



CITY OF YPSILANTI
REGULAR COUNCIL MEETING
Tuesday, August 18, 2020 @ 7:00 PM
Virtual Meeting
One South Huron, Ypsilanti, MI 48197

<https://us02web.zoom.us/j/89054175045>

Page

I. CALL TO ORDER

II. ROLL CALL

III. AGENDA APPROVAL

IV. PUBLIC COMMENT (3 MINUTES)

V. DELIBERATION AND APPOINTMENT TO THE WARD 1 VACANCY

VI. PRESENTATIONS

- 5 - 24** A. Defend Affordable Ypsi (DAY) presentation - Proposed Ordinance Adoption regarding rental freezes - Amber Fellows, Desiree Simmons, Alyssa Newsome, Isaac Levine, and Em Hoepner.
[Memo](#)
[Presentation - \(added\)](#)

VII. ORDINANCES FIRST READING

- 25 - 41** A. Ordinance 1363, An Ordinance to amend Ypsilanti City Code, Chapter 122, Section 122-451, "Medical Marijuana Provisioning Centers and Recreational Marijuana Retailers in Neighborhood Corridor".
1. Resolution No. 2020-156, determination
2. Public Hearing
3. Resolution No. 2020-157, close the public hearing
[Supporting Documents - Pdf](#)

VIII. CONSENT AGENDA

- 42** A. Resolution No. 2020-158, approving the Consent Agenda.
[2020-158 - Pdf](#)
- 43 - 50** B. Resolution No. 2020-159, approving the minutes of July 21, 2020.
[2020-159 - Pdf](#)
- 51** C. Resolution No. 2020-160, approval of appointments to Boards and Commission.
[2020-160 - Pdf](#)

- 52 - 56** D. Resolution No. 2020-161, approval of Ordinance 1362, an ordinance to amend Chapter 2, section 2.202, allowing for two non-voting youth members to the Police Advisory Commission.
[2020-161 - Pdf](#)
- 57 - 59** E. Resolution No. 2020-162, authorizing the purchase of vehicles from Gorno Ford for the Police Department.
[2020-162 - Pdf](#)
- 60 - 61** F. Resolution No. 2020-163, authorizing the Turn of Town Teal ribbons throughout the city from September 1, 2020 through September 30, 2020 for National Ovarian Cancer Awareness.
[2020-163 - Pdf](#)

IX. PRESENTATION - PUBLIC HEARING

- 62 - 65** A. NRTF Grant Application - Bonnie Wessler, Project Manager
[Presentation](#)
- 66** B. Public Hearing regarding an application to the Michigan Department of Natural Resources Trust Fund for the Huron Pathway Project.
1. Resolution No. 2020-164, closing the public hearing.
[2020-164 - Pdf](#)

X. RESOLUTIONS/MOTIONS/DISCUSSIONS

- 67 - 69** A. Resolution No. 2020-165, approving the application of a National Resources Trust Fund Grant for the proposed I-94 pedestrian crossing.
[2020-165 - Pdf](#)
- 70 - 72** B. Resolution No. 2020-166, approving an amendment to the Fee Schedule for 2nd Tier Cost for Downtown Parking Permits.
[2020-166 - Pdf](#)
- 73 - 79** C. Resolution No. 2020-167, approving the budget adjustment for the installation of grates at the Fire Department.
[2020-167 - Pdf](#)
- 80 - 84** D. Resolution No. 2020-168, approving a budget adjustment for the Freighthouse.
[2020-168 - Pdf](#)
- 85 - 104** E. Resolution No. 2020-169, approving the extension of street closures on Washington St. and Cross St.
[2020-169 - Pdf](#)
[Street Closure Support - \(added\)](#)
- 105 - 126** F. Resolution No. 2020-170, approving the agreement for installation of playground equipment at Parkridge Park.
[2020-170 - Pdf](#)

- 127 - 148** G. Resolution No. 2020-171, approving an agreement between Washtenaw County and the City of Ypsilanti for Sub-award of Financial Assistance for sidewalk ramp reconstruction.
[2020-171 - Pdf](#)
- 149 - 154** H. Resolution No. 2020-172, approving the towing contract with Budget Towing.
[2020-172 - Pdf](#)
- 155** I. Resolution No. 2020-173, approving raise structure for City Council.
[2020-173 - Pdf](#)
- J. Appointing members of Council to act as Council Liaisons to City Advisory Boards.
1. Police Advisory Commission
 2. Arts Commission
 3. Human Relations Commission
 4. Parks and Recreation Commission
 5. Sustainability Commission - Has Liaison
 6. Historic District Commission - **(added)**
 7. Planning Commission - **(added)**
 8. Zoning Board of Appeals - **(added)**
- K. Discussion regarding the Term Expiration of Mayor Richardson. (Somerville & Morgan)

XI. BOARD AND COMMISSIONS - COMMUNICATIONS

- 156 - 235** A. Report and Recommendation of the City of Ypsilanti Citizen Committee on Housing Affordability and Accessibility.
[Planning Commission Minutes Report](#)

XII. LIAISON REPORTS

1. SEMCOG Update
2. Washtenaw Area Transportation Study
3. Urban County
4. Ypsilanti Downtown Development Authority
5. Friends of Rutherford Pool
6. Housing Equity Leadership Team
7. Youth Community Connection

XIII. COUNCIL PROPOSED BUSINESS

XIV. COMMUNICATIONS FROM THE MAYOR

- 236 - 239** A. Selection of evaluation committee for City Manager and City Clerk
[City Manager Policy](#)
[City Clerk Policy](#)

- B. Encourage city residents to participate in the census, and emphasize the need in returns from public housing.

XV. COMMUNICATIONS FROM THE CITY MANAGER

- A. Solicitation of community input for Community Policing Strategy.

XVI. COMMUNICATIONS

- 240 - 241** A. United States Department of Transportation State of Good Repair Program (SORG) Letter of Support.
[Letter](#)

- 242 - 244** B. Michigan Municipal League Annual Meeting Notice
[Notice](#)

XVII. ADJOURNMENT

- 245** A. Resolution No. 2020-174, adjourning the City Council Meeting.
[2020-174 - Pdf](#)
- B. Please click [here](#) to access the City Council Contact Form. This form can be used to submit any comments/concerns you might have about this agenda.

Defend Affordable Ypsi Rent Control Initiative Presentation

In the last few months, members of Defend Affordable Ypsi have created and circulated an initiative petition, which received over 500 signatures in ten days, intended to put a question on the November ballot for Ypsilanti residents: whether city residents would like to add a “Tenant Protection” ordinance to the City Charter.

Here is the language of the petition:

“An initiation of a “Tenant Protection” Section under Article XI of the City Charter to limit the amount by which rental property owners may increase yearly rent to the last annual published CPI percentage, not to exceed 3%; to establish a Rent Control Commission; to bar rental property owners from refusing to renew a tenant’s lease without “Just Cause” pursuant to Michigan Act 18 of 1933; to require rental property owners to provide tenants first opportunity to purchase leased rental property prior to a market sale; to provide for an online registry of rental units; and to provide penalties for violations of this Article.”

Since the creation and circulation of this petition, City Attorney Barr has instructed the City Clerk’s office not to accept our petition, as enacting an ordinance to “limit the amount by which rental property owners may increase yearly rent” (a.k.a. rent control) is illegal in the State of Michigan ([MCL 123.411 \(2\)](#)).

Given that rent control is not yet legal in the state of Michigan, we understand that the exact language of our original petition might need to change to be put on the ballot. This question might instead propose that *only upon the lifting of the rent control ban statewide*, a rent control measure in Ypsilanti will automatically go into effect if this initiative is passed. Thus, the rent control portion of the ballot initiative would become a “seed law” i.e. an inactive law that becomes active the moment the rent control ban is repealed at the state level.

This adjusted ballot question could look like this:

“An initiation of a “Tenant Protection” Section under Article XI of the City Charter to establish a Tenant Protection Commission; to bar rental property owners from refusing to renew a tenant’s lease without “Just Cause” pursuant to Michigan Act 18 of 1933; to require rental property owners to provide tenants first opportunity to purchase leased rental property prior to a market sale; to provide for an online registry of rental units; *only upon the repeal of [MCL 123.411 \(2\)](#), to limit the amount by which rental property owners may increase yearly rent to the last annual published CPI percentage, not to exceed 3%*; and to provide penalties for violations of this Article.”

There's also the option of splitting this ballot question in two, with the highlighted portion as a separate initiative specific to rent control.

DEFEND AFFORDABLE YPSI PRESENTS: RENT CONTROL IN YPSI

PRESENTERS:

Amber Fellows
Desiraé Simmons
Em Hoepner

Isaac Levine
Brian Geiringer
& Alyssa Newsome

8/18/2020 7PM



WHY DO WE NEED TENANT PROTECTIONS?



RENTERS ARE YPSI

Renters make up **70% of households in Ypsilanti**, about 14k residents

Evictions and rental price increases are outpacing the state & similar municipalities

EVEN BEFORE COVID, MICHIGAN WAS EXPERIENCING AN EVICTION CRISIS:

- In 2018, there were 191,512 eviction cases filed in Michigan
 - Eviction filing rate (filings/100 rental households): **17%**
 - **About one case for every 6 rental housing** units in the state
 - Evictions cases resulting in eviction orders: Washtenaw County, 22%; Lenawee County, 39%
- For comparison:
 - Eviction filing rates:
 - Chicago, 2010-2017: **3.9%** (LCBM, 2019)
 - Philadelphia, 2010-2015: **7-7.8%** (Goldstein, 2017)
 - Hamilton County, Ohio (Cincinnati), 2014-2017: **8.7%** (Johns-Wolfe, 2018)
 - In 2008, there were 93,897 mortgage foreclosure auction filings in Michigan (Isley and Rotondaro, 2012)

HOUSING AND AFFORDABILITY SUBCOMMITTEE FINDINGS



residents
support:

**RIGHT OF
FIRST REFUSAL**

**JUST CAUSE
LEASE
RENEWAL**

**RENT
CONTROL**

HOUSING SUBCOMMITTEE PROPOSED PATHWAY & TIMELINE for ACCESSIBLE & AFFORDABLE HOUSING



PHASE 1

BUDGET YEAR 2020

Enact local ordinances on affordability, accessibility, and just cause eviction; raise the unrelated adult occupancy limit; and initiate advocacy efforts at state and local levels.

PHASE 2

BUDGET YEAR 2021

Draft an affordability-focused acquisition plan for foreclosed multi-unit properties, and introduce need-based assistance for homebuying and minor home repair.

PHASE 3

BUDGET YEARS 2022-2030

Establish and invest in a Community Land Trust and a homeless shelter.

WHAT'S IN THE PETITION?

Rent Control 'Seed Law'

Limits yearly rent increase to **3% maximum**

Tenant Right of First Refusal

Allows tenants first **opportunity to purchase**



Just Cause Lease Renewal

Extends Just Cause eviction state law to **between leases**

Unit Registry

Online registry of rental units, owners, property managers, evictions, price, etc.



first
discussions

**JANUARY &
FEBRUARY**

MARCH

research &
drafting

signature
collection &
submission to city
attorney

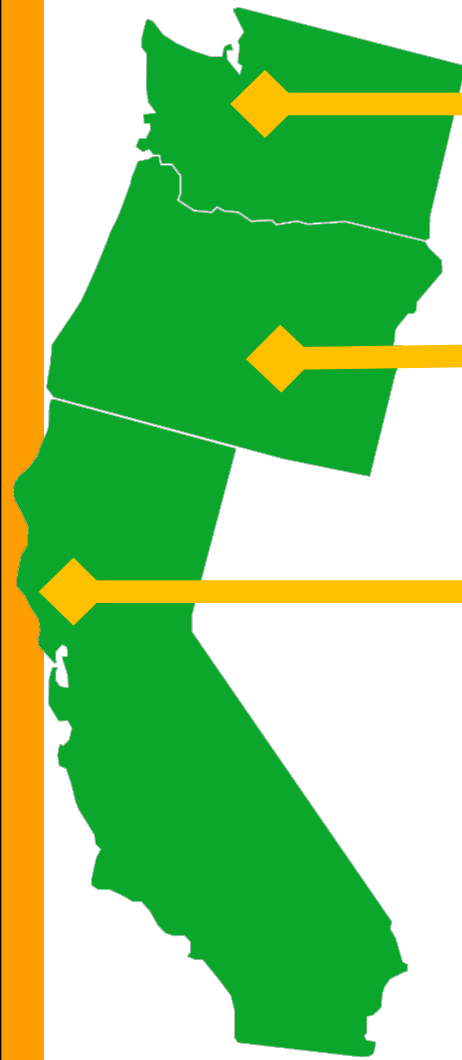
**JUNE &
JULY**

AUGUST

presentation
to city council

THE GOAL:
placement
on the ballot

NOVEMBER



SEATTLE, WA

Rental Registration & Inspection Ordinance (RRIO)

OREGON

State-wide rent control

RICHMOND, CA

Rent increase limitation ordinance
& Just-cause eviction ordinance

YPSILANTI, MI

Right of first refusal,
just cause lease renewal & rent control “seed” law

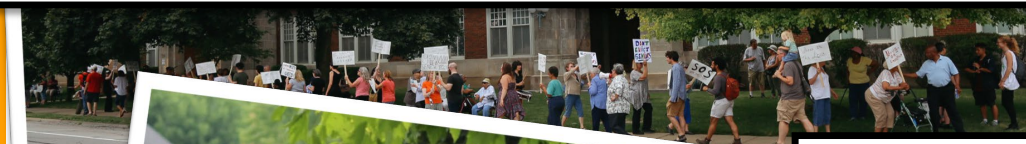




Ypsilanti Protesters To Rally To Maintain Affordable Housing For Local Seniors

By LISA BARRY • JUL 12, 2017

Seniors protest plans to change rental rates in Ypsilanti building



Seniors with walkers, wheelchairs lead housing protest in Ypsilanti



Senior Citizens At Ypsilanti Apartment Complex Say They're Being Forced Out

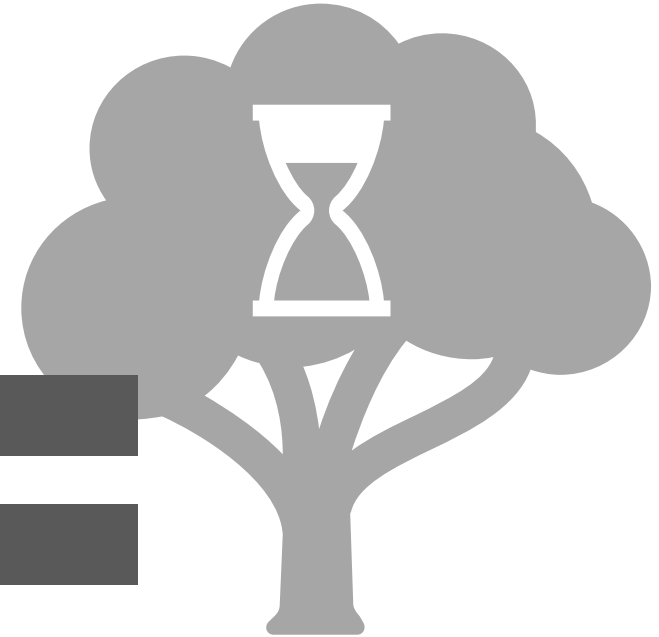
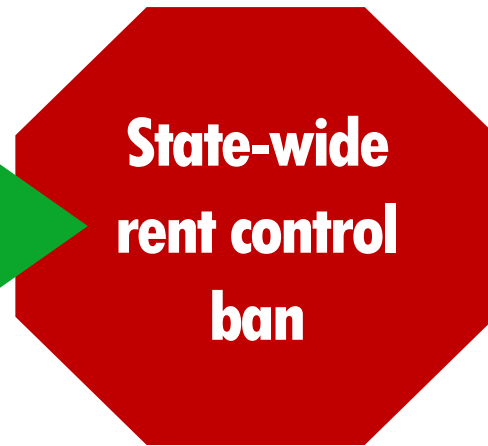
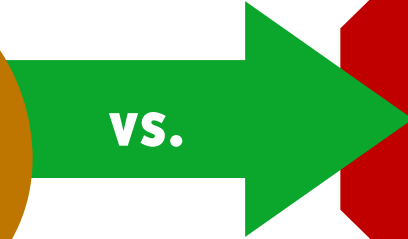


f WXYZ
DETROIT

YPSILANTI
SENIORS PROTEST OVER AFFORDABLE HOUSING



vs.



**Rent control is
dormant &
unenforceable.**



**"Seed"
law**

repeal of state-wide rent control ban



**Rent control
immediately goes
into effect.**

As Engrossed: S1/29/19 S2/5/19

SB149

7 child.

8 SECTION 2. CONTINGENT EFFECTIVE DATE.

9 This act becomes effective on and after the certification of the

10 Attorney General that:

11 (1) The United States Supreme Court overrules, in whole or in

12 part, the central holding of Roe v. Wade, 410 U.S. 113 (1973), reaffirmed by

13 Planned Parenthood of Southeastern Pennsylvania v. Casey, 505 U.S. 833

14 (1992), thereby restoring to the State of Arkansas the authority to prohibit

15 abortion; or

16 (2) An amendment to the United States Constitution is adopted

17 that, in whole or in part, restores to the State of Arkansas the authority to

18 prohibit abortion.

19 /s/Rapert

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“ ... This act **becomes effective** on and after the certification ... that ... The United States Supreme Court, **overrules**, in whole or in part ... Roe v. Wade ... **thereby restoring to the State of Arkansas the authority to prohibit abortion...** ”

YOU ARE HERE.

HOUSING SUBCOMMITTEE PROPOSED PATHWAY & TIMELINE for ACCESSIBLE & AFFORDABLE HOUSING



PHASE
1

BUDGET YEAR 2020

Enact local ordinances on affordability, accessibility, and just cause eviction; raise the unrelated adult occupancy limit; and initiate advocacy efforts at state and local levels.

PHASE
2

BUDGET YEAR 2021

Draft an affordability-focused acquisition plan for foreclosed multi-unit properties, and introduce need-based assistance for homebuying and minor home repair.

PHASE
3

BUDGET YEARS 2022-2030

Establish and invest in a Community Land Trust and a homeless shelter.

**What do we need city
council to do?**

**Submit the petition
question to the ballot by
SEPTEMBER 6th**



We are asking you to put a ballot question which includes

- Rent Control,**
- Right of First Refusal, and**
- Just Cause Eviction,**

on the November ballot.

It is in your power to do so only **TONIGHT,
or during Council sessions on September 1st.**

WHAT could the BALLOT QUESTION look like?



Just like the circulated petition

Explicit “seed” language

Split rent control...

**... from the rest of the
ballot question?**



"Seed"
law

repeal of state-wide rent control ban



***Only* takes effect with
the state ban on rent
control lifted.**



THANK YOU FOR YOUR TIME.

PRESENTERS:

Amber Fellows
Desiraé Simmons
Em Hoepner

Isaac Levine
Brian Geiringer
& Alyssa Newsome

QUESTIONS?



REQUEST FOR LEGISLATION

TO: Mayor and City Council
FROM: Andy Aamodt
DATE: August 18, 2020
SUBJECT: Zoning Text Amendment: Medical marijuana provisioning centers and recreational marihuana retailers in Neighborhood Corridor

DESCRIPTION:

Zoning Text Amendment: Medical marijuana provisioning centers and recreational marihuana retailers in Neighborhood Corridor

SUMMARY:

Neighborhood Corridor (NC) zoning districts do not currently allow for medical marijuana provisioning centers or recreational marihuana retailers. This text amendment would make such uses permissible as special land uses, where applications for special use permits may be reviewed by Planning Commission on a case-by-case basis. The application to amend the ordinance was submitted by Crown V LLP. The request is to amend Section 122-451.

The existing zoning regulations pertaining to recreational marijuana were adopted by City Council in January of this year. Medical marijuana provisioning centers and recreational marihuana retailers' regulations are mirrored in terms of zoning district allowed, level of approval, and distances from each other. Both uses must also be located at least 500 feet away from one another. They were meant to mirror each other because the state defines these as equivalent license types. A licensed medical marijuana provisioning center may be licensed as a recreational marihuana retailer, and vice versa. Most, if not all of the City's seven medical marijuana provisioning centers have applied to become permitted as a recreational marihuana retailer, too. Therefore, amending regulations of one should mean amending regulations of both; they are essentially a package deal.

Neighborhood Corridor zoning districts are classified under the "Walkable Urban District" umbrella, meaning that the building type is emphasized in its regulations just as much as the land use. In terms of land uses, City staff believes there are allowed land uses that are just as intense, if not more intense than medical marijuana and recreational marijuana uses. Some of

these allowable uses include liquor stores, automobile filling stations, and wholesale or distribution facilities.

RECOMMENDATION

Planning Commission recommended City Council adopt the ordinance text amendment, with the condition, at their July 2020 regular meeting. The motion passed unanimously with a 8-0 vote.

The condition stipulates that the gross floor area of the facility shall be limited to less than 5,000 square feet.

