

TO: Mayor and Council

FROM: Howard S. Lazarus, City Administrator

CC: Tom Crawford, CFO

Derek Delacourt, Community Services Area Administrator

Craig Hupy, Public Services Area Administrator

Nick Hutchinson, City Engineer

Jennifer Lawson, Water Quality Manager

Brett Lenart, Planning Manager

SUBJECT: Council Agenda Responses

DATE: December 17, 2018

AC - Communications from the City Administrator

Question: I request that Mr. Lazarus elaborate with thoroughness on the Memorandums on PFAS and STEAM SRTS. (Councilmember Bannister)

Response: The memoranda provide updates to Council on matter of interest. The City Administrator will most certainly respond to questions pertaining to any specific elements, and requests that these questions be submitted in accordance with the *Guidelines for Council Communications with Staff*.

 $\underline{\text{CA}} - \underline{3}$ - Resolution to Accept a Sanitary Sewer Easement at 1939 Jackson Avenue and 312 Glendale Drive from GSB Holdings LLC and Glendale Orchard LLC (8 Votes Required)

 $\underline{\text{CA}-4}$ - Resolution to Accept a Water Main Easement at 1939 Jackson Avenue and 312 Glendale Drive from GSB Holdings LLC and Glendale Orchard LLC (8 Votes Required)

Question: Is there a simple staff response to the implications those easements will have on adjacent property owners? (Councilmember Ramlawi)

Response: The easements cover existing water main on 1939 Jackson and to-be constructed sanitary sewer on 312 Glendale. Granting of these easements was required by Council resolution R-17-105 (https://tinyurl.com/y9877fpq) approving the Hillside Memory Care site plan. The water main easement will also result in a publicly-owned water main loop, which is a beneficial system redundancy. The sanitary sewer main is required to be public as it will connect multiple leads from the development at 312 Glendale. These easements have no impact on storm or flood water and no immediately apparent implications for adjacent property owners or the area.

<u>CA - 7</u> - Resolution to Accept and Appropriate Additional Federal Grant Funds and Approve Amendments #1-4 of the Sub-Contract with the Regents of the University of Michigan for the Ann Arbor Test Environment Project (\$75,010.00) (8 Votes Required)

Question: Regarding CA-7, the cover memo indicates the city's support provided to the project (\$154K) is fully-reimbursed by the federal grant. Is that \$154K a direct cash contribution or staff time and if a direct cash contribution, is the City also reimbursed for the staff costs incurred? (Councilmember Lumm)

Response: This is a full reimbursement for costs incurred.

<u>CA-8</u> - Resolution to Petition the Washtenaw County Water Resources Commissioner to Create a new Drainage District and Undertake a Project to Design and Construct Stormwater Management Control Measures for the Pepper Pike section of Millers Creek (Total Project Cost: \$1,500,000.00)

Question: Regarding CA-8, my recollection is that in some cases involving SRF funding, there is actually some loan forgiveness. Is that possible with this \$1.5M project? (Councilmember Lumm)

Response: Yes. The project may have a principle loan forgiveness of up to \$50,000. This number is not finalized, as the application has not been made to the MDEQ. The application is made to the MDEQ after the petition is approved from the City to move forward with the project.

<u>CA-9</u> - Resolution to Add a Full-Time Equivalent for a Staff Liaison to Support the Independent Community Police Oversight Commission and Human Rights Commission

Question: This person will reside in the office of the City Administrator and report to him. There is concern that there could be a conflict of interest if that person, who supports

the efforts of ICPOC, reports to the City Administrator. There may be a problem with transparency. How can this be addressed? (Councilmember Bannister)

Response: Chapter 8, Section 1:219(2) of the City Code requires, "The city shall also provide the Commission with the services of an administrative liaison consistent with other city boards and commissions." The request to amend the budget complies with this requirement. Typically, all staff liaisons are provided from within the service unit associated with the board or commission's purpose. However, in this case the liaison is placed in the City Administrator's Office to avoid the perceived (although not actual) influence of the Ann Arbor Police Department. Transparency is maintained through the posting of all materials and meetings of the ICPOC in accordance with the Open Meetings Act, City Council adopted police subsequent to OMA, and the availability of information through the Freedom of Information Act.

