the public to attend. The Chair shall give notice of cancellation to members of the Commission and the staff liaison as soon as possible and at least 2 hours prior to the scheduled meeting time, when practicable. The staff liaison shall post public notice of the cancellation as soon as practicable. Cancelled regular meetings may be rescheduled in the same manner as special meetings.

7.7 The presence of six voting members shall constitute a quorum. The concurring vote of a majority of all members present and eligible to vote is required for the Commission to act. The right to vote is limited to members of the Commission actually present at the time the vote is taken at a lawfully called meeting. A member who is not eligible to vote on a matter because of a conflict of interest shall not be counted in establishing a quorum for that matter.

7.9 Voting shall be by voice or a show of hands. If the vote is not unanimous, a roll call vote shall be taken and recorded in the minutes.

7.10 Minutes of all regular and special meetings of the Commission shall be kept in accordance with City administrative policies and direction.

7.11 All meetings of the Commission shall be open to the public and conducted in accordance with the Michigan Open Meetings Act. Closed sessions may be called for purposes listed in the Open Meetings Act. Consistent with City Council Resolution R-642-11-91, all meetings of the Commission's committees and subcommittees shall be open to the public in the spirit of section 3 of the Open Meetings Act.

7.12 Public comment shall be allowed at all meetings. An individual may speak for up to three minutes on any item open for public comment. The Chair may extend an individual's speaking time in the Chair's discretion. Public comment on non-agenda items may be limited in the Chair's discretion.

Article 8 AGENDA AND ORDER OF BUSINESS

8.1 An agenda for each meeting of the Commission shall be developed by the Chair and the staff liaison in consultation with members of the Commission as needed. Agendas for all regular meetings shall be made available to the public and other members of the Commission at least 48 hours before the meeting's scheduled starting time.

8.2 The order of business at regular meetings shall be as follows. The order of business may be suspended or modified by a majority vote of those members present.

- (1) Call to Order
- (2) Roll Call
- (3) Approval of Agenda
- (4) Approval of Minutes of Previous Meetings
- (5) Public Comment
- (6) Regular Business
- (7) Communications
- (8) Adjournment

Article 9 COMMITTEES

9.1 The Commission may create standing or special committees to advise the Commission. Standing committees may, but need not be, described in the bylaws. Committees shall be limited to performing the tasks delegated to them by the Commission and shall report to the Commission on their activities. Each committee shall include at least one member of the Commission and may contain other community members, in the Commission's discretion.

9.2 Members of committees shall be appointed by the Chair and approved by the Commission.

9.3 Meetings of committees, subcommittees, task forces, or other groups created by the Commission shall be held in City facilities unless otherwise approved by the City Administrator. In the interest of managing and preserving City resources, the timing and location of such meetings are subject to the approval of the City Administrator.

9.4 Committees may not speak or act for the Commission except when formally given such authority for specific and time-limited purposes. Committee expectations and authority will be carefully stated in order not to conflict with the authority of the Commission.

9.5 Committees will take notes and provide them in a timely manner to be included in the next regular Commission meeting's agenda packet, as well as occasional written and oral reports.

9.6 Committees will have a charge approved by the Commission including purpose, goals, member composition, and tenure.

Article 10
PARLIAMENTARY AUTHORITY

10.1 The rules contained in the current edition of Robert's Rules of Order Newly Revised may provide guidance to the Commission; however, parliamentary procedure shall be flexible and may be adjusted in the Chair's discretion to best serve the needs of the Commission. Nevertheless, all parliamentary procedures must be consistent with these bylaws and City policies and directives.

10.2 The Commission shall not adopt or follow any operating rules, regulations, guidelines, or procedures not expressly prescribed by these bylaws or Chapter 85 of Ann Arbor City Code.

Article 11
AMENDMENT OF BYLAWS

11.1 Amendments to these bylaws may be approved at any regular meeting. Proposed amendments must have been submitted in writing at the previous regular meeting to be considered. Proposed amendments must be submitted to the Office of the City Attorney for review prior to adoption by the Commission. After adoption by the Commission, the bylaws shall not be effective until approved by City Council.

11.2 These bylaws shall be reviewed by the Commission for possible amendment at least once annually.

Article 12
MISCELLANEOUS

12.1 The Systems Planning Unit shall be the primary provider of administrative support and professional advice to the Commission and shall designate a staff member to be the liaison between the Commission and City staff. The City Administrator has final discretion regarding staffing.

12.2 The Ann Arbor City Attorney's Office shall be the legal consultant to the Commission.