RECOMMENDED ACTION: Adopt

ATTACHMENTS: Resolution, Ordinance, Planning Commission Minutes, Planning Commission Staff Report

CITY MANAGER APPROVAL: _____ COUNCIL AGENDA DATE: _____

CITY MANAGER COMMENTS: _____

FISCAL SERVICES DIRECTOR APPROVAL: _____



Resolution No. 2020-156
August 18, 2020

RESOLVED BY THE COUNCIL OF THE CITY OF YPSILANTI:

WHEREAS, the City has an interest in protecting the economic diversity and image of the community; and

WHEREAS, the City has an interest in promoting and supporting local businesses and their growth; and

WHEREAS, the Planning Commission has recommended the City Council adopt the proposed ordinance change;

NOW THEREFORE BE IT RESOLVED THAT the Ypsilanti City Council adopt the ordinance titled [medical marijuana provisioning centers and recreational marihuana retailers in Neighborhood Corridor.](#)

OFFERED BY: _____

SECONDED BY: _____

YES: NO: ABSENT: VOTE:

This resolution is adopted by the Council of the City of Ypsilanti and approved by the Mayor this 18 day of August 2020

#Resolution No. 2020-156



Ordinance No. 1363

An Ordinance Entitled "Medical marijuana provisioning centers and recreational marihuana retailers in Neighborhood Corridor"

THE CITY OF YPSILANTI HEREBY ORDAINS:

That Chapter 122 of the Code of Ordinances, Section 122-451 be amended as follows:

Amend *Permissible Uses* chart by adding the following row:

Medical Marijuana Provisioning Centers, less than 5,000 square feet gross floor area

In that row, add "S" under the "NC" and "GC" columns.

Also;

Amend *Permissible Uses* chart by adding the following row:

Recreational marihuana retailer, less than 5,000 square feet gross floor area

In that row, add "S" under the "NC" and "GC" columns.

MADE, PASSED, AND ADOPTED BY THE YPSILANTI CITY COUNCIL THIS _____ DAY OF _____, 2020.

Andrew Hellenga, City Clerk

Attest

I do hereby confirm that the above Ordinance No. _____ was published in the Washtenaw Legal News on the ____ day of _____, 2020.

Andrew Hellenga, City Clerk

CERTIFICATE OF ADOPTING

I hereby certify that the foregoing is a true copy of the Ordinance passed at the regular meeting of the City Council held on the ____ day of _____, 2020.

Andrew Hellenga, City Clerk

Notice Published: _____

First Reading: _____

Second Reading: _____

Published: _____

Effective Date: _____



Resolution No. 2020-157
August 18, 2020

RESOLVED BY THE COUNCIL OF THE CITY OF YPSILANTI:

That the public hearing for an ordinance titled medical marijuana provisioning centers and recreational marihuana retailers in Neighborhood Corridor be officially closed

OFFERED BY: _____

SECONDED BY: _____

YES: NO: ABSENT: VOTE:

This resolution is adopted by the Council of the City of Ypsilanti and approved by the Mayor this 18 day of August 2020

#Resolution No. 2020-157



City of Ypsilanti

Community and Economic Development Department

July 15, 2020

**Text Amendment Staff Review
Marijuana Facilities in Neighborhood Corridor**

GENERAL INFORMATION

Applicant: Crown V LLP

Action Requested: Applicant requests zoning text amendment to Chapter 122: Article IV, Division 3, Subdivision III (§122-451). Text amendment would make medical marijuana provisioning centers and recreational marihuana retailers permissible as a special land use in Neighborhood Corridor zoning districts.

SUMMARY

Neighborhood Corridors (NC) zoning districts do not currently allow for medical marijuana provisioning centers or recreational marihuana retailers. This text amendment would make such uses permissible as special land uses, where applications for special use permits may be reviewed by Planning Commission on a case-by-case basis.

Figures 1 and 2: Captures of existing §122-451 Permissible Uses chart

Medical or dental clinics, less than 10,000 square feet	P	P	P		
Medical or dental clinics, 10,000 square feet or more	S	S	P		
Medical Marijuana Provisioning Centers	--	--	S		Section 122-537
Veterinary hospitals and clinics	--	S	S		Section 122-558
Kennels, commercial	--	--	S		Section 122-535

Firearms Sales Establishments	--	--	S		Section 122-527
Designated consumption establishment	--	--	S		Section 122-522
Recreational marihuana retailer	--	--	S		Section 122-550
RESTAURANTS					
Carry-out and/or delivery restaurant	--	P	P		
Café or coffee shop	P	P	P		

Zoning text amendments are reviewed by Planning Commission, who then gives a recommendation to City Council. The recommendation is made via motion, and also involves a report that will be transmitted to City Council. City Council has the ultimate authority to adopt the text amendment.

BACKGROUND

The existing zoning regulations pertaining to recreational marijuana were adopted by City Council in January of this year.

The applicant is applying because of recreational marihuana retailer interest at their property, 121 E. Michigan Ave. However, this application is not for a rezoning, rather a text amendment, so all of NC should be considered.

Medical marijuana provisioning centers and recreational marihuana retailers' regulations are mirrored in terms of zoning district allowed, level of approval, and distances from each other. Both uses must also be located at least 500 feet away from one another. They were meant to mirror each other because the state defines these as equivalent license types. A licensed medical marijuana provisioning center may be licensed as a recreational marihuana retailer, and vice versa. Most, if not all of the City's seven medical marijuana provisioning centers have applied to become permitted as a recreational marihuana retailer, too. Therefore, amending regulations of one should mean amending regulations of both; they are essentially a package deal.

For the purpose of this staff report, medical marijuana provisioning centers and recreational marihuana retailers will be grouped together and known as "subject facilities" throughout this staff report.

Figure 3: Where and How Subject Facilities are Permitted

<i>P=Principal, A=Accessory, S=Special Land Use, -- = Not Permitted</i>					
USES	C	NC	GC	NOTES	SPECIFIC REGULATIONS
Medical marijuana provisioning center	P	--	S		Section 122-537
Recreational marihuana retailer	P	--	S		Section 122-550

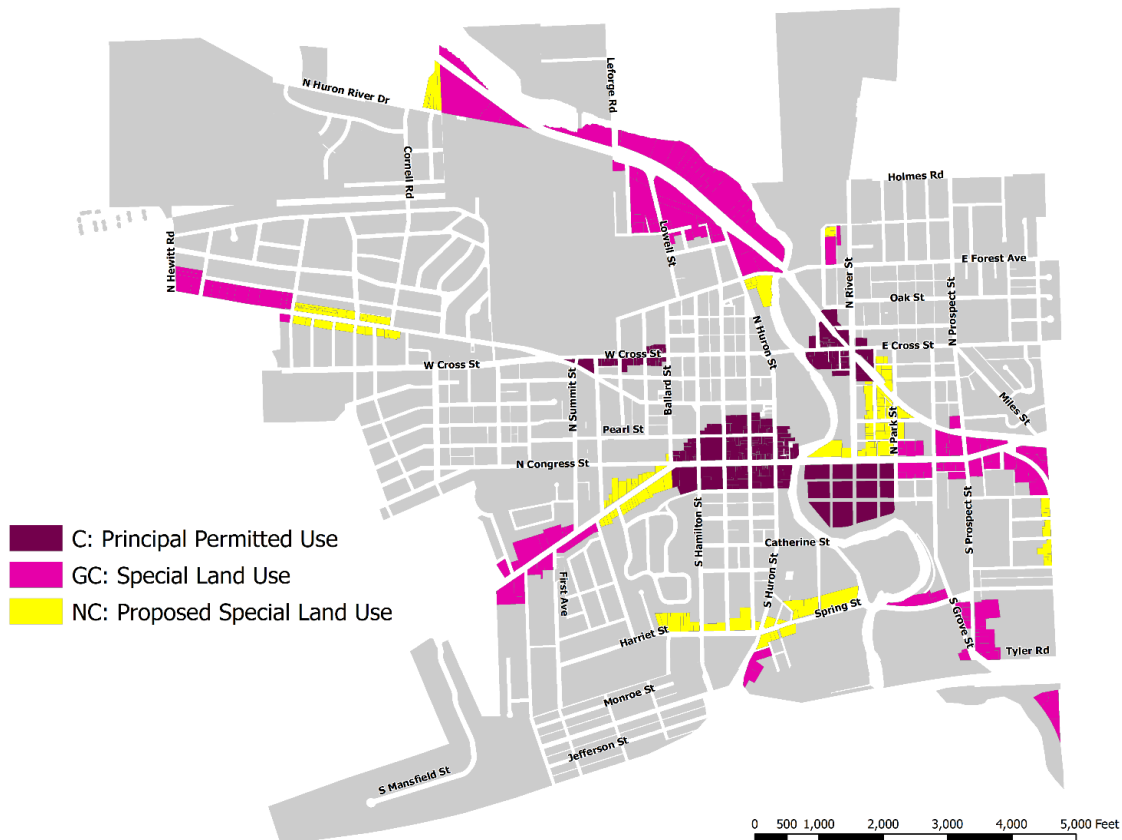
DISCUSSION

Through prior medical and recreational marijuana zoning regulations, the City has restricted uses to certain zoning districts and imposed certain buffer regulations. With this in mind, it has never been the City's intent to allow marijuana everywhere, rather in appropriate zoning districts with buffers that prevent clustering of facilities. Staff recommends keeping the 500 feet buffer requirement from one subject facility to another subject facility.

Neighborhood Corridors are rather mixed-use zoning districts that entertain a range of uses. More intense special land uses in NC are: wholesale or distribution facility (gross floor area of less than 16,000 square feet); automobile filling stations without repair; bars; and food stores with the sale of alcohol (less than 15,000 square feet). There are a handful of liquor stores (classified as *food stores with the sale of alcohol*) within NC zoning districts.

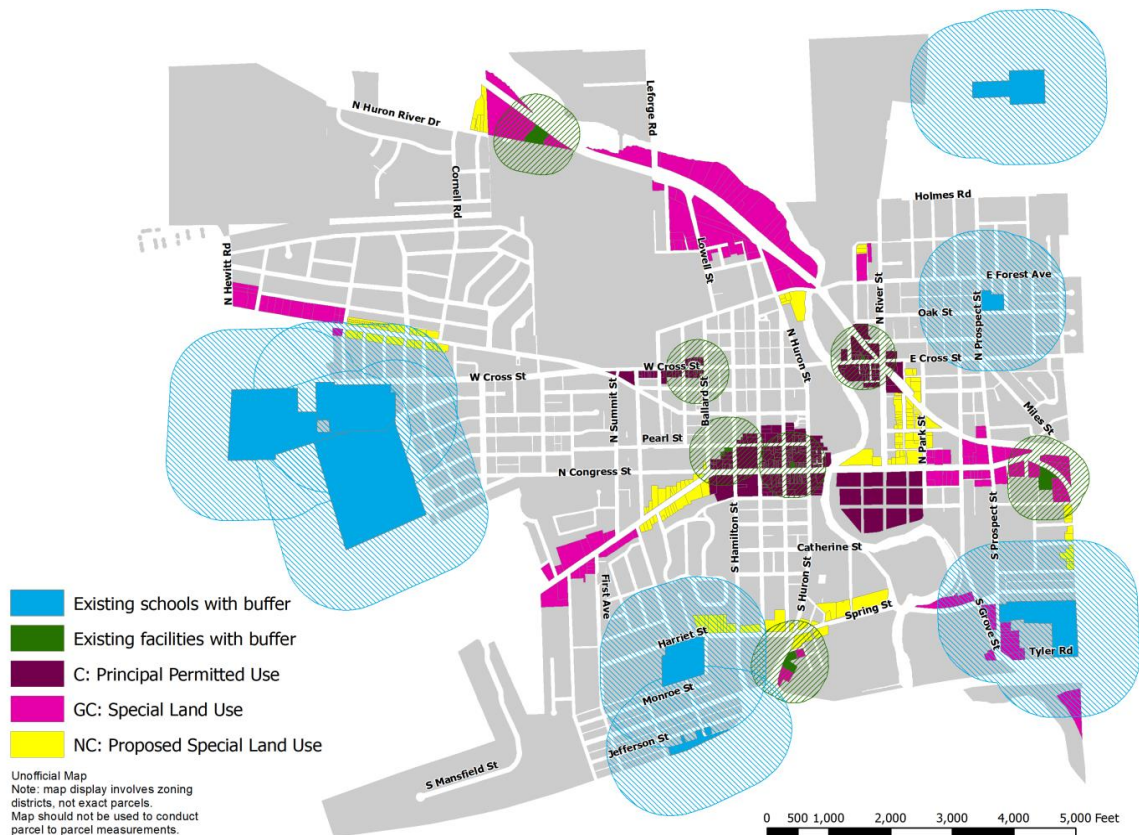
Considering the geographic location of NC zoning districts, these are often areas that link Center (C) and General Corridor (GC) zoning districts. See Figure 4 below.

Figure 4: Map of Relevant Zoning Districts



Relating to required 500 feet buffers from one subject facility to the next, and 1,000 feet buffers from schools, see Figure 5 below. The school buffer substantially imposes on the potential NC properties on Harriet St. and Washtenaw Ave., leaving E. Michigan Ave. and the N. Park area, as well as E. Michigan Ave. as the primary potential areas for this amendment. Additionally, small areas at N. Huron and Forest, N. Huron River Drive, Spring St. area, and Emerick St. would open up as potential areas too.

Figure 5: Potential Locations of Subject Facilities



Additionally, as a *Walkable Urban District*, Neighborhood Corridor zoning districts do not just regulate the use involved, but the building type as well. That means the use is not solely important; how the use is physically developed into a building and a site is just as important. NC districts generally have smaller lot sizes than their GC relatives and have more dense surrounding neighborhoods, yet have a minimum base parking requirement unlike their Center counterparts (granted, the zoning ordinance does provide for parking reductions and Planning Commission may waive requirements in some instances). Therefore, staff believes it is sensible to limit the building size, and require a 5,000 square foot maximum gross floor area for the subject facility. Some other uses, including food stores, business and professional offices, auto repair, and medical or dental clinics, to name a few, have a maximum square footage in NC districts.

Using an existing facility, Oz Cannabis at 19 N. Hamilton, as an example- this would be an appropriately-sized example for a potential facility in NC. The building's footprint is approximately 4,000 square feet, so assuming just a singular floor would be used for provisioning center or retailer purposes, this would comply with a 5,000 square feet maximum. From a form-based standpoint, this facility would fit well into NC areas. See Figure 6 below.

Figure 6: Example of a Preferred-Sized Facility



STANDARDS FOR AMENDMENTS

§122-362(a)

*(a) **Text Amendment.** For a change to the text of the Zoning Ordinance, the Planning Commission shall consider and the City Council may consider, whether the proposed amendment meets the following standards:*

(1) The proposed amendment is consistent with the guiding values of the Master Plan; and

Applicable guiding values of the Master Plan include:

- *Diversity is our strength:* This maintains and potentially improves the diversity of the mix of businesses in Ypsilanti.
- *Ypsilanti is sustainable:* this action maintains, and has the potential to create, job opportunities for Ypsilantians.

- *Great place to do business, especially green and creative:* This action retains and fosters the growth of local businesses.

(2) The rezoning is consistent with description and purpose of the proposed district; and

The amendment will be consistent with what Neighborhood Corridor zoning districts already provide for. It is safe to say there are more intense uses already allowed in NC in terms of use, but also in terms of hours of operations, noise, disposal of waste, etc. As stated in §122-450, the intent of NC is to be a corridor that is "mixed-use" and "commercial" located "along the arteries of the City, such as Washtenaw, Huron, Hamilton, Michigan, Harriet, and River."

(3) The proposed amendment is consistent with the intent of this Zoning Ordinance; and

The amendment will be consistent with the intent of the zoning ordinance. Per §122-100, the intent of the ordinance is to promote the public health, safety, and welfare. In particular, to:

- create a safe, diverse, and sustainable city;
- guide the location of places of residence, recreation, industry, trade, service, and other uses of land;
- ensure that uses of the land shall be situated in appropriate locations and relationships;
- limit the inappropriate overcrowding of land and congestion of population and transportation systems and other public facilities.

(4) The proposed amendment will enhance the functionality, transportation network or character of the future development in the City; and

Staff does not anticipate that this amendment will have an impact on the functionality or transportation network in the City. However, marijuana uses have the potential to re-use traditionally vacant or distressed buildings in the City.

(5) The proposed amendment will preserve the historic nature of the surrounding area and of the City; and

Staff does not anticipate that this amendment will negatively affect the historic nature of the City.

(6) The proposed amendment will enhance the natural features and environmental sustainability of the City; and

Staff does not anticipate that this amendment will negatively affect the natural features or environmental sustainability of the City.

(7) The proposed amendment will protect the health, safety, and general welfare of the public; or

Staff does not anticipate that this amendment will negatively affect the health, safety, and general welfare of the public.

(8) The proposed amendment is needed to correct an error or omission in the original text; or

This amendment does not correct an error.

(9) The proposed amendment will address a community need in physical or economic conditions or development practices; and

Staff anticipates this change may provide for the potential re-use of properties, activating properties for tax capture and improving property values.

(10) The proposed amendment will not result in the creation of significant nonconformities in the City.

The proposed amendment will not result in a significant creation of nonconformities.

STAFF RECOMMENDATION

Staff recommends the Planning Commission recommend **approval** of the proposed text amendment to Chapter 122: Article IV, Division 3, Subdivision III (§122-451). with the following condition and findings:

Condition:

- The proposed text amendment be revised as follows:
 - Medical marijuana provisioning centers, less than 5,000 square feet of gross floor area permissible as a special land use in Neighborhood Corridor
 - Recreational marijuana retailer, less than 5,000 square feet of gross floor area permissible as a special land use in Neighborhood Corridor

Findings:

1. The proposed amendment is consistent with the guiding values of the Master Plan;
2. The rezoning is consistent with description and purpose of the proposed district;
3. The proposed amendment is consistent with the intent of this Zoning Ordinance;
4. The proposed amendment will enhance the character of the future development in the City;
5. The proposed amendment will address a community need in physical or economic conditions or development practices.

Andy Aamodt
City Planner, City of Ypsilanti

c.c. File

MEETING MINUTES
Planning Commission - Virtual Meeting
Wednesday, 15 July 2020 – 7:00 P.M.

Please be advised that due to COVID-19, City Hall will not be open to the public. This meeting will be held electronically on a video conferencing application in accordance with Governor Whitmer's Executive Order. The access code is posted in the Public Notice on www.cityofpsilanti.com and attached in the packet. The public may choose to participate during Audience Participation or the Public Hearing through the video conferencing application, or may submit e-mailed comments to aaamodt@cityofpsilanti.com by 4 pm, July 15.

I. Call to Order

II. Roll Call

Matt Dunwoodie, Chair
Jared Talaga, Vice-Chair
Eric Bettis
Mike Davis Jr.
Jessica Donnelly
Phil Hollifield
Heidi Jugenitz
Michael Simmons

P
P
P
P
P
P
P
P

III. Approval of Minutes

- June 17, 2020 Meeting
Motion to approve.

Offered By: Commissioner Hollifield; Seconded By: Commissioner Simmons
Approved: Yes – 8; No – 0; Absent – 0

Motion to amend the agenda to place housing affordability and accessibility presentation under public presentation items.

Offered By: Commissioner Jugenitz; Seconded By: Commissioner Hollifield
Approved: Yes – 8; No – 0; Absent – 0

IV. Audience Participation

Open for general public comment to Planning Commission on items for which a public hearing is not scheduled. Please limit to five minutes.

Motion to open audience participation.

Offered By: Commissioner Donnelly; Seconded By: Commissioner Hollifield
Approved: Yes – 8; No – 0; Absent – 0

Motion to close audience participation.

Offered By: Commissioner Jugenitz; Seconded By: Commissioner Donnelly.
Approved: Yes – 8; No – 0; Absent – 0

V. Presentations and Public Hearing Items

- Zoning Ordinance Text Amendment: Medical marijuana provisioning centers and

recreational marihuana retailers as a special land use in Neighborhood Corridor zoning districts.

Staff presentation by City Planner Andy Aamodt. Medical marijuana provisioning centers and recreational marihuana retailers have rather mirrored regulations, and are only permitted in Center by-right and in General Corridor as a special land use.

The intent is to still keep the buffering requirements as is. These will in essence buffer out some "NC" properties. Staff believes the provisioning center or retailer use would not be a more intense use than uses that already exist in NC, such as smaller wholesale/distribution facilities, liquor stores, and automobile filling stations.

Staff suggested the possibility of limiting square footage of such facilities, as the zoning ordinance has various limitations of other uses in NC, such as a 10,000 square foot maximum for medical/dental clinics.

Commissioner Dunwoodie asked about if there are any 5,000 square foot maximums in NC. Mr. Aamodt replied that the 10,000 square foot for medical/dental clinics is the smallest expressed square footage requirement.

Commissioner Hollifield asked about clarification for the gross square footage calculation. For example, there could be a 7,000 square foot building. In order to be a compliant facility then it would need to split up units with the unit for this use under 5,000 square feet.

Commissioner Simmons asked if this amendment would affect existing facilities. No, because marijuana uses have never been allowed in NC and there are none in NC. No nonconformities would be created.

The applicant, Sal, spoke about the intent in filing the application.

- Public Hearing

- *Motion to open the public comment.*

Offered By: Commissioner Hollifield; Seconded By: Commissioner Simmons. Approved: Yes – 8; No – 0; Absent – 0

No one spoke.

- *Motion to close the public comment.*

Offered By: Commissioner Hollifield; Seconded By: Commissioner Jugenitz. Approved: Yes – 8; No – 0; Absent -0

Motion that the Planning Commission recommend **approval** of the proposed text amendment to Chapter 122: Article IV, Division 3, Subdivision III (§122-451). with the following condition and findings:

Condition:

- *The proposed text amendment be revised as follows:*

- Medical marijuana provisioning centers, less than 5,000 square feet of gross floor area permissible as a special land use in Neighborhood Corridor
- Recreational marijuana retailer, less than 5,000 square feet of gross floor area permissible as a special land use in Neighborhood Corridor

Findings:

1. The proposed amendment is consistent with the guiding values of the Master Plan;
2. The rezoning is consistent with description and purpose of the proposed district;
3. The proposed amendment is consistent with the intent of this Zoning Ordinance;
4. The proposed amendment will enhance the character of the future development in the City;
5. The proposed amendment will address a community need in physical or economic conditions or development practices.