Question: Q1. Can you please provide a bit more information on the position description including the salary range and qualifications we're looking for? Also, its noted the position will be in the Administrator's Office – who will the position report to? (Councilmember Lumm)

Response: The position title we are using is Management Assistant, which carries with it a salary of range from \$48,000 to \$62,500. The draft position description, which I have provided to the Human Rights Commission Chair for review and input, is as follows:

This position is responsible for providing administrative and logistical support to the City's Independent Community Police Oversight Commission and the Human Rights Commission. The liaison will provide interfaces among the commission members, council liaisons, city staff from the City Administrator's Office, the City Attorney's Office, Human Resources, Communications, the City Clerk, and the Police Department. The liaison will schedule meetings of and coordinate meeting locations for the two commissions and support their subcommittee activities, attend the meetings - including their regularly scheduled evening meetings (estimated at two per month) - produce action minutes, prepare meeting agendas and packages, and maintain all commission files. The liaison will be responsible for managing any contracts issued in support of the commissions. The individual will ensure compliance with all applicable rules, regulations, laws, and policies and will be able to use the City's computer systems. The liaison may also perform other duties as required, and will report to the City Administrator or the Administrator's designee.

Our current plan is to have the liaison report to the Assistant City Administrator.

Question: Q2. As you know, hiring a permanent city employee represents a long-term commitment so can you please expand on the rationale provided in the cover memo for why you've concluded a permanent city employee is the better approach than contracted services? (Councilmember Lumm)

Response: The ICPOC is a permanent commission that Council has established by ordinance, so the requirement to provide support will also be ongoing and long term. A permanent liaison provides continuity of support and retention of institutional knowledge over a contracted position where continual turnover can be anticipated.

Q3. Can you please elaborate a bit on the additional support that will be provided by this liaison to the HRC? (Councilmember Lumm)

Response: The HRC has similar functionality to the ICPOC, including the requirement to receive and review complaints; investigate and hold hearings; and provide education programs. The additional support will enable better maintenance of records, establishment of an intake point for concerns, improvement in administrative and logistical support, and attendance at meetings and producing minutes.

Question: Q4, Recognizing that at this point the we don't know for sure, do you anticipate this new full-time liaison will be fully occupied with the ICPOC and HRC, and if not, what other duties how else might the position be utilized? (Councilmember Lumm)

Response: We anticipate that the new full-time liaison will be fully occupied with the ICPOC and the HRC. However, the job description does provide for performance of other duties as required under the direction of the City Administrator or designee.

Question: Please provide an updated list of new employees and job titles added in the last five years. (Councilmember Eaton)

<u>Response</u>: This list will take some time to prepare and to ensure accuracy staff will respond separately.

$\underline{C-1}$ - An Ordinance to Amend Sections 2:63 and 2:64 of Chapter 29 (Change Water, Sewer, and Stormwater Rates) of Title II of the Code of the City of Ann Arbor

Question: Q1. The cover memo states that "In July 1, 2018, a new rate structure was put into place based on a Cost of Service Study to align rates with the cost to serve each customer class. To give customers an opportunity to adjust to the new structure, rate increases were postponed until January 2019." While the water rate changes in July may not have resulted in a net increase in revenue, sewer rates were increased on July 1st by 13.3% (from \$4.58 per 100 cubic feet of water flow to \$5.19 per 100 cubic feet of water flow) and stormwater rates were increased by 14.0% (from \$595.45 an impervious acre to \$678.81 an impervious acre) and unless I'm missing something, both of those increases should be revenue generating. Can you please confirm if that's correct? (Councilmember Lumm)

Response: The new rate structure involved changes to both the volumetric and fixed charges. The changes resulted in the Water and Sanitary Sewer funds being held revenue neutral. Effective July 1, 2018, the stormwater rates were increased in accordance with the level-of-service rate plan and are not currently being adjusted with this ordinance change.

Question: Q2. Assuming I am correct about the sewer rates being increased effective July 1, 2018, this proposed sewer rate increase effective January 1, 2019 (from \$5.19 per 100 cubic feet of water flow to \$5.55 per 100 cubic feet of water flow) results in a combined increase this fiscal year of 21.2%. Is that accurate, and if so, how much has the annualized sewer revenue (at constant volume) increased from the rates in effect for FY18 compared with the rates proposed to be in effect as of January 1, 2019? (Councilmember Lumm)

<u>Response</u>: No this is not accurate. No revenue increase resulted with the rate structure changes effective July 1, 2018 for water and sewer. The net revenue increase proposed with this change is 6% for water and 7% for sanitary sewer.

Question: Q3. The cover memo also states that "the impact of these increases on the average single-family residential customer's utility bill is \$10.05 per quarter or \$40.20 per year, an effective rate increase of 5.15% if consumption remains the same." I'm assuming those average increase numbers reflect just the water and sewer increases contemplated here, and do not include the impact of the sewer and stormwater increases effective July 1st or the water rate restructuring impact effective July 1st. Can you please provide these average single-family increases (dollars per quarter and per year as well as percentage) for two scenarios (1) this proposal plus the sewer and stormwater increases in July, but excluding the water rate re-structuring in July and (2) this proposal plus the sewer and stormwater increases in July plus the water rate re-structuring impact in July? (Councilmember Lumm)

Response: Correct, this statement reflects the average increase from the current typical residential bill to the proposed residential bill.

Question: Q4. Assuming these January 1, 2019 increases are adopted, is the plan still to propose increases of 6% for water, 7% for sewer, and 13% for stormwater effective July 1. 2019? (Councilmember Lumm)

Response: Yes, that is our current rate plan.

Question: Q5. Over the last five years or so, how much have water, sewer, and stormwater rates increased for Ann Arbor customers and how much have the rates increased over the same period for the townships we supply water to? (Councilmember Lumm)

Response: More time is requested to pull the appropriate records and to complete the requested calculations. Please keep in mind, the City does not maintain the distribution collection systems for any of the Townships.

 $\underline{C-2}$ - An Ordinance to Amend Chapter 55 (Unified Development Code), Rezoning of two adjacent lots totaling 1.6 Acres from R1C (Single-Family Dwelling District) to R2A (Two-Family District) 3786 & 3802 Platt Road Rezoning (CPC Recommendation: Approval - 8 Yeas and 0 Nays)

Question: Regarding C-2, the staff report indicates that there had not been any objections or concerns raised at that point. Have any issues or concerns been raised to city staff since the Planning Commission meeting last month? (Councilmember Lumm)

Response: No.

 $\underline{DC-4}$ - Resolution Directing the City Administrator to Develop and Present to Council by February 28, 2019 a List of Feasible Alternatives to Revise the Recently-Adopted Water Rate Re-structuring Ordinance to Mitigate the Adverse Impacts of the Ordinance on Single-Family Residential Customers

Question: Please add me as a co-sponsor. (Councilmember Bannister)

Response: Added.

Question: Please fix typo on the bottom of page 2 to be November 2017 (not 2018). (Councilmember Bannister)

Response: The typo was in item DC-3; it has been corrected.

 $\overline{\text{DS}-1}$ - Resolution No. 2 - Northside STEAM Safe Routes to School Sidewalk Gap Project - Sidewalk Special Assessment

Question: Q1. Is it accurate that MDOT-TAP has a new grant requirement for a Public Resolution of Support? How could a Resolution of Support be included in our current SRTS proposal? (Councilmember Bannister)

Response: The Safe Routes to School Grant Program has always had such a requirement; however, it was recently expanded to include all TAP grant programs. A Resolution of Support was already included in the process for the current project. City Council voted unanimously to approve such a resolution at the City Council meeting on October 2, 2017 (R-17-377).

Question: Q2. What are some feasible, innovative solutions that our peer cities are considering for their urban bikeway and pedestrian corridors? What are some 2019

forward-thinking alternatives to old-fashioned concrete sidewalks? Residents are looking for more than one option, beyond sidewalks, to consider. (Councilmember Bannister)

<u>Response</u>: While some communities have looked at pedestrian walkways within existing streets, this is generally considered a poor substitution to a traditional separated sidewalk behind the curb. Traditional sidewalks are the safest alternative for pedestrian mobility.

Question: Q3. What are alternatives to sidewalks on Traver Road, notably traffic calming and traffic controls, as well as marked pedestrian walkways on the existing road? (Councilmember Bannister)

Response: See the response to question #2 above. If residents on Traver Road are interested in participating in the Traffic Calming Program, they can learn more about how to do so at the City's Traffic Calming Program website here. While Traver did not qualify for the Traffic Calming Program previously, modifications were recently made to the program that may make it easier for a street to qualify, and a new petition can be submitted at any time. Any traffic calming measures installed on the street would be supplemental to the placement of the sidewalk, not in lieu of.