**Offered By: Commissioner Talaga; Seconded By: Commissioner Hollifield
Approved: Yes – 8; No – 0; Absent -0**

- Housing Affordability and Accessibility Committee Report and Recommendations

Members of the Committee presented the Report and Recommendations to the Commission.

Motion to refer the report from the Housing Affordability and Accessibility Committee to City Council.

**Offered By: Commissioner Talaga; Seconded By: Commissioner Donnelly
Approved: Yes – 8; No – 0; Absent -0**

VI. Old Business

VII. New Business

- Master Plan: Draft Update
- Draft Bylaws Amendment

Staff presented the staff bylaws amendment to the Commission. The Commission had no suggested changes. Therefore, the bylaws amendment will be voted on at the next meeting.

VIII. Future Business Discussion / Updates

IX. Committee Reports

- Non-Motorized Committee Report

o Planning Commission Representative
Motion to approve Mike Davis Jr. as the Planning Commission representative on the Non-Motorized Committee until July 21, 2022.

Offered By: Commissioner Talaga; Seconded By: Commissioner Jugenitz
Approved: Yes – 8; No – 0; Absent -0

- Housing Affordability and Accessibility Committee Report

X. Adjournment

Motion to adjourn

Offered By: Commissioner Hollifield; Seconded By: Commissioner Donnelly
Approved: Yes – 8; No – 0; Absent -0



Resolution No. 2020-158
August 18, 2020

RESOLVED BY THE COUNCIL OF THE CITY OF YPSILANTI:

That the following items be approved:

1. **Resolution No. 2020-159, approving the minutes of July 21, 2020.**
2. **Resolution No. 2020-160, approval of appointments to Boards and Commission.**
3. **Resolution No. 2020-161, approval of Ordinance 1362, an ordinance to amend Chapter 2, section 2.202, allowing for two non-voting youth members to the Police Advisory Commission. (Second Reading)**
4. **Resolution No. 2020-162, authorizing the purchase of vehicles from Gorno Ford for the Police Department.**
5. **Resolution No. 2020-163, authorizing the tying of teal ribbons throughout the city from September 1, 2020 through September 30, 2020 for National Ovarian Cancer Awareness.**

OFFERED BY: _____

SECONDED BY: _____

YES: NO: ABSENT: VOTE:

This resolution is adopted by the Council of the City of Ypsilanti and approved by the Mayor this
18 day of August 2020

#Resolution No. 2020-158



Resolution No. 2020-159
August 18, 2020

RESOLVED BY THE COUNCIL OF THE CITY OF YPSILANTI:

THAT the minutes of July 21, 2020 be approved.

OFFERED BY: _____

SECONDED BY: _____

YES: NO: ABSENT: VOTE:

This resolution is adopted by the Council of the City of Ypsilanti and approved by the Mayor this
18 day of August 2020

#Resolution No. 2020-159



MINUTES VIRTUAL REGULAR COUNCIL Meeting

7:00 PM - Tuesday, July 21, 2020

The REGULAR COUNCIL of the City of Ypsilanti was called to order on Tuesday, July 21, 2020, at 7:00 PM, with the following members present:

PRESENT: Council Member Jennifer Symanns, Council Member Steven Wilcoxon, Mayor Pro-Tem Nicole Brown, Mayor Lois Richardson, Council Member Anthony Morgan, and Council Member Annie Somerville

I. CALL TO ORDER

The meeting was called to order at 7:00 p.m.

II. ROLL CALL

III. AGENDA APPROVAL

Council Member Somerville moved to place Resolution 2020-154A before Resolution No. 2020-150.

The agenda was approved as amended.

IV. PUBLIC COMMENT (3 MINUTES)

Six people spoke.

V. PRESENTATIONS

- a) Proclamation Honoring Congressman John Lewis (added)
- b) Community Policing Plan 2020 and Beyond - Police Chief Tony DeGiusti
- c) Municipal Employee Retirement System of Michigan Presentation

VI. ORDINANCES FIRST READING

- a) Ordinance No. 1295, An Ordinance to amend Ypsilanti City Code Article IV - Boards and Commissions, Division 6 – Police Advisory Commission, Section 2-182 – appointment and terms, expending youth membership to two members.
 - 1. Resolution No. 2020-148, determination
 - 2. Public Hearing
 - 3. Resolution No. 2020-149, close the public hearing.

RESOLVED BY THE COUNCIL OF THE CITY OF YPSILANTI:

That an ordinance entitled " AN ORDINANCE TO AMEND ORDINANCE 1295 TO PROVIDE FOR TWO YOUTH MEMBERS ON THE YPSILANTI POLICE ADVISORY COMMISSION " be approved on first reading.

Mayor Richardson moved to open the public hearing.

One person spoke.

Mayor Pro-Tem Nicole Brown moved, seconded by Council Member Steven Wilcoxon, to approve Resolution No. 2020-149.

RESULT:	CARRIED.
MOVER:	Mayor Pro-Tem Nicole Brown
SECONDER:	Council Member Steven Wilcoxon
AYES:	Jennifer Symanns, Steven Wilcoxon, Nicole Brown, Lois Richardson, Anthony Morgan, and Annie Somerville

RESOLVED BY THE COUNCIL OF THE CITY OF YPSILANTI:

That a public hearing for an ordinance entitled " AN ORDINANCE TO AMEND ORDINANCE 1295 TO PROVIDE FOR TWO YOUTH MEMBERS ON THE YPSILANTI POLICE ADVISORY COMMISSION" be officially closed.

Council Member Anthony Morgan moved, seconded by Council Member Steven Wilcoxon, to approve Resolution No. 2020-148.

RESULT:	CARRIED.
MOVER:	Council Member Anthony Morgan
SECONDER:	Council Member Steven Wilcoxon
AYES:	Jennifer Symanns, Steven Wilcoxon, Nicole Brown, Lois Richardson, Anthony Morgan, and Annie Somerville

VII. RESOLUTIONS/MOTIONS/DISCUSSIONS

- a) Resolution No. 2020-154A, approving the 2020-2021 Property and Liability Insurance Renewal (added)

RESOLVED BY THE COUNCIL OF THE CITY OF YPSILANTI:

THAT, the premium for the Property and Liability insurance renewal for the City of Ypsilanti effective August 1, 2020-2021 with the Michigan Municipal League (MML) Liability and Property Pool be approved in the amount of \$375,860.00 be approved.

BE IT FURTHER RESOLVED THAT the City Manager is authorized to sign and approve payment of the invoice.

Council Member Anthony Morgan moved, seconded by Mayor Pro-Tem Nicole Brown, to approve Resolution No. 2020-154A.

RESULT:	CARRIED.
MOVER:	Council Member Anthony Morgan
SECONDER:	Mayor Pro-Tem Nicole Brown

AYES:	Jennifer Symanns, Steven Wilcoxon, Nicole Brown, Lois Richardson, Anthony Morgan, and Annie Somerville
--------------	--

- b) Resolution No. 2020-150, approving the minutes of July 7, 2020.

RESOLVED BY THE COUNCIL OF THE CITY OF YPSILANTI:
THAT the minutes of July 7, 2020 be approved.

Council Member Anthony Morgan moved, seconded by Council Member Steven Wilcoxon, to approve Resolution 2020-150.

RESULT:	CARRIED.
MOVER:	Council Member Anthony Morgan
SECONDER:	Council Member Steven Wilcoxon
AYES:	Jennifer Symanns, Steven Wilcoxon, Nicole Brown, Lois Richardson, Anthony Morgan, and Annie Somerville

- c) Resolution No. 2020-151, approving the process for filling the vacancy in Ward 1.

RESOLVED BY THE COUNCIL OF THE CITY OF YPSILANTI:

WHEREAS, there is a vacancy for Council Member in Ward 1; and

WHEREAS, per Section 2.05(d)(3) of the City Charter requires that a Council Member to represent Ward 1 be appointed on or before the third Regular Council Meeting following the vacancy.

NOW THEREFORE BE IT RESOLVED THAT the Ypsilanti City Council approve the application and application process for the Ward 1 Vacancy.

Council Member Anthony Morgan moved, seconded by Mayor Pro-Tem Nicole Brown, to approve Resolution No. 2020-151.

RESULT:	CARRIED.
MOVER:	Council Member Anthony Morgan
SECONDER:	Mayor Pro-Tem Nicole Brown
AYES:	Jennifer Symanns, Steven Wilcoxon, Nicole Brown, Lois Richardson, Anthony Morgan, and Annie Somerville

- d) Resolution No. 2020-152, approving a contract between the Fire and Police Pension Board and the City of Ypsilanti.

RESOLVED BY THE COUNCIL OF THE CITY OF YPSILANTI:

WHEREAS, The Finance Department of the City of Ypsilanti serves as an independent contractor of the Ypsilanti Fire and Police Pension Board who performs administrative services on behalf of the board; and

WHEREAS, The services shall be performed at 1 South Huron, Ypsilanti, Michigan or as otherwise determined by mutual agreement of the parties; and

WHEREAS, The Contract is effective for a term commencing on July 1, 2020, and shall continue until terminated as provided herein

WHEREAS, The Board agrees to pay the City \$30,140.06 for services performed

NOW THEREFORE BE IT RESOLVED THAT the Ypsilanti City Council approve the contract for the Fire and Police Pension Administrative Contract FY 2020-2021

Council Member Steven Wilcoxon moved, seconded by Council Member Anthony Morgan, to approve Resolution No. 2020-152.

RESULT:	CARRIED.
MOVER:	Council Member Steven Wilcoxon
SECONDER:	Council Member Anthony Morgan
AYES:	Jennifer Symanns, Steven Wilcoxon, Nicole Brown, Lois Richardson, Anthony Morgan, and Annie Somerville

- e) Resolution No. 2020-153, approving a contract between Huron Valley Ambulance (HVA) and the City of Ypsilanti.

RESOLVED BY THE COUNCIL OF THE CITY OF YPSILANTI:

WHEREAS, The City of Ypsilanti signed a dispatch agreement on behalf of the Fire Department with Emergency Health Partners (EHP) effective July 1, 2017. The City of Ypsilanti properly budgeted costs through FY 20-21 at a monthly estimate of \$3,043.86 for an annual fee of \$36,526.28; And,

WHEREAS, On July 7, 2020, the Fire Department received communication that beginning September 1, 2020, the monthly costs will increase by five percent (i.e., \$18.76 per dispatch). As a result, there will be an increase of \$415.77 a month. The monthly fee will be \$3,459.65 for a ten-month total of 34,596.56; And,

WHEREAS, The Fire Department averages about 2,213 dispatches per year according to EHP; And

WHEREAS, The total budgeted amount in account #101-7-3390-818-00 for FY 20-21 is \$36,526.28 for twelve months. The Fire Department will need an additional \$4,989.58 to cover the remaining two months following to complete the FY 20-21 dispatches costs.

NOW THEREFORE BE IT RESOLVED THAT the Ypsilanti City Council authorizes the Fire Department to adjust the budget to fund the EHP Agreement for dispatch services.

Council Member Steven Wilcoxon moved, seconded by Council Member Anthony Morgan, to approve Resolution No. 2020-153.

RESULT:	CARRIED.
MOVER:	Council Member Steven Wilcoxon
SECONDER:	Council Member Anthony Morgan
AYES:	Jennifer Symanns, Steven Wilcoxon, Nicole Brown, Lois Richardson, Anthony Morgan, and Annie Somerville

- f) Resolution No. 2020-154, supporting the passage of the Washtenaw County Road Millage.

RESOLVED BY THE COUNCIL OF THE CITY OF YPSILANTI:

WHEREAS, Washtenaw County voters approved a four-year 0.5 mill millage in 2016 to fund road and non-motorized improvement projects; and,

WHEREAS, from 2017-2020 the millage provided approximately \$125,000 per year to the City of Ypsilanti for various road resurfacing projects; and,

WHEREAS, the millage is funding non-motorized improvements to the trails at Frog Island Park and on Grove Street through the Washtenaw County Connecting Communities grant program; and,

WHEREAS, the Washtenaw County Board of Commissioners approved ballot language and is seeking renewal of the 0.5 mill millage at the August 4, 2020 election; and,

WHEREAS, the millage provides support for the City to meet its road and non-motorized transportation goals;

NOW THEREFORE BE IT RESOLVED THAT that the City of Ypsilanti supports the passage of the 0.5 mill 2021 - 2024 Washtenaw County-Wide Road and Non-Motorized millage that will be on the August 4, 2020 ballot.

Council Member Anthony Morgan moved, seconded by Council Member Steven Wilcoxon, to approve Resolution No. 2020-154.

RESULT:	CARRIED.
MOVER:	Council Member Anthony Morgan
SECONDER:	Council Member Steven Wilcoxon
AYES:	Jennifer Symanns, Steven Wilcoxon, Nicole Brown, Lois Richardson, Anthony Morgan, and Annie Somerville

VIII. BOARDS AND COMMISSION - COMMUNICATIONS

- a) Sustainability Commission Resolution No. 2020-002 - Including Pollinator-friendly plants on private properties. (added)

IX. BOARDS AND COMMISSIONS - NOMINATIONS

- a) Police Advisory Commission

Renee Echols - New Appointment (Exp 2/1/2023) (added)
306 Javris
Ypsilanti, MI 48197

Colleen Kennedy - New Appointment (Exp 2/1/2023) (added)
805 Charles St
Ypsilanti, MI 48198

X. COUNCIL PROPOSED BUSINESS

Morgan

- Supported a race relations research paper through EMU
- YCUA meeting is on July 27th.
- Looking into ranked choice voting.
- Traffic calming on Cross St
- Will be sitting down with Mr. Yapp.

Somerville

- In favor of adjustments to noxious weed ordinance
- Concerns about speeding, especially on River. Suggested more signage and leading by example.

Brown

- Speeding is a city-wide issue.
- Interested in being Council Liaison for the Police Advisory Commission
- Neighborhood near Perry school has habitual issues with DTE that needs to be addressed.

Council Member Morgan moved, seconded by Mayor Pro-Tem Nicole Brown to extend the meeting until 10:15. Motion carried.

Symanns

- None

Wilcoxon

- In favor of having council liaisons on all commissions.
- Sustainability Commission is working on social and environmental justice resolution that will be brought before Council soon.
- Sustainability Commission is also working on Sustainability Plan which is part of the Master Plan.
- There have been complaints about noise in Depot Town and Washington Street.

XI. COMMUNICATIONS FROM THE MAYOR

- a) Call about people living in the city-owned building on Huron St. and asked for status of the building. Economic Development Director Meyers stated there is a Request for Proposals due back in August. He stated that there have been recent tours and has not seen evidence of habitation.
- b) Request for speed bumps on Burton Ct.
- c) Requested nominations for people to serve on the Race and Equity Cabinet.
- d) Discussion regarding AAATA cut of service in Ward 1

XII. COMMUNICATIONS FROM THE CITY MANAGER

XIII. COMMUNICATIONS

- a) Multi-jurisdiction Combined Absent Voter Count Board - Clerk Hellenga
(added)

XIV. ADJOURNMENT

- a) Resolution No. 2020-155, adjourning the City Council Meeting.

The meeting was adjourned at 10:17 p.m.

- b) Please click [here](#) to access the City Council Contact Form. This form can be used to submit any comments/concerns you might have about this agenda.



Resolution No. 2020-160
August 18, 2020

RESOLVED BY THE COUNCIL OF THE CITY OF YPSILANTI:

THAT, the following be appointed to the City of Ypsilanti Boards and Commissions as indicated below:

<u>NAME</u>	<u>BOARD</u>	<u>EXPIRATION</u>
Renee Echols (New Member) 306 Jarvis St Ypsilanti, MI 48197	Police Advisory Commission	2/1/2023
Colleen Kennedy (New Member) 805 Charles St Ypsilanti, MI 48198	Police Advisory Commission	2/1/2023

OFFERED BY: _____

SECONDED BY: _____

YES: NO: ABSENT: VOTE:

This resolution is adopted by the Council of the City of Ypsilanti and approved by the Mayor this 18 day of August 2020

#Resolution No. 2020-160



Resolution No. 2020-161
August 18, 2020

RESOLVED BY THE COUNCIL OF THE CITY OF YPSILANTI:

That an ordinance entitled " AN ORDINANCE TO AMEND ORDINANCE 1295 TO PROVIDE FOR TWO YOUTH MEMBERS ON THE YPSILANTI POLICE ADVISORY COMMISSION " be approved on second and final reading.

OFFERED BY: _____

SECONDED BY: _____

YES:

NO:

ABSENT:

VOTE:

This resolution is adopted by the Council of the City of Ypsilanti and approved by the Mayor this
18 day of August 2020

#Resolution No. 2020-161



**CITY OF YPSILANTI
NOTICE OF ADOPTED ORDINANCE
Ordinance No. 1362**

AN ORDINANCE TO AMEND ORDINANCE 1295 TO PROVIDE
FOR TWO YOUTH MEMBERS ON THE YPSILANTI POLICE ADVISORY COMMISSISON

Ordinance No. 1295 is hereby amended to provide for two youth non-voting members as follows:

1. **THE CITY OF YPSILANTI HEREBY ORDAINS** That
that Ordinance No. 1295 is hereby amended to provide for two youth non-voting members as follows:

1. **THE CITY OF YPSILANTI HEREBY ORDAINS** that Chapter 2, Article IV of the Ypsilanti City Code of Ordinances is hereby amended to add a new Division 6, as follows:

DIVISION 6. POLICE ADVISORY COMMISSION
Section 2.200. Created.

Pursuant to Ypsilanti City Charter section 9.03, there is hereby created a commission known as the "Ypsilanti Police Advisory Commission."

Section 2.201. Purpose.

The purpose of the Ypsilanti Police Advisory Commission is:

- a. To strengthen the relationship between the community of the City of Ypsilanti and the Ypsilanti Police Department.
- b. To serve as a liaison to enhance community and police relations and serve as an advocate for programs, ideas, and methods to improve the relations between the police and the community
- c. To Review police complaint investigatory findings, and report to council on the Commission's analysis of these findings
- d. To collect, review, and audit summary data and compile aggregate statistics relating to individual or community police complaints and other issues of importance
- e. To educate the public about complaint process, and ensure and recommend ways to make the process accessible to all
- f. To make recommendations to the City Manager with regard to

- organizational matters and procedures.
- g. To participate in annual review of the Ypsilanti Police Department's Citizen Police Academy.
- h. To consult and advise the City Manager on the Ypsilanti Police Department's strategic plan.

Section 2.202. Appointment and Terms.

The Ypsilanti Police Advisory Commission shall consist of 7 members and **two non-voting youth members**. All members to the Ypsilanti Police Advisory Commission shall be appointed by the Mayor, with the approval and confirmation of a majority of City Council. There shall be at least one member from each Ward.

The term of members of the Ypsilanti Police Advisory Commission shall be three years, except that of the members first appointed. Terms shall be staggered as far as practicable. Members shall be appointed for a maximum of two full terms.

Section 2.203. Duties.

The duties of the Ypsilanti Police Advisory Commission shall be to:

- a. Establish and update rules by-laws for the transaction of its business, subject to the approval of the City Council. Such rules and by-laws shall be in a manner not inconsistent with this Article, other City ordinances, the City Charter, or laws of the state and federal government.
- b. Elect officers, including a chair.
- c. Establish and maintain a meeting schedule and meet at least quarterly.
- d. Take all necessary action to fulfill the purpose for the Ypsilanti Police Advisory Commission as stated in this Division.
- e. To file a written report of its activities, findings, and recommendations, if any, to City Council at least annually.

Section 2.204. Procedure.

Procedure for the operation of the Ypsilanti Police Advisory Commission shall be as follows:

- a. A majority of the Ypsilanti Police Advisory Commission members appointed shall constitute a quorum.
- b. No meeting of the Ypsilanti Police Advisory Commission shall commence or continue in the absence of a quorum.
- c. A majority vote of those forming a quorum shall be required for any action by the Ypsilanti Police Advisory Commission, except where otherwise specified in this Article, other City ordinances, or the City Charter.
- d. Regular meetings of Ypsilanti Police Advisory Commission shall be held no less than quarterly. Any scheduled meeting may be rescheduled at the

- preceding regular meeting.
- e. The records of the Ypsilanti Police Advisory Commission shall be subject to the Freedom of Information Act, Act No. 442 of the Public Acts of Michigan of 1976 (MCL 15.231 et seq.), as amended.
 - f. All meetings of the Ypsilanti Police Advisory Commission shall be subject to the Open Meetings Act, Act No. 267 of the Public Acts of Michigan of 1967 (MCL 15.261 et seq.), as amended.
 - g. The Ypsilanti Police Advisory Commission shall provide an opportunity for public comment as to the business being conducted by the Ypsilanti Police Advisory Commission, pursuant to its established rules and by-laws.

Sections 2.205 – 2.225 - Reserved.