Question: Q4. Concerns have been raised about visibility / low sight lines at the intersections at Traver and John A Woods, and the crosswalk by the Barton Drive entrance. For example, is there a concern with the constant illumination that lighting will impact resident bedrooms in the evening? (Councilmember Bannister)

Response: Staff designed further safety improvements to the intersection of John A Woods and Traver utilizing bump-outs, geometric changes that allow for a more perpendicular intersection, and relocation of the crosswalk for better sight distance. Staff believes that these changes will adequately address safety concerns at this intersection. The mid-block crossing of Barton Drive at the school entrance is outside the limits of the current project, however it can be evaluated and discussed further with Ann Arbor Public Schools. It should also be noted that the crossing at the school entrance from Barton is controlled during peak periods by a crossing guard.

<u>Question</u>: How are lighting improvements at crosswalks handled and what is the process, such as adding either the flashing lights that are triggered when you hit a button or constant lights illuminating the entire path? (Councilmember Bannister)

Response: Uncontrolled crosswalks around elementary schools have been evaluated by the City's Street Light Asset Management (SLAM) team. The SLAM team has ranked all of the streetlight gaps adjacent to these school facilities and developed design solutions for locations requiring improvement. The locations have been added to the City's prioritized list for improvements. The pedestrian activated warning lights referenced above, known as RRFBs, are typically installed at mid-block crossing locations on major streets. This type of treatment would not be appropriate for locations within the limits of this project.

Question: What would be the process to gather resident feedback on lighting improvements? (Councilmember Bannister)

Response: The City receives lighting requests from a variety of communication sources. The most common, and most efficient, way for residents to make a lighting request is to submit the request through the City's A2 Fix It application. Requests are evaluated according to City procedures and prioritized for implementation.

Question: For example, is there a concern with the constant illumination that lighting will impact resident bedrooms in the evening? (Councilmember Bannister)

Response: The City chooses to install fixtures that have a lighting distribution designed to illuminate only the roadway, crosswalk, and immediately adjacent sidewalk. These fixtures are selected to minimize lighting pollution to adjacent areas. When fixtures are owned by DTE, the City makes these preferences known.

Question: Q5. What progress and plans have been made for the following traffic safety designs, which are urgently needed?

- --A Three-way Stop at the Intersection of Traver Road and John Woods Drive: An engineering study of this location has been performed to determine if the location meets the thresholds established in the Michigan Manual of Uniform Traffic Control Devices for the installation of multi-way STOP control. It was determined that none of the criteria are met, and therefore a STOP sign cannot be placed at this location. See also the answer to question #4 above.
- --A Speed Bump in the center of the 1600 block of Traver Speed humps are considered as part of the City's Traffic Calming Program: See response to #3 above.
- --Communications to the School urging them to stop using the neighborhood as a parking lot, including encouraging drivers to park on Traver Road, and provide designated parking areas for parents: Northside STEAM, like most AAPS elementary and K-8 schools, was designed as a neighborhood school. Hallmarks of neighborhood schools include close integration into the surrounding residential land uses and limited facilities for driving onto the school property. The school's SRTS committee communicates to the school community regarding the availability of remote parking/drop-off locations in the Northside Baptist Church parking lot and the Bethel AME parking lot. While the school's SRTS committee has provided information regarding legal, onstreet public parking surrounding the school, these locations are not being actively advertised as remote locations.

Question: Q6. With regard to protection of retaining walls during installation of a sidewalk, what assurances can the City provide that the retaining walls won't be damaged by the contractor and result in the hillside behind the wall collapsing into the road along, along with the trees, with also damage the property beyond the right-of-way? (Councilmember Bannister)

Response: Retaining walls and other items constructed in the public right-of-way are subject to removal by the City if there is a need to do so. That said, provisions will be included in the contract for the contractor to protect the retaining walls. The City does not dictate means and methods to the contractor, either in terms how they remove the curb or in how they protect the retaining walls. However, methods that are typically used for this kind of work do not create vibrations that would be likely to damage the walls. The City intends to make sure that the retaining walls are protected during construction, and does not plan on removing them at this time.

Question: Q7. How does SRTS correlate and integrate with the specific elements of our master plans and resource documents? (Councilmember Bannister)

Response: Safe Routes to School infrastructure and encouragement activities fully align and integrate with the City's Master Plan and design procedures. The City's non-motorized plan, last updated in 2013, was accepted by City Council into the City's master plan. The non-motorized plan identifies 5 key factors for pedestrian quality (p.19), ranked in order of statistical significance. Number one is presence of a sidewalk. Number two is the amount of lateral separation between pedestrians and motor vehicles. The non-motorized plan has a limited number of specific improvements called out for local streets; however, the plan does specifically identify Traver Road as an important alternative to Plymouth Road and calls for sidewalks on both sides of the street.