2 Severability. If any clause, sentence, section, paragraph, or part of this ordinance, or the application thereof to any person, firm, corporation, legal entity, or circumstances, shall be for any reason adjudged by a court of competent jurisdiction to be unconstitutional or invalid, such judgment shall not effect, impair, or invalidate the remainder of this Ordinance and the application of such provision to other persons, firms, corporations, legal entities, or circumstances by such judgment shall be confined in its operation to the clause, sentence, section, paragraph, or part of this Ordinance thereof directly involved in the case or controversy in which such judgment shall have been rendered and to the person, firm, corporation, legal entity, or circumstances then and there involved. It is hereby declared to be the legislative intent of this body that the Ordinance would have been adopted had such invalid or unconstitutional provisions not have been included in this Ordinance.

3 Repeal. All other Ordinances inconsistent with the provisions of this Ordinance are, to the extent of such inconsistencies, hereby repealed.

4 Savings Clause. The balance of the Code of Ordinances, City of Ypsilanti, Michigan, except as herein or previously amended, shall remain in full force and effect. The repeal provided herein shall not abrogate or affect any offense or act committed or done, or any penalty or forfeiture incurred, or any pending fee, assessments, litigation, or prosecution of any right established, occurring prior to the effective date hereof.

5 Copies to be available. Copies of the Ordinance are available at the office of the city clerk for inspection by, and distribution to, the public during normal office hours.

6 Publication and Effective Date. The City Clerk shall cause this Ordinance, or a summary of this Ordinance, to be published according to Section 11.13 of the City Charter. This Ordinance shall become effective after publication at the expiration of 30 days after adoption.

MADE, PASSED AND ADOPTED BY THE YPSILANTI CITY COUNCIL THIS ____ DAY OF
_____, 2020.

Andrew Hellenga, City Clerk

ATTEST

I do hereby confirm that the above Ordinance No. ____ was published according to
Section 11.13 of the City Charter on the ____ day of _____, 2020.

Andrew Hellenga, City

Clerk CERTIFICATE OF ADOPTING

I hereby certify that the foregoing is a true copy of the Ordinance passed at the
regular meeting of the City Council held on the ____ day of _____, 2020.

Andrew Hellenga, City Clerk

Notice Published:

First Reading:

Second Reading:

Published:

Effective Date:



REQUEST FOR LEGISLATION

TO: Mayor and City Council
FROM: Tony Degiusti
DATE: August 18, 2020
SUBJECT: 2020-162

DESCRIPTION:
2020-162

SUMMARY:

In the FY 2020-21 budget funds were allocated from the Motor Pool account for the replacement of police vehicles due to excessive wear, mileage and maintenance costs to safely operate the vehicles. In addition, one vehicle was involved in a serious collision (05-17-2020) and was deemed a total loss. The following vehicles are scheduled to purchase:

Two (2) 2021 Ford Police Interceptor SUVs. The Ford Police Interceptor SUV is specifically designed to be a patrol vehicle. It is equipped with all wheel drive for superior handling in all types of weather and will accommodate some of the current equipment at the police department. The cost to replace the vehicles is \$33,099 each for a total cost of \$66,198.00.

Two (2) 2020 Ford Fusion, 4 door sedans. These vehicles are well suited to be used for non-patrol type work associated with the Detective Bureau, community engagement, plain clothes assignments, transportation to training, transportation for the Police Social Worker and other administrative uses. Total cost for the vehicles is \$39,913.00.

The vehicles will be purchased under state bid pricing from Gorno Ford of Woodhaven, MI.

Action Requested:

Approve the purchase of two (2) 2021 Ford Police Interceptor SUVs from Gorno Ford in the amount of \$66,198.00 to be paid for from the Motor Pool account #641-7-9330-987-10. The full replacement cost for one patrol vehicle will be reimbursed by MML Liability and Property Pool claim #100AL2000102 upon proof of purchase. This claim has already been approved by MML.

Approve the purchase of two (2) 2020 Ford Fusion Sedans from Gorno Ford for a total cost of \$39,913.00 to be paid for from the Motor Pool account #641-7-9330-987-10.

CITY MANAGER APPROVAL: _____ COUNCIL AGENDA DATE: _____

CITY MANAGER COMMENTS: _____

FISCAL SERVICES DIRECTOR APPROVAL: _____



Resolution No. 2020-162
August 18, 2020

RESOLVED BY THE COUNCIL OF THE CITY OF YPSILANTI:

WHEREAS, the City of Ypsilanti Police Department desires to purchase two (2) Patrol Vehicle which are 2021 Ford Police Interceptor SUVs, and Two (2) Administrative Vehicles which are 2020 Ford Fusions, and

WHEREAS, the City of Ypsilanti Police Department has been allocated funds in the FY 2020-21 budget for the purpose of purchasing these vehicles, and has received an approved insurance claim for reimbursement for one of the patrol vehicle, and

WHEREAS, Gorno Ford of Woodhaven, Michigan has provided State of Michigan bid pricing in the amount of \$66,198.00 and \$39,913.00 respectively,

THEREFORE BE IT RESOLVED, that the Chief of Police be authorized to sign all necessary documents needed to execute the vehicle purchases.

OFFERED BY: _____

SECONDED BY: _____

YES: _____ NO: _____ ABSENT: _____ VOTE: _____

This resolution is adopted by the Council of the City of Ypsilanti and approved by the Mayor this 18 day of August 2020

#Resolution No. 2020-162



Resolution No. 2020-163
August 18, 2020

RESOLVED BY THE COUNCIL OF THE CITY OF YPSILANTI:

WHEREAS, *Turn the Town Teal* is a national campaign to create awareness of ovarian cancer and its symptoms;

WHEREAS, ovarian cancer is the deadliest of gynecologic cancers and a leading cause of cancer-related death in women. There is no early detection test for ovarian cancer; It is referred to as “The Silent Disease”; and

WHEREAS, each year the Michigan Ovarian Cancer Alliance (MIOCA), a nonprofit and partner member of the Ovarian Cancer National Alliance, sponsors “*Turn the Towns Teal*,” a national campaign to create awareness of ovarian cancer; and

WHEREAS, this event is held in conjunction with National Ovarian Cancer Awareness Month, from September 1 to September 30; and

WHEREAS, the Michigan Ovarian Cancer Alliance would like to tie teal ribbons throughout the city, post awareness posters at establishments, and distribute information cards; and

WHEREAS, the Michigan Ovarian Cancer Alliance (MIOCA), will cover all expenses incurred by this campaign and there will be no cost to the city.

THEREFORE BE IT RESOLVED THAT the Mayor and City Council supports this national campaign and approves of teal ribbons being tied throughout the city September 1st - September 30, 2020, along with lawn signs, awareness posters and information cards being provided for establishments that are interested.

OFFERED BY: _____

SECONDED BY: _____

YES:

NO:

ABSENT:

VOTE:

#Resolution No. 2020-163

This resolution is adopted by the Council of the City of Ypsilanti and approved by the Mayor this
18 day of August 2020

#Resolution No. 2020-163



NRTF Grant Application

CITY OF YPSILANTI, MI
MAY 2020

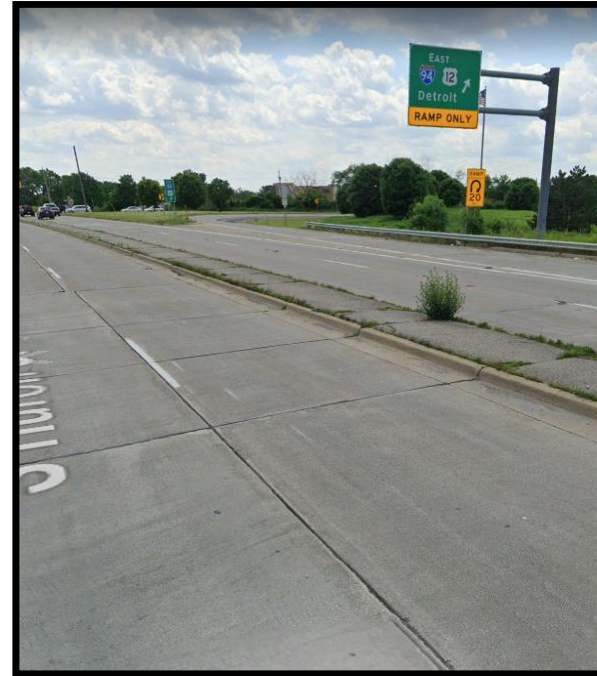
Background

- **I-94 does not have a safe pedestrian/bike crossing at or near Huron Street**
 - A barrier between the communities of Ypsilanti and Ypsilanti Township
 - Prevents Ypsi City residents from accessing North Bay park, shopping, employment
 - Prevents Ypsi Township residents from walking/biking to Downtown/Depot Town/EMU; blocks access to east B2B from south of Ford Lake
- **Called out in Master Plan, Nonmotorized Plan, and recently adopted Parks & Recreation Master plan as a priority to establish this link**



Transportation Alternatives Program Grant

- **In 2019, a TAP grant for design was approved by the state, and a subsequent grant for construction was conditionally approved.**
 - Grant submitted by Washtenaw County Road Commission (WCRC) with partnership from Charter Township of Ypsilanti, MDOT, WATS, and WCPRC
 - 20% match for each phase required
 - Match for design phase covered by WCPRC
 - Construction phase expected to cost \$3 million; match would be \$660,000
- **DNR NRTF grant would cover about half the required construction match**
 - Still working with other partners to cover; anticipate working with WCPRC and private donors to cover the balance
 - Anticipated \$30,000 eventually (FY21-22) to be due from City



Questions?

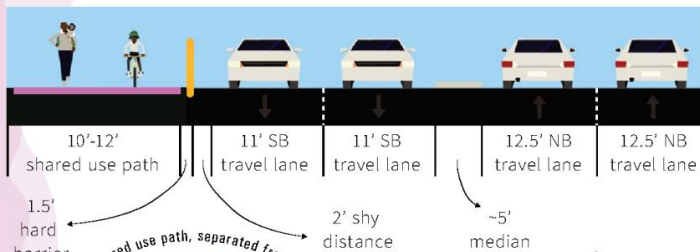
Preferred Alternative

Shared Use Path on West Side

Key Improvements

- 10'-12' shared use path
- Hard barrier on outside of path
- Pedestrian signals
- Reconfigured southwest on-ramp
- Better sidewalk connections

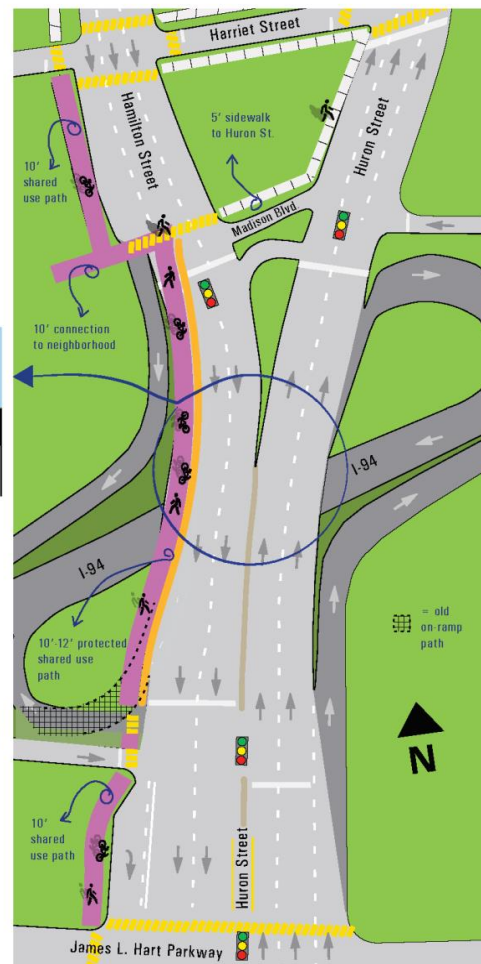
Cross section at center of bridge



Washtenaw Area
Transportation Study
miwats.org



OFFICE OF COMMUNITY &
ECONOMIC DEVELOPMENT





Resolution No. 2020-164
August 18, 2020

RESOLVED BY THE COUNCIL OF THE CITY OF YPSILANTI:

That the public hearing regarding the submission of a development application to the Michigan Department of Natural Resources for the Huron Pathway Project be officially closed.

OFFERED BY: _____

SECONDED BY: _____

YES: NO: ABSENT: VOTE:

This resolution is adopted by the Council of the City of Ypsilanti and approved by the Mayor this 18 day of August 2020

#Resolution No. 2020-164



REQUEST FOR LEGISLATION

TO:**FROM:** Bonnie Wessler**DATE:** August 18, 2020**SUBJECT:** Huron Pathway (I-94 Pedestrian Crossing) NRTF Grant Application

DESCRIPTION:

Huron Pathway (I-94 Pedestrian Crossing) NRTF Grant Application

SUMMARY:

Council has seen this presentation and resolution at their 17 March 2020 meeting and their 02 June meeting. The first iteration was underattended due to COVID; this iteration is to simplify the grant match statements at the suggestion of DNR staff. The application and presentation are otherwise unchanged.

The City has been working with MDOT, Ypsilanti Township, Washtenaw Area Transportation Study (WATS), Washtenaw County Road Commission (WCRC), and Representative Ronnie Peterson (and his predecessors) for more than a decade to develop a safe pedestrian pathway over I-94 at Huron Street. Such a pathway would not only provide a safe path for people to get to and from places of employment and shopping, but also to recreational resources, such as North Bay Park and the planned bike lanes on Hamilton/Huron that in turn connect to the Border to Border Trail.

In 2014, a coalition led by WATS examined the feasibility of crossing I-94, looking both at a separate crossing and at scenarios using the existing bridge, and drawing from studies that had come before it. With public input and input from MDOT, one of the alternatives using the existing bridge was chosen. In late 2019, with WCRC as the lead applicant, this project was awarded a TAP grant for both design and construction of the crossing. As this is a complex, multijurisdictional project involving the bridge and offramps, MDOT has taken the lead on project management for both the design engineering and the construction. The other parties- Ypsilanti City, Ypsilanti Township, WATS, and WCRC have agreed to cooperate on funding the match needed for the work. The City, via a Washtenaw County Parks and Recreation Connecting Communities grant award, has already funded the design phase match. The total project is anticipated to cost \$3.3 million dollars; \$300,000 of that being design and \$3,000,000 being construction.

The construction match for the TAP is anticipated to be 22% of the approximately \$3 million dollar construction cost, or about \$660,000; the TAP grant will fund up to \$2.34 million. We are applying for \$300,000, the maximum award available from the Michigan Natural Resources Trust Fund, to help provide that match. The NRTF grant requires a 50% match, and is matched by the TAP grant. The construction is anticipated to begin in 2022, subject of course to changes based on design, funding, construction scheduling, and the pandemic.

RECOMMENDED ACTION: Approval

ATTACHMENTS: None.

CITY MANAGER APPROVAL: _____ COUNCIL AGENDA DATE: _____

CITY MANAGER COMMENTS: _____

FISCAL SERVICES DIRECTOR APPROVAL: _____



Resolution No. 2020-165
August 18, 2020

RESOLVED BY THE COUNCIL OF THE CITY OF YPSILANTI:

WHEREAS, the City strongly supports safe nonmotorized transportation and safe access to recreation opportunities for people of all abilities and incomes; and

WHEREAS, the need for a safe crossing of I-94 at Huron Street for pedestrians and bicyclists as part of the City's nonmotorized network is incorporated in the City's Master Plan, Nonmotorized Plan, and 5-year approved Parks and Recreation Master Plan; and

WHEREAS, a TAP grant has been awarded for the design and construction of such a crossing, administered by Washtenaw County Road Commission and MDOT, for an anticipated amount of \$3 million dollars for the construction, for which any NRTF award would be used as match and in turn be matched by; and

NOW THEREFORE BE IT RESOLVED, THAT the City Council hereby authorizes the submission of a development application to the Michigan Department of Natural Resources Natural Resources Trust Fund in the amount of \$300,000 for the Huron Pathway Project, matched by the conditional construction TAP award for State of Michigan fiscal year 2022, City fiscal year 2021-22.

OFFERED BY: _____

SECONDED BY: _____

YES: NO: ABSENT: VOTE:

This resolution is adopted by the Council of the City of Ypsilanti and approved by the Mayor this 18 day of August 2020

#Resolution No. 2020-165



REQUEST FOR LEGISLATION

TO:

FROM:

DATE:

SUBJECT: Parking Fees: Residential & Employee Permits in Downtown

DESCRIPTION:

Parking Fees: Residential & Employee Permits in Downtown

SUMMARY:

This summer has been challenging for rolling out a new parking schema. Due to long lead times on delivery of materials, staffing shortages, and other unanticipated issues taking priority during the pandemic, the focus has largely been on bringing Depot Town into readiness for the kiosks and for getting the behind-the-scenes work done on pay-by-app. This has pushed the Downtown and West Cross improvements back significantly, including permit parking redistribution.

Currently, downtown permit parkers are permitted in the Washington Street lot, South Huron (limited area), North Huron, and North Adams. Rather than completely exclude permit parkers from these areas upon which they have come to depend, we are proposing a phased rollout: this year, to offer a heavily discounted "Washington Street Only" permit and to monitor that for update and success; next year (beginning Sept 2021) to limit the areas in these lots in which permit parkers may park and to monitor that for success; and in the course of 2022 consider completely eliminating permit parking in some or all of Adams and North and South Huron. This first phase, offering a discounted Washington Street Lot Only pass, requires an amendment to the City fee schedule.

	Current Fee	
	Annual	Triannual ("quarterly")
Downtown Resident	\$300	\$115
Downtown Employee	\$300	\$115
<i>Washington Street Only (proposed)</i>	<i>\$150</i>	<i>\$60</i>

RECOMMENDED ACTION: Approval

CITY MANAGER APPROVAL: _____ COUNCIL AGENDA DATE: _____

CITY MANAGER COMMENTS: _____

FISCAL SERVICES DIRECTOR APPROVAL: _____



Resolution No. 2020-166
August 18, 2020

RESOLVED BY THE COUNCIL OF THE CITY OF YPSILANTI:

WHEREAS, the City has an interest in providing safe and accessible vehicle parking that supports downtown businesses, residents, and visitors; and

WHEREAS, redirecting permit parkers from lots adjacent to commercial areas to lower-turnover lots, such as Washington Street, will help to support customer and visitor traffic; and

WHEREAS, the Washington Street Lot has adequate capacity for both residential and employee permit parking; and

NOW THEREFORE BE IT RESOLVED, THAT the City Council hereby authorizes the creation of a separate fee for Central Business District employee and resident parking entitled "Washington Street Only," \$150 per full year permit and \$60 per four-month permit, effective immediately, pursuant to the Ypsilanti City Code, and that the various City departments are authorized to charge and collect such fees.

OFFERED BY: _____

SECONDED BY: _____

YES: NO: ABSENT: VOTE:

This resolution is adopted by the Council of the City of Ypsilanti and approved by the Mayor this 18 day of August 2020

#Resolution No. 2020-166



REQUEST FOR LEGISLATION

TO: Mayor and City Council
FROM: Ken Hobbs
DATE: August 18, 2020
SUBJECT: 2020 YFD Grates Replacement

DESCRIPTION:
2020 YFD Grates Replacement

SUMMARY:

The YFD apparatus grate system is in need of extensive repair and restoration. The YFD opened bids on October 14, 2019 and closed bids on November 15, 2019 to start the process of restoring the existing trench to lodge new floor drain grates. Per City Ordinance Section 2-303: Waiver of Competitive Bidding, the YFD have the option to select Quatro Construction LLC to complete the grates project for cost efficiency and location.

The initial lowest bid we received was \$158,500 including the resurfacing of the apparatus floor.

The project includes cutting and removing old concrete to accommodate new grate frames (e.g. rods, mesh, etc.) and pouring new concrete to fill in around the new trenches and grates to allow proper water drainage.

A total of \$121,308 is allocated in the 2019-20 budget to replace the grate system of the fire station. The grate system consists of five 48 foot trenches and one 16 foot trench for a total of 256 feet. The current trenches are 7" deep and 12" wide. The new trenches will be 7" deep and 8" wide.

The Fire Department is requesting to move \$40,000 for the North Pole Barn Concrete Pad from the City of Ypsilanti Department of Public Service operating Capital Improvement Budget (account: 414-7-3070-818-00) to aid in covering the cost of the restoration and to award the grates project. The total cost for the grates project is \$161,308.

CITY MANAGER APPROVAL: _____ COUNCIL AGENDA DATE: _____

CITY MANAGER COMMENTS: _____

FISCAL SERVICES DIRECTOR APPROVAL: _____



Resolution No. 2020-167
August 18, 2020

RESOLVED BY THE COUNCIL OF THE CITY OF YPSILANTI:

WHEREAS, The YFD apparatus floor grate system is in need of extensive repair and restoration; and

WHEREAS, Per City Ordinance Section 2-303: Waiver of Competitive Bidding, the YFD have the option to select Quatro Construction LLC to complete the grates project for cost efficiency and location; and

WHEREAS, The initial lowest bid we received was \$158,500 including the resurfacing of the apparatus floor; and

WHEREAS, The project includes cutting and removing old concrete to accommodate new grate frames (e.g. rods, mesh, etc.) and pouring new concrete to fill in around the new trenches and grates to allow proper water drainage; and

WHEREAS, A total of \$121,308 is allocated in the 2019-20 budget to replace the grate system of the fire station. The grate system consists of five 48 feet trenches and one 16 foot trench for a total of 256 feet. The current trenches are 7" deep and 12" wide. The new trenches will be 7" deep and 8" wide; and

WHEREAS, The Fire Department is requesting to move \$40,000 for the North Pole Barn Concrete Pad from the City of Ypsilanti Department of Public Service operating Capital Improvement Budget (account: 414-7-3070-818-00) to aid in covering the cost of the restoration and to award the grates project; and

WHEREAS, The total cost for the grates project is \$161,308.

NOW THEREFORE BE IT RESOLVED THAT the Ypsilanti City Council grant the Fire Departments request to move \$40,000 for the North Pole Barn Concrete Pad from the City of Ypsilanti Department of Public Service operating Capital Improvement Budget (account: 414-7-3070-818-00) to aid in covering the cost of the restoration and to award the grates project.

OFFERED BY: _____

#Resolution No. 2020-167

SECONDED BY: _____

YES:

NO:

ABSENT:

VOTE:

This resolution is adopted by the Council of the City of Ypsilanti and approved by the Mayor this
18 day of August 2020

#Resolution No. 2020-167

ARCHITECTS. ENGINEERS. PLANNERS.



December 19, 2019

Mr. Ken Hobbs, Fire Chief
City of Ypsilanti, Fire Department
525 W. Michigan Ave.
Ypsilanti, MI 48197

Re: **City of Ypsilanti Fire Station
Trench Repairs and Floor revision Proposal Review**

Dear Chief Hobbs:

Thank you for the opportunity to meet with you on December 2, 2019, to review the Apparatus Bay Repair project. As discussed, you received bids for repair work in the apparatus bay including cutting and removal of 12" concrete slab and trench drains, installation of new trenches and grates, installation of new concrete, and resurfacing of entire apparatus bay with antiskid commercial coating. The City Clerk received three bids and their chart below summarizes their proposed fee. Each contractor provided products they will provide as part of their installation based upon the attached specifications and scope of work.

Contractor	Total Bid
Allied Building Service Company.	\$ 158,500
Quatro Construction	\$ 159,900
Lacaria Concrete Construction	\$ 245,550

The following list are proposed products the contractor included in their proposal:

Grates/Grate frames:

Allied: S300 K ACO Power Drain 12 inch wide
Quatro: S300 K ACO Power Drain 12 inch wide
Lacaria: ACO KlassikDrain w/ 861Q Grate

Concrete:

Allied: 5000 PSI high density concrete with rebar
Quatro: 4000 PSI/Fiber Mesh Epoxy coated #5 Rebar 32" oc
Lacaria: 4000 PSI, air entrained

Floor Coating:

Allied: 9400 Steel shot blast, RezStone 5017 Epoxy Primer, Rez Stone 5058 Topcoat
Quatro: Armorbond by Thermal-Chem
Lacaria: Poly-Crete Urethane Flooring System by Dur-A-Flex

OHM Advisors
34000 PLYMOUTH ROAD
LIVONIA, MICHIGAN 48150

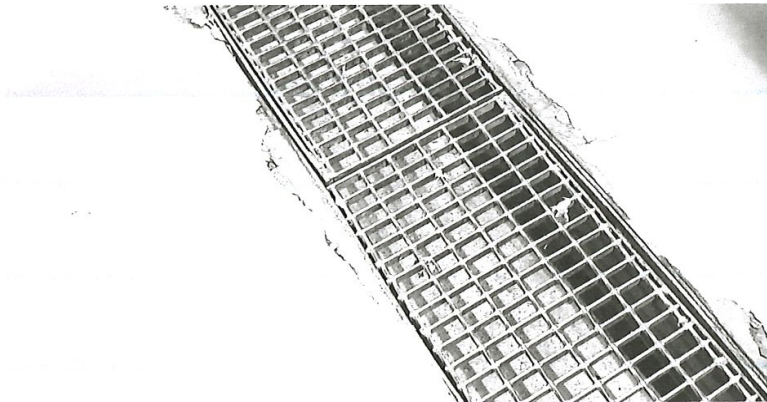
T 734.522.6711
F 734.522.6427

OHM-Advisors.com

During the walkthrough, spalling was noted at several edge conditions; there are acceptable products that could bridge those joints, while others would need some additional prepping/infilling. This would need to be reviewed by manufacturer's written instructions for what is an acceptable surface for their final product.



The existing concrete trench drains appear to be in good condition. Functionally, they work. Several grates were noted to be welded shut while others don't lay right in their seats. After review with both product representatives as well as internal team members, OHM Advisors doesn't have an alternate recommendation for repairs of the trenches in lieu of total removal and replacement with new that has been achieved elsewhere successfully.



After reviewing the products and specifications, OHM Advisors has completed our own Opinion of Cost based on discussions and review of documentation and existing conditions and would expect a construction cost range to be in the \$150,000 to \$170,000. With the current market conditions, we have seen variables in construction numbers up to 25-50% of opinion of costs and the variance in numbers has been a result of working conditions and limited contractors.

As far as evaluation of Value Engineering (VE) items, there are only two items to evaluate:

- 1.) Floor coating system: For the type of qualities in a flooring product needed for this application, OHM doesn't recommend a different type of product for the floor applications. A lower performing product over a longer period of time, even though initially less costly, will not be comparable, and provide more issues (possibly additional costs) sooner than products identified as part of these proposals.
- 2.) Trench Drain options: The existing concrete trenches are in fairly good condition. At this time, we have no recommendations for a different retrofit that would keep the existing angle in place, we haven't developed one nor seen a successful application. A new angle applied over the existing concrete/steel might be a viable option but would cause draining issues since it would raise the lip of the drain above the newly applied finish product. A possible solution to this might be to provide a thicker layer of product that could match the installed angles thickness, but this is adding cost and might not be worth it. Another option to review with the trench drain is to evaluate the required drain capacity needed for the environment and if a smaller trench drain can adequately meet the use, install a smaller trench drain (S200 drain by ACO is an 8" drain)

If you wish to discuss this evaluation, please call me at 734-466-4475.

Sincerely,

OHM ADVISORS



Christopher Ozog, AIA
Project Architect



REQUEST FOR LEGISLATION

TO: Mayor and City Council
FROM: Christopher Jacobs
DATE: August 18, 2020
SUBJECT: Budget Amendment and Fee Schedule Update for Freighthouse Management

DESCRIPTION:

Budget Amendment and Fee Schedule Update for Freighthouse Management

SUMMARY:

The City has been unable to rent the Freighthouse due to the Governor Whitmer's restrictions imposed by Executive Order in response to the COVID-19 pandemic. The City will incur some expenses related to the maintenance of the building even while it is not in use and needs to continue to pay those bills. This budget amendment provides for our best estimated expenses and revised revenue projections anticipating the Governor may lift the indoor occupancy restrictions in time as the state makes additional progress in its phased reopening plan. Included here is also a fee schedule update designed to make the space more affordable for residents seeking private events and more expensive for non-residents.

RECOMMENDED ACTION: Approve Budget Amendment

ATTACHMENTS: Budget Amendment Request

CITY MANAGER APPROVAL: _____ COUNCIL AGENDA DATE: _____

CITY MANAGER COMMENTS: _____

FISCAL SERVICES DIRECTOR APPROVAL: _____



Resolution No. 2020-168
August 18, 2020

RESOLVED BY THE COUNCIL OF THE CITY OF YPSILANTI:

WHEREAS, on February 4, 2020 City Council approved Resolution No. 2020-030, initiating a sixty day termination of the Freighthouse Operation and Management Agreement; and

**WHEREAS, COVID-19 has severely hampered the City's ability to operate the Freighthouse
for private events due to restrictions imposed by Governor Whitmers' order;
and**

**WHEREA, 30 events were assigned to the City from the Friends of the Freighthouse
without corresponding revenues to support full refunds and the cost to administer these private events has been pushed back into the 2020-2021 fiscal year; and**

WHEREAS, The City desires to continue to take reservations once the Governor's Executive Order restricting indoor occupancy is lifted; and

WHEREAS, the following budget amendments and fee schedule updates are needed to successfully manage the operation of the Freighthouse; and

NOWTHEREFORE BE IT RESOLVED THAT the Ypsilanti City Council authorizes the City Manager to adjust the budget as provided to support the operational management of the Ypsilanti Freighthouse and that the attached fee schedule is adopted pursuant to the Ypsilanti City Code, and the various City Departments are authorized to charge and collect such fees.

OFFERED BY: _____

#Resolution No. 2020-168

SECONDED BY: _____

YES:

NO:

ABSENT:

VOTE:

This resolution is adopted by the Council of the City of Ypsilanti and approved by the Mayor this
18 day of August 2020

#Resolution No. 2020-168

CITY OF YPSILANTI, MICHIGAN

BUDGET ADJUSTMENT WORKSHEET

FISCAL YEAR: 20-21

FUND: 101

DEPT: Parks - Freight House

REQUESTED BY: Christopher Jacobs

DATE: 8/18/2020

AMENDMENT#:

ACCT#	ACCT NAME	ADOPTED	AMENDED	REVENUE CHANGE	EXPENDITURE CHANGE	NEW AMENDED REVENUE BUDGET	NEW AMENDED EXPENDITURE BUDGET	REASON
101-4-7540-676-00	Special Events App	0	13,000	13,000		13,000	0	New Bookings
	Freighthouse Refunds				35,680		35,680	
101-7-7540-882-00	Community Promotion	0	250		250	0	250	Marketing
101-7-7540-757-00	Operating Supplies	0	400		400	0	400	Supplies
101-7-7540-775-01	Repair and Maintenance S	0	2,500		2,500	0	2,500	Repairs and Maintenance
101-7-7540-920-00	DTE Electric Bill	0	1,250		1,250	0	1,250	Electric
101-7-7540-820-01	YCUA	0	650		650	0	650	YCUA
101-7-7540-818-00	Contractual Services	0	4,000		4,000	0	4,000	Cleaning Services
101-7-7540-822-10	General Liability	0	400		400	0	400	Insurance
101-7-7540-852-00	Internet	0	250		250	0	250	Comcast
101-7-7540-852-01	Alarm	0	350		350	0	350	Alarm
101-7-7540-820-03	Waste management	0	300		300	0	300	Trash
101-7-7540-707-00	Part-Time Wages	0	5,000		5,000	0	5,000	Part-Time Wages
101-7-7540-714-05	Workers Compensation	0	160		160	0	100	Workers Compensation
101-7-7540-714-05	Social Security & Medicare	0	608		608	0	380	Social Security & Medicare
						0	0	
						0	0	
						0	0	
						0	0	

NET CHANGE IN BUDGET:

13,000

51,798

Approved by City Manager:

Date: _____

Approved by City Council (if required):

Date: _____

Freighthouse Fee Schedule

The private rental fee includes the use of facility tables and chairs, and the presence of an Event Manager or volunteer during the event. The Freighthouse may be reserved up to 16 months in advance for private rentals. All of our rates are based on the hour. A \$100 application fee will be charged for all private events. A \$300 waivable trash fee will be charged for all events if you would like Freighthouse staff to dispose of trash. This fee may be waived if you arrange for disposal of all of your event's trash.

ENTIRE BUILDING	Private Events / Resident	Private Events / Non-Resident	Public, Community and Non-Profits	Government Meetings and Forums	Minimum Hours
Weekdays (M-F 4:00 PM)	\$100/Hour	\$200/Hour	\$50/Hour	\$50/Hour	3
Friday Evening (5 PM) -Sunday	\$200/Hour	\$300/Hour	\$150/Hour	\$100/Hour	8
Seated Capacity 170 / Festival Seating Capacity 370. Includes: Twelve 8-foot tables, two 6-foot tables, 5 small round tables and 150 chairs					
GREAT HALL ONLY					
Weekdays (M-F 4:00 PM)	\$50/Hour	\$100/Hour	\$50/Hour	\$50/Hour	3
Friday Evening (5 PM) -Sunday	\$75/Hour	\$150/Hour	\$100/Hour	\$100/Hour	4
Seated Capacity 150 / Festival Seating Capacity 370. Includes: Seven 8-foot tables, one 6-foot table, 3 small round tables and 100 chairs. No access to Café/Kitchen.					
CAFÉ'/KITCHEN ONLY					
Weekdays (M-F 4:00 PM)	\$50/Hour	\$100/Hour	\$50/Hour	\$50/Hour	3
Friday Evening (5 PM) -Sunday	\$75/Hour	\$150/Hour	\$100/Hour	\$100/Hour	4
Seated Capacity 50. Includes: Five 8-foot tables, one 6-foot table, 2 small round tables and 50 chairs. No access to Great Hall.					
WEDDINGS (Entire Building Only)					
Weekdays (M-F 4:00 PM)	\$100/Hour	\$200/Hour			4
Friday Evening (5 PM) -Sunday	\$250/Hour	\$300/Hour			8
Seated Capacity 170 / Festival Seating Capacity 370. Includes: Twelve 8-foot tables, two 6-foot tables, 5 small round tables, two one-on-one meetings with the events manager pre-wedding, one on-site planning meeting with caterers, florists, planners and other vendors, day-of coordination from Freighthouse staff, use of bistro lights.					



REQUEST FOR LEGISLATION

TO: Mayor and City Council
FROM: Christopher Jacobs
DATE: August 18, 2020
SUBJECT: Street Closure Extension

DESCRIPTION:
Street Closure Extension

SUMMARY:

On June 2, 2020 City Council approved a special event permit for the Downtown Development Authority to close North Washington Street and East Cross to allow for expanded outdoor dining and shopping. Since that time we have observed how important outdoor shopping and dining has become and hundreds of cities across the state and country have followed suit. Now many of those cities, including our own, are faced with decisions of whether or not to extend their street closure policies as weather may allow. We know that consumers prefer the outdoor spaces in our commercial districts to indoor ones while we still navigate the pandemic and nearly every business that has participated reports this initiative has been a vital life line. The City is an early adopter of street closures and successfully adapted our public places creatively while collaborating with dozens of stakeholders. Early adoption is not without its pain points and staff recognizes that some residents were less than pleased with the special events and all complaints have been related to the live entertainment. In the interest of continuing to support both businesses and residents in our commercial districts, we are requesting city council approve an extension of the street closure special event permit until November 1, 2020 with the condition of no live music or DJ's

The Downtown Development Authority and our partners report how these commercial spaces have been reestablished as a destination once more this summer and this has provided some opportunity for entertainment in lieu of summer festivals. Mask and social distancing compliance in both areas has been strongly and consistently enforced while barrier free accessibility has been maintained with the use of curb ramps wherever necessary. Provided as an attachment are the letters of support and public

comment we have received regarding the success of the street closures. Additionally, speaking with our restaurants, the street closures are helping retaining jobs in our districts and the all restaurants are at a reduced capacity and less table's means less servers. Additionally, staff took a look at the equity in the street closures and the majority of restaurants were able to expand their footprints +/- 25%. Where street closures were not utilized or practical, the DDA worked through creative solutions like rear access seating and repaving of alleys.

The DDA is requesting an extension of the special event permit to close E Cross Street—stretching from Rice Street to River Street, North Washington Street from Pearl to Michigan Avenue until November 1, 2020.

CITY MANAGER APPROVAL: _____ COUNCIL AGENDA DATE: _____

CITY MANAGER COMMENTS: _____

FISCAL SERVICES DIRECTOR APPROVAL: _____



Resolution No. 2020-169
August 18, 2020

RESOLVED BY THE COUNCIL OF THE CITY OF YPSILANTI:

WHEREAS, the COVID-19 crisis has hit the City of Ypsilanti and our businesses extremely hard and the street closures have provided a way for the business districts as a whole to survive; and

WHEREAS, public health guidance and consumer preferences have emerged to support outdoor restaurants and shopping retails are among the safest options, and

WHEREAS, the city seeks to assist in the recovery of our small businesses while we continue to navigate the COVID-19 pandemic; and

WHEREAS, restaurants capacity remains significant capped and best practices recommend outdoor commerce, and

NOW THEREFORE BE IT RESOLVED THAT the Ypsilanti City Council approves a special event permit extension closing E Cross Street– stretching from Rice Street to River Street, North Washington Street from Pearl to Michigan Avenue, as well as South Washington Street between Michigan Avenue and the South Huron Parking Lot. The closures would remain in effect during overnight hours and last until November 1, 2020 with the condition of no live amplified music or DJ's

OFFERED BY: _____

SECONDED BY: _____

YES:

NO:

ABSENT:

VOTE:

This resolution is adopted by the Council of the City of Ypsilanti and approved by the Mayor this 18 day of August 2020

#Resolution No. 2020-169

August 17, 2020

City of Ypsilanti
1 South Huron Street
Ypsilanti, MI 48197

Dear Ypsilanti City Council:

We write to express our support for extending the street closure on North Washington Street in downtown Ypsilanti. September and October days and evenings can be very pleasant and can provide great outdoor experiences before the arrival of cold weather.

The street closure has allowed businesses and residents to use the street for a variety of socially-distant and safe activities. These activities include outdoor breakfast service six days a week, dinner and beverage service nightly, Ypsilanti Pop Up Market three days a week, and weekend evenings of live music all while exceeding state and federal guidelines to keep our neighbors safe.

Many local businesses have benefited greatly from the street closure. These include Beezy's Cafe, Bobcat Bonnie's, Ypsi Ale House, and, 24th Cheescakerie which have been able to expand their outdoor seating and host additional guests. Those benefitted also include 37 local vendors who have participated in the Ypsilanti Pop Up Market. The benefits of the closure appear to be increasing over time as more people become aware of the activities on Washington Street.

Several local businesses have donated their time and services to benefit the street closure supported by YDDA grants. Ziggy's & Ypsi Ale House have donated their staff time to setup, take down, and manage live entertainment on the weekends. Back Office Studio has donated their time to operate the Ypsilanti Pop Up Market on Thursdays, Fridays, and Saturdays. 24th Cheesecakerie has hosted events including Yoga & Cheesecake, and Flavor Rush.

In addition, our local non-profits have stepped up to help program the street. First Fridays has hosted several socially-distant events this summer and has plans for two events this fall. Both the Riverside Arts Center and Ypsi Glow are working to plan socially-distant activities for Washington Street which will not be possible without the continued street closure.

As we continue to refine the operating procedures for North Washington, we have seen excellent compliance with mask-wearing protocol (estimated at 95% based on a recent visual survey). We have also seen an anecdotal decrease in drunken and disorderly behavior as active members of the street work to deescalate incidents before they occur. We believe that the street closure has benefited residents of the city both directly and indirectly.

In recognition of the collaborative success of the North Washington Street closure, we request that the city extend the closure through October 31st so that these outdoor activities can continue. We feel that this is a critical action for the vitality of our downtown.

Sincerely,

Diana Wong

Wayne Millette

Sun Chao

Back Office Studio

Stewart Beal

Beal Properties

Kathlynn Beal

Beezy's Cafe

Riva Jewell-Vitale

Bobcat Bonnies

Ylondia Portis

Brandhrt SMC

Patton Doyle

Decode Ypsi

Candye Hinton

Kayia Hinton

Hinton Real Estate

Ed & Bonnie Penet

Theresa Durand

Mix

Steve Pierce

Save Old Buildings

Dave Roberts

Ypsi Ale House

Julia Collins

Ypsi Studio

David & Jo Jefferies

Ziggy's

Sean Brizzell

24th Cheesecakeerie

Christopher Jacobs

From: Cynthia Herrmann Friday, August 14, 2020 11:35 AM
Sent:
To:
Subject:

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Hi Mr. Jacobs,
I'm an owner at Paula's Barbershop at 40 E. Cross, next door to Maiz, across from Aubrey's. I want to express how wonderful the street closure has been for all the businesses and restaurants here!

I am putting in a request to keep Cross St closed until at least October!

Thank you!
Cynthia Herrmann

Sent from my iPad

Christopher Jacobs

To: Mollison Espinosa-Thompson
Subject: RE: Street Closures in Ypsilanti

From: Mollison Espinosa-Thompson [mailto:] **Sent:** Monday, August 10, 2020 5:04 PM
To: Christopher Jacobs <cjacobs@cityofypsilanti.com>
Subject: Street Closures in Ypsilanti

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Hello,

I hope this email finds you well.

Please consider keeping the streets closed into October.

It really increases the quality of life for us residents.

It's not inconvenient at all to have them closed.

Thank you,

Molli

--

Mollison Espinosa-Thompson

(She, Her (s), Ella)

"We cannot seek achievement for ourselves and forget about progress and prosperity for our community...Our ambitions must be broad enough to include the aspirations and needs of others, for their sake and for our own."

Cesar Chavez

Christopher Jacobs

From: MaryBeth Strassel <>Tuesday, August 11, 2020
Sent:
To:
Subject:

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

MaryBeth and Ray Strassel--Ypsilanti city residents and former Depot Town merchants.
--

MaryBeth Strassel

734.985.1224 m
734.483.4038 h

Christopher Jacobs

From: Kristen Teasdale <>Tuesday, August 11,
Sent:
To:
Subject:

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Hello,

I would like to express my support for keeping the street closures to allow restaurants to remain open outside through fall. It supports public health and is a safe option for employers and employees as well as customers. We have immunocompromised people in our "bubble" and measures like this are some of the only ways that we can interact with the world in even a semblance of a normal way.

Thank you for your consideration,

Kristen Teasdale
City resident & homeowner

Christopher Jacobs

To: Susan Morelli
Subject: RE: Street Closure Extension and Adams St. Dumpster

From: Susan Morelli [mailto:]
Sent: Tuesday, August 11, 2020 6:36 AM
To: Christopher Jacobs <cjacobs@cityofypsilanti.com>
Subject: Street Closure Extension and Adams St. Dumpster

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Good morning, Christopher.

I would like to encourage you to extend the street closures for Ypsilanti restaurants. I for one, would not go to a restaurant if I were not offered the opportunity to sit outside given the current state of the virus. I think it is essential to continue the street closures to ensure our small businesses make it through this difficult time.