Question: Q8. How does SRTS integrate with tools and benefits described on our <u>Urban Forest webpage</u>, including "Cool" National Tree Benefit Calculator, iTree Eco Analysis, and lower energy costs and higher property values? (Councilmember Bannister)

<u>Response</u>: With the recent changes to the project plans, minimal tree removal will occur, therefore having minimal impact on, and minimal integration with, the referenced items. Engineering staff has coordinated with the City's forestry planner throughout the project.

Question: Q9. What is the feasible range of property tax implications for the specific SRTS impacted properties? We've identified the Special Assessments and estimated snow removal costs, and would like data on the property tax implications of removing mature trees and adding sidewalks. (Councilmember Bannister)

Response: The Assessor's view, based on discussions with staff, is that public infrastructure improvements like sidewalks (and curbs and gutters, paved roads, etc.) generally enhance accessibility to a property receiving them and therefore enhance desirability and marketability, and therefore value, of the property. As an example, when properties within a neighborhood receive public improvements, generally we see an increase in property sales prices in the neighborhood that exceeds those in neighborhoods not receiving improvements. Our discussion with the assessor on this subject is continuing as this process moves along.

Question: Q10. What other streets and roads in established neighborhoods throughout the City are without bikeways and pedestrian corridors? Could we have a map and a tree schedule for these properties, and an estimate of their Special Assessments and Ward? (Councilmember Bannister)

<u>Response</u>: A map showing locations City-wide that lack sidewalks is attached. City staff has not done detailed analysis on most of these locations, therefore tree schedules and estimates of their special assessments for any future sidewalk gap projects are not available.

Question: Q11. Why is the short block of Brookside Drive in the SRTS project when there are no sidewalks on the west side, it is not close to the school, and Northside Ave., one street south, is closer to the school and has no sidewalks? (Councilmember Bannister)

Response: The short block of Brookside Drive is a short gap that the SRTS committee felt would be easy to accomplish as part of this project. The SRTS committee's prioritization was based on student population and observed walking patterns.

Question: Q12. Where has the need for sidewalks on the 1600 block of Traver been established, in light of the data showing there are shorter and safer ways for children to talk to school? (Councilmember Bannister)

Response: The 1600 block of Traver Road contains frontage of the Northside STEAM School property. The school's SRTS team determined that it was very important to them to fill the sidewalk gaps directly adjacent to the school property. The importance of this portion of the project was identified in the team's ranking it as the number one desired location for sidewalk installation for this project.

Question: If need is determined, what are simpler and less costly alternatives to sidewalks? (Councilmember Bannister)

Response: See response to question #2 above.

Question: Q. 13. Conflicting information has been found related to two sidewalks versus one, between the National SRTS standards and the Michigan Fitness Foundation. Will further research be done to confirm this discrepancy, before a decision is made to proceed with Resolution 2 for our project in Ann Arbor? (Councilmember Bannister)

Response: Staff has not received any conflicting information from the Michigan Fitness Foundation, the City's SRTS Grant Coordinator. The SRTS grant funding for Michigan follows a complete streets policy. Sidewalks on both sides of the road are a requirement for urban residential streets, which is the classification of the streets within the limits of this project. There are some industrial or agricultural zoned areas in past SRTS applications that proposed sidewalks on just one side, however that is not applicable to this project.

Question: Q.14. What is the feasible range of cost allocation and sharing between City funds and property owners for the Special Assessments? This question needs to be addressed before approval of Resolution 2. (Councilmember Bannister)

Response: The \$16/foot figure cited was from a single project. Staff re-examined the numbers from this project and found that a calculation error was made. The actual figure should have been approximately \$31/foot, which is similar to most other recent sidewalk gap projects. Reducing the assessment for the current project to \$16/foot is not feasible.

Question: SRTS sidewalks provide benefits for children from across the city, which raises the question of whether placing the burden on the property owners is fair and equitable. (Councilmember Bannister)

Response: With respect to the burden on the private property owners, only \$97,000 of the total estimated project cost of \$1,073,000 is proposed to be borne by these property owners. That's just over 9% of the total. The other nearly 90% of the total cost is being borne by the public through a combination of a grant and millage funds.

<u>Question</u>: How can we get to the \$16/foot range? What are our options? What is the maximum amount of time that payments on a Special Assessment can be extended? (Councilmember Bannister)

Response: The special assessment ordinance provides that "[u]pon confirmation of any special assessment roll, the Council shall determine the number of installments in which the assessments may be paid and shall determine the rate of interest to be charged on installments ..." Therefore, as a general matter, it's Council's decision on whether to extend the time for payment and what interest to charge for doing so. Installments are due annually on the first day of July. Although the ordinance sets no maximum number of installments, if Council elects to allow installments, it would be prudent to require payment in full over a period shorter than the life of the sidewalk. Where Council opts not to specify the number of installments, Chapter 12, Section 1:275(2) provides a default number of installments. For example, for an assessment of up to \$6,000.00, that section provides for 6 installments.

Question: Q.15. How are the project costs and Special Assessments impacted by the most recent design changes? Do these plans call for the same or different amount of concrete, and how does this impact the Special Assessments? If there is a reduction in removal of trees, what does this reduce the projected costs? The sidewalks appear to largely be in what is currently the road, which may already have a significant base to it. Does the presence of this base reduce the Special Assessment (which includes base + concrete)? Does this new location of the sidewalks impact the overall excavation costs, with less dirt to move, less curb and asphalt removal, any storm drain work, etc? (Councilmember Bannister)

Response: The most recent design changes had almost no appreciable impacts to the Special Assessment costs, which are still estimated to be approximately \$43/ft. The total estimated project cost went from \$1,012,560 to \$1,010,330. While the need for much of the tree removals, new tree plantings, retaining walls, and embankment was eliminated, this was offset by the increased curb and gutter replacements, pavement removal, and increased sidewalk width throughout much of Traver. None of those items were being assessed to property owners in the first place, so the changes had no effect on the special assessment amounts. The new location of the sidewalks still requires excavation, removal of existing curbs and asphalt, and the relocation of storm inlet structures to the new curb line. While the new design (on Traver specifically) will have a larger amount of concrete, this will be placed mostly in the location that was previously the paved roadway. Therefore, there will not be a significant net increase in impervious surface.

Question: Q16. What precautionary plans are needed for the mid-block crossing at the intersection of Traver and John A. Woods, at the steep hill that crests at this intersection? Cars speeding down the hill from the northeast (Barton Drive) do not have good sight lines for pedestrians, and children cross mid-block a couple houses southwest of that intersection because the intersection is unsafe. (Councilmember Bannister)

Response: Staff designed further safety improvements to the intersection of John A Woods and Traver utilizing bump-outs, geometric changes that allow for a more perpendicular intersection, and relocation of the crosswalk for better sight distance. Staff believes that these changes will adequately address safety concerns at this intersection.

Question: Q17. Also, there's vacant land 168 feet wide at the southeast side that has been split into four lots, with a center drive being created for all four new houses. How has the builder been engaged in the new sidewalk process? The builder has expressed interest in helping design a safer intersection, including possible impacts on his property. (Councilmember Bannister)

Response: This property owner has been sent all the same communications as the other residents in the project limits, however staff has not yet heard from the owner of this property. Staff will reach out to this owner specifically to discuss their proposed development, and coordinate their work with that of the project.

Question: Q18. Why is there one sidewalk on Easy Street, leading up to Allen Elementary School? How did they get to have only one sidewalk? (Councilmember Bannister)

<u>Response</u>: The sidewalk was constructed along Easy St. when the street was reconstructed in 2005/06. It was at the direction of City Council that the sidewalk was constructed only on one side of the street, and that the project was funded locally with no state or federal monies and the accompanying requirements.

Question: Regarding DS-1, the Administrator's memo (AC-2) indicates that a letter describing the most recent design changes was sent to impacted property owners on

December 11th. Have we heard back from neighbors, and if so, what was the reaction? (Councilmember Lumm)

<u>Response</u>: In general, residents from whom staff has heard back that have commented on the revised design seem to indicate that they feel the revisions made to the plans represent an improvement.

Question: Also on DS-1, the discussion at the December 3rd meeting about being penalized with the loss of future federal grants wasn't clear as to the likelihood of that happening. Have we learned anything since that would clarify that issue? (Councilmember Lumm)

Response: The most recent response from the Michigan Fitness Foundation (MFF) indicated that the ability to obtain future grants *may* be impacted by the failure to advance the current grant. Staff has received no further clarification on this point, although MFF staff did indicate that such a situation appears to not have a precedent.