I know you're working hard, and appreciate everything you do.

Best regards,

Susan Morelli

Christopher Jacobs

From: Marc Arthur <>Tuesday, June 30, 2020 4:0
Sent:
To:
Subject:

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Marc Arthur
325 E. Cross Street
Ypsilanti, MI 48198

Dear Mr. Jacobs,

It was great to speak with you on the phone this morning.

I am writing to ask you to introduce and/or support an initiative to permanently adopt the closure of Cross Street to traffic in Depot Town. When I moved to Ypsilanti four years ago I rented an apartment overlooking Cross Street in Depot Town because I loved its cultural vibrancy and historic charm. Closing the street enhances this while also offering multiple economic and public health advantages. It creates a safe environment for pedestrians to eat, walk, shop, and enjoy fresh air. And the increased foot traffic not only benefits restaurants but other local businesses while attracting investment in the larger city. Perhaps most importantly, it promotes civic engagement and creates a community space to safely gather. I really enjoyed the drag performance on Cross street this week, for example. And people can truly appreciate the historic architecture of the city while walking or sitting.

Many cities like Depot Town have permanently closed a downtown street to traffic, creating rich city centers of business and cultural exchange. I have done some research on some of them that you will find below. I've outlined the many advantages and some solutions for issues that might arise from permanent street closure. The current closure on Cross St. is a good "test" to see what works and what doesn't. There are issues that would need to be addressed. Specifically: accessibility, parking issues, maintenance, and some traffic rerouting. But given the many benefits, it makes good sense to permanently extend the street closure. Thanks for taking the time to read through this. I'd be happy to discuss further or help support an initiative like this in any way that I can.

Sincerely,
Marc Arthur

Benefits of permanent closure in other cities

Quality of Life

I've personally noticed that air quality has been a lot better on Cross. Studies from permanent street closures in Cambridge and Oxford in England, and in Nuremburg Germany have shown that air quality has improved with estimated air quality PMI levels falling by as much as 5% ([European Commission](#)).

Urban planners have described the positive effects related to street closure as a "exchange space" rather than "movement space", recognizing the social and cultural importance of the street ([European Commission](#), 9). I think this is a great idea but it also reminds me that it's important that for the foreseeable future rules stay in place for social distancing, 6 feet apart.

Improved air quality will allow locals to better enjoy eating, shopping and walking around. Furthermore, without traffic, people will feel more comfortable bringing children and elders as it will be a safer environment

Public acceptance and civic pride

Lincoln street in Miami and Queen's Square in Wolverhampton England have become destinations for local residents. Studies show that these streets also provide a strong sense of local civic pride (Miami Herald and [European Commission](#) page 25).

In Oakland California street closure has only recently been introduced in response to COVID-19. And it has already been widely accepted by residents with 77.5% support for street closures and "slow streets" throughout the city ([City of Oakland Survey](#), page 6).

We know that people love coming to Depot Town for events that occur when the street is temporarily closed. Depot Town's historic buildings are already a source of civic pride as they are featured on the city's website and appear in its press materials. A permanent street closure will allow people to truly appreciate the architecture, history, and sense of community.

Economic boost to local businesses

From the Third Street Promenade in Los Angeles to the Strøget district in Copenhagen, closing streets to traffic consistently increases business and economic investment. (AFAR "10 Best Pedestrian Streets around the world"). Many European cities note that the increased foot traffic on closed streets has increased business ([European Commission](#)), not only restaurant business.

Solutions for issues related to permanent street closure in Depot Town

Closure will hurt other businesses

Other cities with successful street closures have faced resistance from local businesses not on the street being closed. They have valid concerns. However, the idea that other local businesses outside of Depot Town will suffer does not take into account how the closure will drive investment and business for the entire city as it becomes more of a destination. In cities like Wolverhampton England, for example, permanent street closure attracted new investments not only in the city center but in the expansion of part of its University ([European Commission](#), 27).

Maintenance

A budget would need to be created to purchase signage, barricades, and maintenance of the street. These costs might be offset by permits for street use or more parking meters. In other cities, costs related to maintenance have been paid for both by taxpayers and city permits for use of the street ([European Commission](#)).

Accessibility and Parking

An exclusive pick up/drop off point could be created in close proximity to E Cross St for those with accessibility issues. Creating clearer pathways dedicated to walking with better ramps would be necessary as well as increasing the number of handicap spaces. Parking seems to already be an issue, perhaps creating timed parking spaces could help.

Traffic flow

A study from multiple European cities shows that street closures do not result in increased traffic congestion on nearby streets. Their study shows that (1) traffic problems following the closure are usually far less serious than predicted; (2) after an initial period of adjustment, some of the traffic that was previously found in the vicinity of the scheme 'disappears' or 'evaporates', due to drivers changing their travel behavior; (3) as a result, the urban environment becomes more livable in many respects ([European Commission](#), 9).

It seems like people are using Michigan Ave now, which was built for heavier traffic. It would be important to find ways to encourage alternatives that don't dramatically alter driver's routes and that don't cause congestion in other residential areas. Anecdotally, some of the people on the Facebook feed noted that finding another route has not been an issue. The #42 bus would likely need to be rerouted too. Needless to say, a meeting with the department of transportation would be necessary to properly plan for rerouting the bus and other traffic related issues.

Christopher Jacobs

To: Dave Heikkinen
Subject: Street Closure Extension Request for Support

From: Dave Heikkinen [mailto:]
Sent: Monday, August 17, 2020 12:28 PM
To: Christopher Jacobs <cjacobs@cityofypsilanti.com>
Subject: Re: Street Closure Extension Support

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

It's a good idea to extend as long as possible. Go for it!
Dave

Christopher Jacobs

To: Bonnie Penet
Subject: RE: Street Closure Extension Support

From: Bonnie Penet [mailto:]
Sent: Monday, August 17, 2020 12:17 PM
To: Christopher Jacobs <cjacobs@cityofypsilanti.com>
Cc: Elize Jekabson <ejekabson@cityofypsilanti.com>
Subject: Re: Street Closure Extension Request for Support

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Hello Chris,
MIX is all in with the extension of the Washington St closure.
Best,
Bonnie
Speaking for all of Team MIX

Sent from my iPhone

Christopher Jacobs

To: Olde Towne
Subject: RE: Street Closure Extension Support

From: Olde Towne [mailto:] **Sent:** Monday, August 17, 2020 12:12 PM
To: Christopher Jacobs <cjacobs@cityofypsilanti.com>
Subject: Re: Street Closure Extension Support

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

We agree..it helps everyone and it's for the best...thank you!!!!

Sent from my iPhone

Christopher Jacobs

To: Hannah Jacobsen
Subject: RE: Sidewalk Sales on N Washington

From: Hannah Jacobsen
Sent: Thursday, July 02, 2020 1:39 PM
To: John Newman <
Cc: Christopher Jacobs <cjacobs@cityofypsilanti.com>
Subject: Re: Sidewalk Sales on N Washington

We are all for getting to know our neighbors, and getting this block to be more family friendly, and approachable.

I'm a Preschool Teacher, and I also nanny. I can't bring my kids to my apartment to babysit them, because of the violence, constant shouting of profanities, constant broken glass and liquor bottles, littering, and grown adults peeing mid-day on the curb. I've seen 3 unwanted penis sightings in the last year in broad daylight (and sometimes dirty needles) downstairs right outside of my door. I can't in good conscience bring kids here. I'm hoping these current changes in the street will help change that. I'm looking forward to better energy, and cleaner streets around here. Not just for my shop set up, but because this is my neighborhood, and I want it to be better for us all.

I'm so happy to have you willing to help me plan this! Thanks!

Thanks again for your help so far!

Let me know if/when you might be able to meet me out there to plan in person.

Hannah Jacobsen

|| |

Josh	Walinsky	5340 Indian Trail	I just wanted to say I am fully supportive of the idea of closing Cross St in Depot Town. It is already such a uniquely family-friendly area, and I think having a dedicated pedestrian district of Ypsi would be great for families and businesses in depot town. It is only a small area to close to vehicles, so traffic won't be severely impacted, especially because there are alternative routes through both on Forest and Michigan, which aren't far away. This is something I'd love to see in Ypsi.
Stephanie	Simon	6 Elm St	Keep cross st shut down permanently!
Ian	Greenlee	206 N Huron	Permanent outdoor seating on E Cross in Depot Town. Also, the mayor should resign.
Julianna	Schlemmer	981 centennial ave	I was just writing to express my support for closing cross street to traffic and opening it up for open air dining. I think it is a fantastic idea that being so much culture and vibrancy to the city. It is a covid precaution that makes sense to me. It allows for better social distancing, more time spent out doors. It allows those businesses to keep operating and keeps people safe at the same time. I am so proud to live in such a forward thinking and vibrant community. Thanks so much! - Julianna Schlemmer
Molly	Uhl	7769 bay tree dr	I saw an idea on Ypsi Facebook group about stopping auto traffic on Cross st in Depot Town. I know nothing about the logistics, or how it would effect the transportation needs of the people living there. But I love the idea. Depot Town is such a treasure and it would make

			lots of space for seating. Thanks for looking into it :)
Steven	Pokornowsk	209 North Wallace Boulevard	I'm writing in support of permanently closing Cross St. in Depot Town to extend outdoor seating for restaurants and to make the Depot Town area more walkable. I think this is safer than the previous configuration -- from both a pedestrian safety and a Covid-19 public health perspective. I think this also makes coming to Depot Town and spending time there more enticing. Thank you for your time and consideration.
Petra	Kuppers	1825 Roosevelt	Dear Council, I am writing to address the Depot Town Street Closure. I support the permanent closure of Cross Street in Depot Town. The closure brings so many benefits: having this open space creates a sense of community, and I imagine that more foot traffic means more attention to the smaller local businesses. There is also less noise, and overall, this will give Ypsi a second vibrant center. I hope you can make the closure permanent. Best, Petra
Mardee	Kohlmann	326 Maple Street	I would like city council to create a measure to extend the permanent closure of Cross St. in Depot Town.

			The closure has improved traffic and noise, creating a more enjoyable place for residents in the surrounding neighborhoods. Plus it encourages walking/biking and is fun!!
Kurt	Kohlmann	326 Maple st	I am requesting the permanent closure of cross street between rice and river. A permanent walking mall would increase pedestrian activity and reduce vehicle congestion in the important commercial corridor. Since the temporary closure began, traffic on cross st between river and prospect has decreased and the neighborhood has been quieter and safer.

Katie	Boeving	128 W. Michigan Ave. #5	Hello, I am writing to ask that the street closures of Cross and Washington, which have extended outdoor seating, be a permanent fixture for the city. I think it makes the city more vibrant and encourages more foot traffic. Many of the businesses have invested a lot of time and money to make their new outdoor seat look fun and inviting; I would hate to see that go to waste and torn down following the pandemic. Please consider, Katie Boeving
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REQUEST FOR LEGISLATION

TO: Mayor and City Council
FROM: Christopher Jacobs
DATE: August 18, 2020
SUBJECT: Budget Amendment Parkridge Playground

DESCRIPTION:
Budget Amendment Parkridge Playground

SUMMARY:

On August 5, 2020, City Staff and Washtenaw County OCED hosted in person community voting outdoors at Parkridge Park to decide on a new playground model. This is after extensive community outreach over the last 15 months to determine the will of residents for how best to use Community Development Block Grant Funding totaling \$200,000. City Council is considering the subrecipient Agreement and should it be approved a budget amendment will be required to execute payment. Attached is detail on the model selected and add on choices selected by community vote.

RECOMMENDED ACTION: Approve Budget Amendment
ATTACHMENTS: Budget Amendment Request

CITY MANAGER APPROVAL: _____ COUNCIL AGENDA DATE: _____

CITY MANAGER COMMENTS: _____

FISCAL SERVICES DIRECTOR APPROVAL: _____



Resolution No. 2020-170
August 18, 2020

RESOLVED BY THE COUNCIL OF THE CITY OF YPSILANTI:

WHEREAS, the playground at Parkridge Park is aged and in disrepair and the community has expressed a strong desire to see it replaced; and

WHEREAS, by public input over the last 15 months the decision was reached to replace the playground at Parkridge Park

WHEREAS, the community has taken a vote among the playground design options and made its desires known through this selection process; and

NOW THEREFORE BE IT RESOLVED THAT the Ypsilanti City Council authorizes the City Manager to adjust the budget as provided to support the execution of a contract to replace the playground at Parkridge Park using up to \$200,000 in Community Development Block Grant Funding

OFFERED BY: _____

SECONDED BY: _____

YES: NO: ABSENT: VOTE:

This resolution is adopted by the Council of the City of Ypsilanti and approved by the Mayor this 18 day of August 2020

#Resolution No. 2020-170

Contract # _____

COUNTY OF WASHTENAW, MICHIGAN

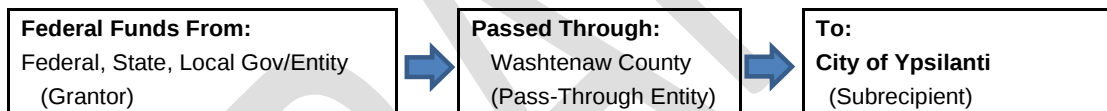
Agreement for Subaward of Federal Financial Assistance

The COUNTY OF WASHTENAW is a recipient of federal financial assistance grant dollars. These funds are received directly from the federal government and indirectly from the State of Michigan and several local entities. The County sometimes passes through a portion of this federal financial assistance to other organizations located within (or in the vicinity of) the geographical boundaries of the County to assist them in carrying out the objectives of the applicable federal grant or program.

AGREEMENT is made this **10th day of July, 2020**, by the COUNTY OF WASHTENAW, a municipal corporation, with offices located in the County Administration Building, 220 North Main Street, Ann Arbor, Michigan, as the pass-through entity (hereinafter referred to as the County) and, **the City of Ypsilanti**, located at **One South Huron Street, Ypsilanti, MI 48197** (hereinafter often referred to as the Subrecipient).

This agreement is a subaward of federal financial assistance by the County to the Subrecipient intended to assist, stimulate, or support the Subrecipient in carrying out its allowable activities under the Continuum of Care as requested by the Subrecipient in its application to the County for federal financial assistance.

Flow of Federal Financial Assistance in this Subaward Agreement



ARTICLE I – REQUIRED DATA ELEMENTS

(As detailed in Section 200.331 of the Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards (2 CFR Chapter I, and Chapter II, Parts 200, 215, 220, 225, 230) issued December 26, 2013 by the Executive Office of the President, Office of Management and Budget, hereinafter referred to as the Uniform Guidance.)

Subrecipient Name (must match registered name in DUNS)	City of Ypsilanti
Subrecipient DUNS Number	131336260
Federal Award Identification Number (FAIN)	\$83,579.21 – 2015 CDBG Program Income \$110,617.00 – 2016 CDBG Program Income \$5,803.79 – 2017 CDBG Program Income
Federal Award Date (the date when the federal award is signed by the authorized official of the federal awarding agency)	September 19, 2018
Subaward Period of Performance (start and end date)	7/10/2020 – 7/09/2021
Amount of Federal Funds Obligated by this Agreement	CDBG Program Income funds - \$200,000.00 (2015-2017 Program Income programmed in the 2018 Action Plan)
Total Amount of Federal Funds Obligated to the Subrecipient	\$200,000.00

Contract # _____

Total Amount of the Federal Award	2018 CDBG Funds -\$2,109,235.00
Federal Award Project Description (as required to be responsive to the Federal Funding Accountability and Transparency Act (FFATA) described in Title 2 Code of Federal Regulations Part 170)	This contract supports eligible costs to remove and replace the existing playground at Parkridge Park, with the new playground design to reflect input obtained through community engagement efforts led by OCED and City staff in 2019 and 2020.
Name of Federal Awarding Agency	Department of Housing and Urban Development (HUD)
Name of County (Pass-Through Entity)	Washtenaw County
Name and Contact Information for Awarding Official	Gregory Dill 220 N. Main P.O. Box 8645 Ann Arbor, MI 48107 Phone: 734-222-6850
CFDA Number and Name	14.228- Community Development Block Grant
Is this Subaward for Research and Development? (answer Yes or No)	No
Indirect Cost Rate for the Federal Award (either an approved federally recognized indirect cost rate negotiated between the Subrecipient and the federal government or, if no such rate exists, either a rate negotiated between the County and Subrecipient or a de minimus indirect cost rate of 10% of modified total direct costs may be used). Subrecipient may choose to charge only direct costs to this agreement.	Not applicable

WHEREAS, the Grantee receives funds from the United States Department of Housing and Urban Development (HUD) pursuant to HUD's Community Development Block Grant Entitlement Communities Grants ("CDBG") and the Grantee is authorized to award CDBG funds pursuant to Title 1 of the Housing and Community Development Act of 1974, Public Law 93-383, as amended; 42 U.S.C. 5301, et. seq.; and

WHEREAS, the Grantee has been designated as an entitlement county for the CDBG Program and acts as the lead entity for the Washtenaw Urban County, which consists of the City of Ann Arbor, City of Dexter, City of Saline, City of Ypsilanti, Ann Arbor Township, Augusta Township, Bridgewater Township, Dexter Township, Lima Township, Manchester Township, Northfield Township, Pittsfield Township, Salem Township, Saline Township, Scio Township, Superior Township, Sylvan Township, Webster Township, York Township, and Ypsilanti Township; and

WHEREAS, the Subrecipient has agreed to collaborate with the Office of Community and Economic Development (OCED) to manage this public improvement project; and

In consideration of the mutual covenants and obligations contained in this Agreement, including the Attachments, and subject to the terms and conditions stated, THE PARTIES AGREE AS FOLLOWS:

ARTICLE II - SCOPE OF SERVICES

The Subrecipient will agree to use Washtenaw Urban County CDBG Program Income funds for the eligible costs of re-constructing the playground at Parkridge Park in the City of Ypsilanti, including path linkages for accessing the play area. The new playground design will reflect input obtained through community engagement efforts led by the County and City in collaboration in 2019 and 2020, culminating in a community voting event in August 2020 to select the design. Parkridge Park is located within a qualified Racially and Ethnically Concentrated Area of Poverty (R/ECAP) per HUD definitions, therefore this project is eligible for CDBG program income funding per commitments stated in the Washtenaw County's 2018-2022 Affirmatively Furthering Fair Housing (AFFH). This contract will be paid for with 2015 - 2017 Urban County CDBG Program Income funding in accordance with AFFH and the budget in Attachment B, **not to exceed Two hundred thousand dollars (\$200,000.00)**. The City of Ypsilanti will be responsible for covering any remaining costs in excess of \$200,000.00.

ARTICLE III - PAYMENT AND CASH MANAGEMENT

If the County is paid in advance by the federal awarding agency under the above named federal assistance award, the Subrecipient may also be paid in advance if it meets the requirements in Section 1 below.

Section 1 - Cash Advances. The Subrecipient may request an advance of funds under this agreement if it maintains or demonstrates the willingness to maintain both:

1. written procedures that minimize the time elapsing between the transfer of funds from the County and the subsequent disbursement of the funds by the Subrecipient,
2. financial management systems that meet the standards for fund control and accountability as defined in Section 200.305 of the Uniform Guidance.

Requests for advance of funds must be limited to the minimum amount needed and must be timed to be in accordance with the actual, immediate cash requirements of the Subrecipient in carrying out the terms of this agreement. The timing and amount of the advance must be as close as is "administratively feasible" to the actual disbursement to be made by the Subrecipient.

Section 2 - Reimbursement. If the Subrecipient does not meet the requirements in Section 1 above, it shall submit periodic reimbursement requests to the County. This may be done on a monthly or quarterly basis. The reimbursement request shall be accompanied by the agreed upon financial and programmatic reports. The County shall pay the Subrecipient within 30 calendar days after the receipt of the reimbursement request and the agreed upon financial/programmatic reports, unless the County reasonably believes the reimbursement request to be improper.

ARTICLE IV - REPORTING OF SUBRECIPIENT

Section 1 - The Subrecipient is to report to **CDBG Management Analyst** and will cooperate and confer with him/her as necessary to insure satisfactory work progress.

Section 2 - The Subrecipient shall submit financial reports **as requested** to the OCED Senior Fiscal Assistant. The Subrecipient shall submit programmatic reports **as requested** to CDBG Management Analyst.

Section 3 - All reports, estimates, memoranda and documents submitted by the Subrecipient must be dated and bear the Subrecipient's name. Financial reports shall be submitted in a timely manner to the County and shall be in agreement with the amounts shown in the Subrecipient's financial system and shall be supported by appropriate documentation (payroll records, invoices, etc.). Final financial and programmatic reports shall be submitted by the

Contract # _____

Subrecipient within 30 days of the end of this agreement unless an extension of time is granted in writing by the County.

Section 4 - The Subrecipient agrees to only incur costs under this agreement which are eligible under the Cost Principles detailed in Section 200.400-475 of the Uniform Guidance.

Section 5 - The Subrecipient shall retain all reports, records and supporting documentation pertaining to this agreement for a period of three years from the date of submission of the final expenditure report and shall make them available to the County and the federal awarding agency upon request.

Section 6 - All reports made in connection with these services are subject to review and final approval by the County Administrator.

Section 7 - The County may review and inspect the Subrecipient's activities during the term of this agreement.

Section 8 - When applicable, the Subrecipient will submit a final, written report to the County Administrator.

Section 9 - After reasonable notice to the Subrecipient, the County may review any of the Subrecipient's internal records, reports, or insurance policies.

Section 10 - The Subrecipient and/or subcontractors shall disclose in writing to the County any potential conflict of interest it has related to the County or this agreement subject to the provisions 2 CFR 200.318.

Section 11 - The Subrecipient shall disclose in writing to the County in a timely manner all violations of Federal criminal law involving fraud, bribery, or gratuity violations potentially affecting this agreement.

Section 12 - The Subrecipient shall report to the County in a timely manner if any adverse or problematic situations arise between reporting deadlines describing the nature of the problem and what is being done to address it.

ARTICLE V - TERM

This contract begins on the date of this agreement and ends on **July 9, 2021** with an option to extend for an additional **6 months**. No costs eligible under this agreement shall be incurred by the Subrecipient before or after these dates, except with prior written approval of the County.

ARTICLE VI- RESPONSIBILITIES OF THE SUBRECIPIENT

Section 1 - The Subrecipient agrees to comply with all applicable federal, State, and local regulations including the Uniform Guidance. The Subrecipient agrees to comply with the management systems standards (financial management (Sections 200.302-304), procurement (Sections 200.317-326), and property management (Sections 200.310-316)) of the Uniform Guidance.

Section 2 - The Subrecipient agrees to have performed a Single Audit of its federal expenditures if it reaches the Single Audit dollar threshold in federal expenditures during its fiscal year as detailed in Section 200.501 of the Uniform Guidance. The County reserves the right to perform or cause to be performed additional audits if it deems such to be necessary to insure

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compliance with the terms of this agreement or to determine the eligibility of the reported expenditures for reimbursement.

Section 3 - The Subrecipient agrees to comply with the provisions of the Byrd Amendment (Public Law 101-121, Section 319 - 31 U.S. Code Section 1352) which prohibits the use of federal funds by the recipient or subrecipient of a Federal contract, grant, loan, or cooperative agreement to pay any person to influence or attempt to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with the federal funds awarded under this agreement.

Section 4 – The Subrecipient agrees to comply with the provisions of the Stevens Amendment (Section 8136 of the Department of Defense Appropriations Act – Public Law 100-463) which stipulates that when issuing statements, press releases, requests for proposals, bid solicitations, and other documents describing projects or programs funded in whole or in part with federal money, all grantees receiving federal funds, including but not limited to state and local governments, shall clearly state (1) the percentage of the total cost of the program or project which will be financed with federal money, (2) the dollar amount of federal funds for the project or program, and (3) the percentage and dollar amount of the total costs of the project or program that will be funded by non-governmental sources.

Section 5 - In addition to this agreement, the Subrecipient shall complete, sign, and submit to the County the following documents which are attached as part of this agreement:

1. Standard Assurances
2. Certifications Regarding Lobbying; Debarment, Suspension and Other Responsibility Matters; and Drug-Free Workplace Requirements
3. Audit Certification

ARTICLE VII – SUSPENSION OF FUNDING

The County may suspend funding to the Subrecipient, in whole or in part, or other measures may be imposed for any of the following reasons:

1. Failure to expend funds in a timely manner consistent with the agreement milestones, guidance, and assurances.
2. Failure to comply with the requirements or statutory objectives of federal or state law.
3. Failure to follow agreement requirements or special conditions.
4. Proposal or implementation of substantial plan changes to the extent that, if originally submitted, the application would not have been approved for funding.
5. Failure to submit required reports.
6. Filing of a false certification on the application or other report or document.
7. Failure to adequately manage, monitor or direct the activities of its subrecipients that are funded under this agreement.

Before taking action, the County will provide the Subrecipient reasonable notice of intent to impose corrective measures and will make every effort to resolve the problem informally.

The County reserves the right to recommend to the federal government that the Subrecipient be suspended or debarred in the case of sustained significant noncompliance by the Subrecipient with the award provisions.

ARTICLE VIII- PERSONNEL

Section 1 - The Subrecipient will provide the required services and will not subaward or assign the services without the County's written approval.

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Section 2 - The Subrecipient will not hire any County employee for any of the required services without the County's written approval.

Section 3 - The parties agree that all work done under this agreement shall be completed in the United States and that none of the work will be partially or fully completed by either an offshore entity or offshore business interest either owned or affiliated with the Subrecipient. For purposes of this agreement, the term, "offshore" refers to any area outside the contiguous United States, Alaska or Hawaii.

ARTICLE IX-INDEPENDENT CONTRACTOR

Contractor and the County shall, at all times, be deemed to be independent contractors and nothing herein shall be construed to create or imply that there exists between the parties a partnership, joint venture or other business organization. Contractor shall hold no authority, express or implied, to commit, obligate or make representations on behalf of the County and shall make no representation to others to the contrary.

Nothing herein is intended nor shall be construed for any purpose as creating the relationship of employer and employee or agent and principal between the parties. Except as otherwise specified in this contract, Contractor retains the sole right and obligation to direct, control or supervise the details and means by which the services under this contract are provided.

Contractor shall not be eligible for, or participate in, any insurance, pension, workers' compensation insurance, profit sharing or other plans established for the benefit of the County's employees. Contractor shall be solely responsible for payment of all taxes arising out of the Contractor's activities in connection with this Agreement, including, without limitation, federal and state income taxes, social security taxes, unemployment insurance taxes and any other tax or business license fees as required. The County shall not be responsible for withholding any income or employment taxes whatsoever on behalf of the Contractor.

ARTICLE X - INDEMNIFICATION AGREEMENT

The Subrecipient will protect, defend and indemnify the County, its officers, agents, servants, volunteers and employees from any and all liabilities, claims, liens, fines, demands and costs, including legal fees, of whatsoever kind and nature which may result in injury or death to any persons, including the Subrecipient's own employees, and for loss or damage to any property, including property owned or in the care, custody or control of the County in connection with or in any way incident to or arising out of the occupancy, use, service, operations, performance or non-performance of work in connection with this agreement resulting in whole or in part from negligent acts or omissions of Subrecipient, any subcontractor of the Subrecipient, or any employee, agent or representative of the Subrecipient or any subcontractor of the Subrecipient.

ARTICLE XI- INSURANCE REQUIREMENTS

The Subrecipient will maintain at its own expense during the term of this Agreement, the following insurance:

1. Workers' Compensation Insurance with Michigan statutory limits and Employers Liability Insurance with a minimum limit of \$100,000 each accident for any employee.
2. Commercial General Liability Insurance with a combined single limit of \$1,000,000 each occurrence for bodily injury and property damage. The County shall be

Contract # _____

added as "additional insured" on general liability policy with respect to the services provided under this agreement.

3. Automobile Liability Insurance covering all owned, hired and non-owned vehicles with Personal Protection Insurance and Property Protection Insurance to comply with the provisions of the Michigan No Fault Insurance Law, including residual liability insurance with a minimum combined single limit of \$1,000,000 each accident for bodily injury and property damage. For transportation services contracts, the County shall be added as additional insured on automobile liability policy with respect to the services provided under this contract.

Insurance companies, named insureds and policy forms may be subject to the approval of the County Administrator, if requested by the County Administrator. Such approval shall not be unreasonably withheld. Insurance policies shall not contain endorsements or policy conditions which reduce coverage provided to The County. Subrecipient shall be responsible to the County or insurance companies insuring the County for all costs resulting from both financially unsound insurance companies selected by Subrecipient and their inadequate insurance coverage. Subrecipient shall furnish the County Administrator with satisfactory certificates of insurance or a certified copy of the policy, if requested by the County Administrator.

No payments will be made to the Subrecipient until the current certificates of insurance have been received and approved by the Administrator. If the insurance as evidenced by the certificates furnished by the Subrecipient expires or is canceled during the term of the agreement, services and related payments will be suspended. Subrecipient shall furnish certification of insurance evidencing such coverage and endorsements at least ten (10) working days prior to commencement of services under this agreement. Certificates shall be addressed to the County c/o: **Office of Community and Economic Development, 415 West Michigan Ave, Suite 2200, Ypsilanti, MI 48197, AND Contract # _____**, and shall provide for written notice to the Certificate holder of cancellation of coverage.

ARTICLE XII - COMPLIANCE WITH LAWS AND REGULATIONS

The Subrecipient will comply with all federal, state and local regulations, including but not limited to all applicable OSHA/MIOSHA requirements and the Americans with Disabilities Act.

The Subrecipient agrees to maintain the proper organizational status (such as 501(c)(3) if needed) to be eligible to receive federal financial assistance under this grant, including proper licensure, registration, etc. Subrecipient agrees to keep itself in the same legal position/mode of organization as when it entered into this agreement.

ARTICLE XIII - INTEREST OF SUBRECIPIENT AND COUNTY

The Subrecipient promises that it has no interest which would conflict with the performance of services required by this agreement. The Subrecipient also promises that, in the performance of this agreement, no officer, agent, employee of the County, or member of its governing bodies, may participate in any decision relating to this agreement which affects his/her personal interest or the interest of any corporation, partnership or association in which he/she is directly or indirectly interested or has any personal or pecuniary interest. However, this paragraph does not apply if there has been compliance with the provisions of Section 3 of Act No. 317 of the Public Acts of 1968 and/or Section 30 of Act No. 156 of Public Acts of 1851, as amended by Act No. 51 of the Public Acts of 1978, whichever is applicable.

ARTICLE XIV - CONTINGENT FEES

The Subrecipient promises that it has not employed or retained any company or person, other than bona fide employees working solely for the Subrecipient, to solicit or secure this agreement, and that it has not paid or agreed to pay any company or person, other than bona fide employees working solely for the Subrecipient, any fee, commission, percentage, brokerage fee, gifts or any other consideration contingent upon or resulting from the award or making of this agreement. For breach of this promise, the County may cancel this agreement without liability or, at its discretion, deduct the full amount of the fee, commission, percentage, brokerage fee, gift or contingent fee from the compensation due the Subrecipient.

ARTICLE XV - EQUAL EMPLOYMENT OPPORTUNITY

The Subrecipient will not discriminate against any employee or applicant for employment because of race, creed, color, sex, sexual orientation, national origin, physical handicap, age, height, weight, marital status, veteran status, religion and political belief (except as it relates to a bona fide occupational qualification reasonably necessary to the normal operation of the business).

The Subrecipient will take affirmative action to eliminate discrimination based on sex, race, or a handicap in the hiring of applicant and the treatment of employees. Affirmative action will include, but not be limited to: Employment; upgrading, demotion or transfer; recruitment advertisement; layoff or termination; rates of pay or other forms of compensation; selection for training, including apprenticeship.

The Subrecipient agrees to post notices containing this policy against discrimination in conspicuous places available to applicants for employment and employees. All solicitations or advertisements for employees, placed by or on the behalf of the Subrecipient, will state that all qualified applicants will receive consideration for employment without regard to race, creed, color, sex, sexual orientation, national origin, physical handicap, age, height, weight, marital status, veteran status, religion and political belief.

ARTICLE XVI - LIVING WAGE

The parties understand that the County has enacted a Living Wage Ordinance that requires covered vendors who execute a service or professional service agreement with the County to pay their employees under that agreement, a minimum of either \$13.91 per hour with benefits or \$15.51 per hour without benefits. Agreementor agrees to comply with this Ordinance in paying its employees. The Subrecipient understands and agrees that an adjustment of the living wage amounts, based upon the Health and Human Services poverty guidelines, will be made on or before April 30, 2021 and annually thereafter which amount shall be automatically incorporated into this agreement. County agrees to give the Subrecipient thirty (30) days written notice of such change. The Subrecipient agrees to post a notice containing the County's Living Wage requirements at a location at its place of business accessed by its employees.

ARTICLE XVII - ASSIGNS AND SUCCESSORS

This agreement is binding on the County and the Subrecipient, their successors and assigns. Neither the County nor the Subrecipient will assign or transfer its interest in this agreement without the written consent of the other.

ARTICLE XVIII - TERMINATION OF AGREEMENT

Termination without cause. Either party may terminate the agreement by giving thirty (30) days written notice to the other party. Upon any such termination, the Subrecipient agrees to return to the County any funds not authorized for use, and the County shall have no further obligation to reimburse the Subrecipient. Upon termination of the agreement, the Subrecipient

Contract # _____

shall submit documentation, in a format specified by the County, to formally end its participation in the agreement.

ARTICLE XIX - EQUAL ACCESS

The Subrecipient shall provide the services set forth in the Scope of Service section of this agreement without discrimination on the basis of race, color, religion, national origin, sex, sexual orientation, marital status, physical handicap, or age.

ARTICLE XX - OWNERSHIP OF DOCUMENTS AND PUBLICATION

All documents developed as a result of this agreement will be freely available to the public. None may be copyrighted by the Subrecipient. During the performance of the services, the Subrecipient will be responsible for any loss of or damage to the documents while they are in its possession and must restore the loss or damage at its expense. Any use of the information and results of this agreement by the Subrecipient must reference the project sponsorship by the County. Any publication of the information or results must be co-authored by the County.

ARTICLE XXI - PAYROLL TAXES

The Subrecipient is responsible for all applicable state and federal social security benefits and unemployment taxes for its employees and agrees to indemnify and protect the County against such liability.

ARTICLE XXII - PRACTICE AND ETHICS

The parties will conform to the code of ethics of their respective national professional associations.

ARTICLE XXIII - CHANGES IN SCOPE OR SCHEDULE OR SERVICES

Changes mutually agreed upon by the County and the Subrecipient, will be incorporated into this agreement by written amendments signed by both parties.

Unilateral modification of the agreement may take place by the County if the underlying programmatic legislation or regulations are changed by the federal government. If this unilateral modification is objectionable to the Subrecipient, it may withdraw from receiving further federal financial assistance under this agreement by giving (thirty) 30 days written notice to the County.

The Subrecipient agrees to inform the County in writing concerning any proposed changes of dates, budget, or services indicated in this agreement, as well as changes of address or personnel affecting this agreement. Changes in dates, budget, or services are subject to prior written approval of the County.

ARTICLE XXIV - CHOICE OF LAW AND FORUM

This agreement is to be interpreted by the laws of the State of Michigan. The parties agree that the proper forum for any disputes or litigation arising out of this agreement is in Washtenaw County, Michigan.

The County and the Subrecipient agree that each must seek its own legal representative and bear its own costs, including judgments, in any litigation that may arise from performance of this contract. It is specifically understood and agreed that neither party will indemnify the other party in such litigation. This is not to be construed as a waiver of governmental immunity for either party.

Contract # _____

ARTICLE XXV - EXTENT OF AGREEMENT

This written agreement, including any attachments thereto, represents the entire agreement between the parties and supersedes all prior representations, negotiations or agreements whether written or oral.

ARTICLE XXVI – PRIVACY / THIRD PARTIES

This agreement is solely between the County and Subrecipient. No other parties are part of this agreement. This agreement is not intended to make any person or entity, not a party to this agreement, a third party beneficiary hereof or to confer on a third party any rights or obligations enforceable in their favor.

ARTICLE XXVII - SEVERABILITY

The invalidity or unenforceability of any provisions of this agreement shall not affect the validity or enforceability of any other provision of this agreement, which shall remain in full force and effect.

ARTICLE XXVIII - NOTICES

Communication notices for this agreement may be delivered via electronic mail, U.S. mail, hand delivery, or fax.

The individual or officer signing this agreement certifies by his or her signature that he or she is authorized to sign this agreement on behalf of the organization he or she represents. By signing this agreement, the County and the Subrecipient agree to comply with all of the requirements specified in this agreement.

ATTESTED TO: WASHTENAW COUNTY (Pass-Through Entity)

By: _____
Lawrence Kestenbaum (DATE)
County Clerk/Register

By: _____
Gregory Dill (DATE)
County Administrator

APPROVED AS TO CONTENT: CITY OF YPSILANTI (Subrecipient)

By: _____
Teresa Gillotti (DATE)
Director, OCED

BY: _____
Lois Richardson (DATE)
Mayor

APPROVED AS TO FORM:

By: _____
Michelle K. Billard (DATE)
Office of Corporation Counsel

Contract # _____

DRAFT

Contract # _____

[INSERT STANDARD ASSURANCES – CONSTRUCTION PROGRAMS]

DRAFT

CERTIFICATIONS REGARDING LOBBYING; DEBARMENT, SUSPENSION AND OTHER RESPONSIBILITY MATTERS; AND DRUG-FREE WORKPLACE REQUIREMENTS

Applicants should refer to the regulations cited below to determine the certification to which they are required to attest. Applicants should also review the instructions for certification included in the regulations before completing this form. Signature of this form provides for compliance with certification requirements under 34 CFR Part 82, "New Restrictions on Lobbying," and 34 CFR Part 85, "Government-wide Debarment and Suspension (Non-procurement) and Government-wide Requirements for Drug-Free Workplace (Grants)." The certifications shall be treated as a material representation of fact upon which reliance will be placed when Washtenaw County determines to award the covered transaction, grant, or cooperative agreement.

1. LOBBYING

As required by Section 1352, Title 31 of the U.S. Code, and implemented at 34 CFR Part 82, for persons entering into a grant or cooperative agreement over \$100,000, as defined at 34 CFR Part 82, Sections 82.105 and 82.110, the applicant certifies that:

(a) No Federal appropriated funds have been paid or will be paid, by or on behalf of the undersigned, to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with the making of any Federal grant, the entering into of any cooperative agreement, and the extension, continuation, renewal, amendment, or modification of any Federal grant or cooperative agreement;

(b) If any funds other than Federal appropriated funds have been paid or will be paid to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with this Federal grant or cooperative agreement, the undersigned shall complete and submit Standard Form - LLL, "Disclosure Form to Report Lobbying," in accordance with its instructions;

(c) The undersigned shall require that the language of this certification be included in the award documents for all subawards at all tiers (including subgrants, contracts under grants and cooperative agreements, and subcontracts) and that all subrecipients shall certify and disclose accordingly.

2. DEBARMENT, SUSPENSION, AND OTHER RESPONSIBILITY MATTERS

As required by Executive Order 12549, Debarment and Suspension, and implemented at 34 CFR Part 85, for prospective participants in primary covered transactions, as defined at 34 CFR Part 85, Sections 85.105 and 85.110—

A. The applicant certifies that it and its principals:

(a) Are not presently debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded from covered transactions by any Federal department or agency;

(b) Have not within a three-year period preceding this application been convicted of or had a civil judgment rendered against them for commission of fraud or a criminal offense in connection with obtaining, attempting to obtain, or performing a public (Federal, State, or local) transaction or contract under a public transaction; violation of Federal or State antitrust statutes or commission of embezzlement, theft, forgery, bribery, falsification or destruction of records, making false statements, or receiving stolen property;

(c) Are not presently indicted for or otherwise criminally or civilly charged by a governmental entity (Federal, State, or local) with commission of any of the offenses enumerated in paragraph (2)(b) of this certification; and

(d) Have not within a three-year period preceding this application had one or more public transaction (Federal, State, or local) terminated for cause or default; and

B. Where the applicant is unable to certify to any of the statements in this certification, he or she shall attach an explanation to this application.

3. DRUG-FREE WORKPLACE (GRANTEES OTHER THAN INDIVIDUALS)

As required by the Drug-Free Workplace Act of 1988, and implemented at 34 CFR Part 85, Subpart F, for grantees, as defined at 34 CFR Part 85, Sections 85.605 and 85.610 –

A. The applicant certifies that it will or will continue to provide a drug-free workplace by:

(a) Publishing a statement notifying employees that the unlawful manufacture, distribution, dispensing, possession, or use of a controlled substance is prohibited in the grantee's workplace and specifying the actions that will be taken against employees for violation of such prohibition;

Contract # _____

(b) Establishing an on-going drug-free awareness program to inform employees about:

(1) The dangers of drug abuse in the workplace;

(2) The grantee's policy of maintaining a drug-free workplace;

(3) Any available drug counseling, rehabilitation, and employee assistance programs; and

(4) The penalties that may be imposed upon employees for drug abuse violations occurring in the workplace;

(c) Making it a requirement that each employee to be engaged in the performance of the grant be given a copy of the statement required by paragraph (a);

(d) Notifying the employee in the statement required by paragraph (a) that, as a condition of employment under the grant, the employee will:

(1) Abide by the terms of the statement; and

(2) Notify the employer in writing of his or her conviction for a violation of a criminal drug statute occurring in the workplace no later than five calendar days after such conviction; (e) Notifying the agency, in writing, within 10 calendar days after receiving notice under subparagraph (d)(2) from an employee or otherwise receiving actual notice of such conviction. Employers of convicted employees must provide notice, including position title, to: Washtenaw County Administrator's Office, 220 N. Main, P.O. Box 8645, Ann Arbor, MI 48107-8645. Notice shall include the identification number(s) of each affected grant;

(f) Taking one of the following actions, within 30 calendar days of receiving notice under subparagraph (d)(2), with respect to any employee who is so convicted:

(1) Taking appropriate personnel action against such an employee, up to and including termination, consistent with the requirements of the Rehabilitation Act of 1973, as amended; or (2) Requiring such employee to participate satisfactorily in a drug abuse assistance or rehabilitation program approved for such purposes by a Federal, State, or local health, law enforcement, or other appropriate agency;

(g) Making a good faith effort to continue to maintain a drug-free workplace through implementation of paragraphs (a), (b), (c), (d), (e), and (f).

B. The grantee may insert in the space provided below the site(s) for the performance of work done in connection with the specific grant:

Place of Performance (Street address, city, county, state, zip code)

Check ☐ if there are workplaces on file that are not identified here.

**DRUG-FREE WORKPLACE
(GRANTEES WHO ARE INDIVIDUALS)**

As required by the Drug-Free Workplace Act of 1988, and implemented at 34 CFR Part 85, Subpart F, for grantees, as defined at 34 CFR Part 85, Sections 85.605 and 85.610-

A. As a condition of the grant, I certify that I will not engage in the unlawful manufacture, distribution, dispensing, possession, or use of a controlled substance in conducting any activity with the grant; and

B. If convicted of a criminal drug offense resulting from a violation occurring during the conduct of any grant activity, I will report the conviction, in writing, within 10 calendar days of the conviction, to: Washtenaw County Administrator's Office, 220 N. Main, P.O. Box 8645, Ann Arbor, MI 48107-8645. Notice shall include the identification number(s) of each affected grant.

As the duly authorized representative of the applicant, I hereby certify that the applicant will comply with the above certifications.

Name of Subrecipient Organization

Printed Name and Title of Subrecipient's Authorized Representative

Signature of Subrecipient's Authorized Representative

Date

Contract # _____

Subrecipient Audit Certification

Federal Audit Requirements - Fiscal Years Beginning After December 26, 2014

Non-federal organizations which expend \$750,000 or more in federal funds during their fiscal year are required to have a Single Audit performed in accordance with the Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards (2 CFR Chapter I, and Chapter II, Parts 200, 215, 220, 225, 230) issued December 26, 2013 by the Executive Office of the President, Office of Management and Budget. Subrecipients must submit their audit report to the Federal Audit Clearinghouse within the earlier of 30 days after receipt of the auditor's report, or within 9 months after the end of the audit period for each year the Subrecipient meets the \$750,000 federal expenditure threshold.

Program: _____ CFDA Number: _____

Subrecipient Information:

Organization Name: _____

Street Address: _____

City, State, Zip Code: _____

Independent Audit Firm: _____

Certification for Fiscal Year Ending (mm/dd/yyyy): _____

(Check appropriate box):

- ☐ I certify that the Subrecipient shown above **does not expect** to expend \$750,000 or more in federal funds during at least one fiscal year that funds are received for the above listed program and thus it will not be required to have a Single Audit performed under the Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards (2 CFR Chapter I, and Chapter II, Parts 200, 215, 220, 225, 230) issued December 26, 2013 by the Executive Office of the President, Office of Management and Budget, for the above listed program.
- ☐ I certify that the Subrecipient shown above **expects it will** expend \$750,000 or more in federal funds during at least one fiscal year that funds are received for the above listed program and thus it will be required to have a Single Audit performed under the Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards (2 CFR Chapter I, and Chapter II, Parts 200, 215, 220, 225, 230) issued December 26, 2013 by the Executive Office of the President, Office of Management and Budget.

Signature of Subrecipient's Authorized Representative

Date

For Washtenaw County Use Only

Reviewed By: _____

Date: _____

Contract # _____

ATTACHMENT A – SCOPE OF SERVICES & TIMELINE

NARRATIVE DESCRIPTION OF SCOPE OF WORK:

WASHTENAW COUNTY will contract with the **CITY** for the eligible costs of re-constructing the playground at Parkridge Park, as described in the Scope of Services, and in accordance with the budget in Attachment B. This project will be paid for with CDBG Program Income funds receipted by the COUNTY in 2015 - 2017, and programmed in the 2018 Annual Action Plan for CDBG-eligible projects in R/ECAPs identified by the community. The project site is located within one of Washtenaw County's two (2) R/ECAPs.

The City of Ypsilanti is a current member of [OMNIA Partners](#), a cooperative purchasing organization for the public sector, and is therefore permitted to contract directly with Sinclair Recreation or other GameTime Domestic Sales Agencies listed in the [OMNIA contract #2017001134 with GameTime, A PlayCore Company for Playground and Outdoor Fitness Equipment, Site Accessories, Surfacing, and Related Products and Services](#).

The City of Ypsilanti will be in compliance with County and Federal procurement requirements by awarding this project to a GameTime Domestic Sales Agency as specified in Exhibit C "National Network of Distributors and Installers" of [OMNIA Partners, Public Sector's Contract #2017001134](#). GameTime was selected in 2017 through a competitive RFP process led by the City of Charlotte, NC on behalf of OMNIA Partners, Public Sector. The contract is active through June 30, 2022.

PROJECT TIMELINE:

Activity	Deadline
CITY OF YPSILANTI City Council will approve subrecipient agreement with OCED.	August 18, 2020
Sinclair Recreation, a Domestic Sales Agency of GameTime playgrounds, will provide a complete playground proposal with sketches and budget, based on requirements specified by CITY OF YPSILANTI in close collaboration with WASHTENAW COUNTY.	August 28, 2020
CITY OF YPSILANTI will award contract to Sinclair Recreation.	September 1, 2020
Contractor will order selected equipment and provide installation timeline.	September 2, 2020
CITY and COUNTY will hold a pre-construction meeting with Sinclair Recreation.	September 7, 2020
Office of Community Development will perform Davis-Bacon Interviews.	Sept/Oct 2020
Contractor will achieve substantial completion of Parkridge Playground project.	October 26, 2020
Contractor will complete construction; a Certified Playground Safety Inspector from the City (or 3 rd party to be hired by the City) will certify the playground.	November 2, 2020
CITY and COUNTY will perform final inspection.	November 9, 2020
CITY OF YPSILANTI will submit request for reimbursement from Washtenaw County OCED, along with accompanying proof of payment, original Davis-Bacon payroll forms, Section 3 summary report, and any other required documentation for CDBG-funded projects.	November 23, 2020
Project Completion Date: November 30, 2020	

Contract # _____

ATTACHMENT B – PROJECT BUDGET

SUMMARY OF TERMS:

The COUNTY agrees to pay to or on behalf of the **CITY OF YPSILANTI** an amount not to exceed **Two Hundred Thousand Dollars and Zero Cents (\$200,000.00)** in **CDBG Program Income Funds** according to the budget below:

PROJECT BUDGET:

2020 Parkridge Playground Budget	
REVENUE SOURCE(S):	TOTAL
CDBG Program Income (2015)	\$83,579.21
CDBG Program Income (2016)	\$110,617.00
CDBG Program Income (2017)	\$5,803.79
Status of Funds	
Total Revenues	\$200,000.00
PROGRAM EXPENSES	TOTAL
Personnel, Taxes & Fringe Benefits	
Other – construction	\$200,000.00
Total Expenditures	\$200,000.00



Contract # _____

Resolution No. 2020 -
05/02/2020

**RESOLUTION TO APPROVE SUBRECIPIENT AGREEMENT
WITH WASHTENAW COUNTY**

IT IS RESOLVED BY THE COUNCIL OF THE CITY OF YPSILANTI:

The attached sub-recipient agreement is needed to proceed with utilizing CDBG Funding for construction of a new playground at Parkridge Park. The exact model of playground has been selected by community vote following many in person and digital engagement sessions over the last 15 months.

The City of Ypsilanti will be in compliance with County and Federal procurement requirements by awarding this project to a GameTime Domestic Sales Agency as specified in Exhibit C "National Network of Distributors and Installers" of OMNIA Partners, Public Sector's Contract #2017001134. GameTime was selected in 2017 through a competitive RFP process led by the City of Charlotte, NC on behalf of OMNIA Partners, Public Sector. The contract is active through June 30, 2022 and therefore meets the competitive bidding requirements established by the City of Ypsilanti. The City Manager is hereby authorized to make amendments and adjustments to the contract and to approve as the authorized representative any additional documentation needed for the project.

OFFERED BY:

SUPPORTED BY:

YES: NO: 0 ABSENT: 0 VOTE:

I do hereby certify that the above resolution is a true and correct copy of Resolution 2020- as passed by the Ypsilanti City Council, at their meeting held on August 18, 2020.

Andrew Hellenga, City Clerk

Contract # _____

DRAFT



REQUEST FOR LEGISLATION

TO: Mayor and City Council
FROM: Ron Akers
DATE: August 18, 2020
SUBJECT: Agreement between Washtenaw County and the City of Ypsilanti for Subaward of Federal Financial Assistance.

DESCRIPTION:

Agreement between Washtenaw County and the City of Ypsilanti for Subaward of Federal Financial Assistance.

SUMMARY:

Washtenaw County participates in HUD's Urban County program in which it receives CDBG funds each year. Washtenaw County allocates some of those funds to the City of Ypsilanti for various projects each year, including \$50,000 per year in ramp improvements. To move forward with the ramp improvement project the City will need to approve the attached subrecipient agreement with Washtenaw County in order to use Community Development Block Grant (CDBG) funds for the project. The contract formalizes the responsibilities of the City and the County regarding reporting and following the rules and guidelines set forth by HUD.

RECOMMENDED ACTION:

Staff recommends City Council approve the agreement between Washtenaw County and the City of Ypsilanti for Subaward of Federal Financial Assistance and authorizes the Mayor to sign the easement on the City's behalf. The agreement shall be subject to review by the City Attorney.

ATTACHMENTS: Proposed Subrecipient

CITY MANAGER APPROVAL: _____ COUNCIL AGENDA DATE: _____

CITY MANAGER COMMENTS: _____

FISCAL SERVICES DIRECTOR APPROVAL: _____



Resolution No. 2020-171
August 18, 2020

RESOLVED BY THE COUNCIL OF THE CITY OF YPSILANTI:

WHEREAS, the City of Ypsilanti has been awarded \$50,000 by Washtenaw County to reconstruct sidewalk ramps within the City; and,

WHEREAS, in order to move forward with the project the City of Ypsilanti must enter into an agreement with Washtenaw County for the subaward of Community Development Block Grant Funds (CDBG); and,

WHEREAS, the City of Ypsilanti intends to complete the ramp improvements prior to the end of the calendar year;

NOW THEREFORE BE IT RESOLVED THAT that the City of Ypsilanti City Council approves the agreement between Washtenaw County and the City of Ypsilanti for Subaward of Federal Financial Assistance and authorizes the Mayor to sign the agreement on the City's behalf. The agreement shall be subject to review by the City Attorney.

OFFERED BY: _____

SECONDED BY: _____

YES: NO: ABSENT: VOTE:

This resolution is adopted by the Council of the City of Ypsilanti and approved by the Mayor this 18 day of August 2020

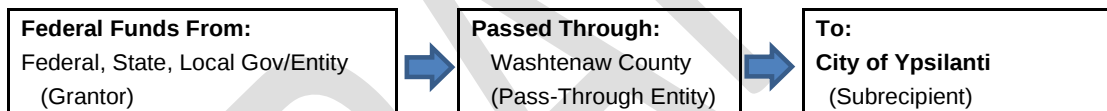
#Resolution No. 2020-171

COUNTY OF WASHTENAW, MICHIGAN**Agreement for Subaward of Federal Financial Assistance**

The COUNTY OF WASHTENAW is a recipient of federal financial assistance grant dollars. These funds are received directly from the federal government and indirectly from the State of Michigan and several local entities. The County sometimes passes through a portion of this federal financial assistance to other organizations located within (or in the vicinity of) the geographical boundaries of the County to assist them in carrying out the objectives of the applicable federal grant or program.

AGREEMENT is made this **1st day of August, 2020**, by the COUNTY OF WASHTENAW, a municipal corporation, with offices located in the County Administration Building, 220 North Main Street, Ann Arbor, Michigan, as the pass-through entity (hereinafter referred to as the County) and, **the City of Ypsilanti**, located at **One South Huron Street, Ypsilanti, MI 48197** (hereinafter often referred to as the Subrecipient).

This agreement is a subaward of federal financial assistance by the County to the Subrecipient intended to assist, stimulate, or support the Subrecipient in carrying out its allowable activities under the Continuum of Care as requested by the Subrecipient in its application to the County for federal financial assistance.

Flow of Federal Financial Assistance in this Subaward AgreementARTICLE I – REQUIRED DATA ELEMENTS

(As detailed in Section 200.331 of the Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards (2 CFR Chapter I, and Chapter II, Parts 200, 215, 220, 225, 230) issued December 26, 2013 by the Executive Office of the President, Office of Management and Budget, hereinafter referred to as the Uniform Guidance.)

Subrecipient Name (must match registered name in DUNS)	City of Ypsilanti
Subrecipient DUNS Number	131336260
Federal Award Identification Number (FAIN)	\$50,000 – B-19-UC-26-006
Federal Award Date (the date when the federal award is signed by the authorized official of the federal awarding agency)	July 23, 2019
Subaward Period of Performance (start and end date)	8/1/2020 – 7/31/2021
Amount of Federal Funds Obligated by this Agreement	2019 CDBG Funds - \$50,000.00
Total Amount of Federal Funds Obligated to the Subrecipient	\$50,000.00
Total Amount of the Federal Award	2019 CDBG Funds -\$2,123,502.00
Federal Award Project Description (as required to be responsive to the	This contract supports eligible costs to reconstruct approximately 23 curb cuts located at 5 identified

Contract # _____

Federal Funding Accountability and Transparency Act (FFATA) described in Title 2 Code of Federal Regulations Part 170)	intersections according to Americans with Disability Act (ADA) and Uniform Federal Accessibility Standards (UFAS).
Name of Federal Awarding Agency	Department of Housing and Urban Development (HUD)
Name of County (Pass-Through Entity)	Washtenaw County
Name and Contact Information for Awarding Official	Gregory Dill 220 N. Main P.O. Box 8645 Ann Arbor, MI 48107 Phone: 734-222-6850
CFDA Number and Name	14.228- Community Development Block Grant
Is this Subaward for Research and Development? (answer Yes or No)	No
Indirect Cost Rate for the Federal Award (either an approved federally recognized indirect cost rate negotiated between the Subrecipient and the federal government or, if no such rate exists, either a rate negotiated between the County and Subrecipient or a de minimus indirect cost rate of 10% of modified total direct costs may be used). Subrecipient may choose to charge only direct costs to this agreement.	Not applicable

WHEREAS, the Grantee receives funds from the United States Department of Housing and Urban Development (HUD) pursuant to HUD's Community Development Block Grant Entitlement Communities Grants ("CDBG") and the Grantee is authorized to award CDBG funds pursuant to Title 1 of the Housing and Community Development Act of 1974, Public Law 93-383, as amended; 42 U.S.C. 5301, et. seq.; and

WHEREAS, the Grantee has been designated as an entitlement county for the CDBG Program and acts as the lead entity for the Washtenaw Urban County, which consists of the City of Ann Arbor, City of Dexter, City of Saline, City of Ypsilanti, Ann Arbor Township, Augusta Township, Bridgewater Township, Dexter Township, Lima Township, Manchester Township, Northfield Township, Pittsfield Township, Salem Township, Saline Township, Scio Township, Superior Township, Sylvan Township, Webster Township, York Township, and Ypsilanti Township; and

WHEREAS, the Subrecipient has agreed to collaborate with the Office of Community and Economic Development (OCED) to manage this public improvement project; and

In consideration of the mutual covenants and obligations contained in this Agreement, including the Attachments, and subject to the terms and conditions stated, THE PARTIES AGREE AS FOLLOWS:

ARTICLE II - SCOPE OF SERVICES

The Subrecipient will agree to use Washtenaw Urban County CDBG funds for the eligible costs of re-constructing approximately 23 curb cuts listed in Attachment A, so that they meet Americans with Disabilities (ADA) and Uniform Federal Accessibility Standards (UFAS).

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The contract will be paid for with 2019 Urban County CDBG funding in accordance with the budget in Attachment B, **not to exceed Fifty thousand dollars (\$50,000)** in accordance with the specifications described in this agreement and the budget in Attachment B. The City of Ypsilanti will be responsible for covering any remaining costs in excess of \$50,000.

ARTICLE III - PAYMENT AND CASH MANAGEMENT

If the County is paid in advance by the federal awarding agency under the above named federal assistance award, the Subrecipient may also be paid in advance if it meets the requirements in Section 1 below.

Section 1 - Cash Advances. The Subrecipient may request an advance of funds under this agreement if it maintains or demonstrates the willingness to maintain both:

1. written procedures that minimize the time elapsing between the transfer of funds from the County and the subsequent disbursement of the funds by the Subrecipient,
2. financial management systems that meet the standards for fund control and accountability as defined in Section 200.305 of the Uniform Guidance.

Requests for advance of funds must be limited to the minimum amount needed and must be timed to be in accordance with the actual, immediate cash requirements of the Subrecipient in carrying out the terms of this agreement. The timing and amount of the advance must be as close as is "administratively feasible" to the actual disbursement to be made by the Subrecipient.

Section 2 - Reimbursement. If the Subrecipient does not meet the requirements in Section 1 above, it shall submit periodic reimbursement requests to the County. This may be done on a monthly or quarterly basis. The reimbursement request shall be accompanied by the agreed upon financial and programmatic reports. The County shall pay the Subrecipient within 30 calendar days after the receipt of the reimbursement request and the agreed upon financial/programmatic reports, unless the County reasonably believes the reimbursement request to be improper.

ARTICLE IV - REPORTING OF SUBRECIPIENT

Section 1 - The Subrecipient is to report to **CDBG Management Analyst** and will cooperate and confer with him/her as necessary to insure satisfactory work progress.

Section 2 - The Subrecipient shall submit financial reports **as requested** to the OCED Senior Fiscal Assistant. The Subrecipient shall submit programmatic reports **as requested** to CDBG Management Analyst.

Section 3 - All reports, estimates, memoranda and documents submitted by the Subrecipient must be dated and bear the Subrecipient's name. Financial reports shall be submitted in a timely manner to the County and shall be in agreement with the amounts shown in the Subrecipient's financial system and shall be supported by appropriate documentation (payroll records, invoices, etc.). Final financial and programmatic reports shall be submitted by the Subrecipient within 30 days of the end of this agreement unless an extension of time is granted in writing by the County.

Section 4 - The Subrecipient agrees to only incur costs under this agreement which are eligible under the Cost Principles detailed in Section 200.400-475 of the Uniform Guidance.

Section 5 - The Subrecipient shall retain all reports, records and supporting documentation pertaining to this agreement for a period of three years from the date of submission of the final expenditure report and shall make them available to the County and the federal awarding agency upon request.

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Section 6 - All reports made in connection with these services are subject to review and final approval by the County Administrator.

Section 7 - The County may review and inspect the Subrecipient's activities during the term of this agreement.

Section 8 - When applicable, the Subrecipient will submit a final, written report to the County Administrator.

Section 9 - After reasonable notice to the Subrecipient, the County may review any of the Subrecipient's internal records, reports, or insurance policies.

Section 10 - The Subrecipient and/or subcontractors shall disclose in writing to the County any potential conflict of interest it has related to the County or this agreement subject to the provisions 2 CFR 200.318.

Section 11 - The Subrecipient shall disclose in writing to the County in a timely manner all violations of Federal criminal law involving fraud, bribery, or gratuity violations potentially affecting this agreement.

Section 12 - The Subrecipient shall report to the County in a timely manner if any adverse or problematic situations arise between reporting deadlines describing the nature of the problem and what is being done to address it.

ARTICLE V - TERM

This contract begins on the date of this agreement and ends on **July 31, 2021** with an option to extend for an additional **6 months**. No costs eligible under this agreement shall be incurred by the Subrecipient before or after these dates, except with prior written approval of the County.

ARTICLE VI- RESPONSIBILITIES OF THE SUBRECIPIENT

Section 1 - The Subrecipient agrees to comply with all applicable federal, State, and local regulations including the Uniform Guidance. The Subrecipient agrees to comply with the management systems standards (financial management (Sections 200.302-304), procurement (Sections 200.317-326), and property management (Sections 200.310-316)) of the Uniform Guidance.

Section 2 - The Subrecipient agrees to have performed a Single Audit of its federal expenditures if it reaches the Single Audit dollar threshold in federal expenditures during its fiscal year as detailed in Section 200.501 of the Uniform Guidance. The County reserves the right to perform or cause to be performed additional audits if it deems such to be necessary to insure compliance with the terms of this agreement or to determine the eligibility of the reported expenditures for reimbursement.

Section 3 - The Subrecipient agrees to comply with the provisions of the Byrd Amendment (Public Law 101-121, Section 319 - 31 U.S. Code Section 1352) which prohibits the use of federal funds by the recipient or subrecipient of a Federal contract, grant, loan, or cooperative agreement to pay any person to influence or attempt to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with the federal funds awarded under this agreement.

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Section 4 – The Subrecipient agrees to comply with the provisions of the Stevens Amendment (Section 8136 of the Department of Defense Appropriations Act – Public Law 100-463) which stipulates that when issuing statements, press releases, requests for proposals, bid solicitations, and other documents describing projects or programs funded in whole or in part with federal money, all grantees receiving federal funds, including but not limited to state and local governments, shall clearly state (1) the percentage of the total cost of the program or project which will be financed with federal money, (2) the dollar amount of federal funds for the project or program, and (3) the percentage and dollar amount of the total costs of the project or program that will be funded by non-governmental sources.

Section 5 - In addition to this agreement, the Subrecipient shall complete, sign, and submit to the County the following documents which are attached as part of this agreement:

1. Standard Assurances
2. Certifications Regarding Lobbying; Debarment, Suspension and Other Responsibility Matters; and Drug-Free Workplace Requirements
3. Audit Certification

ARTICLE VII – SUSPENSION OF FUNDING

The County may suspend funding to the Subrecipient, in whole or in part, or other measures may be imposed for any of the following reasons:

1. Failure to expend funds in a timely manner consistent with the agreement milestones, guidance, and assurances.
2. Failure to comply with the requirements or statutory objectives of federal or state law.
3. Failure to follow agreement requirements or special conditions.
4. Proposal or implementation of substantial plan changes to the extent that, if originally submitted, the application would not have been approved for funding.
5. Failure to submit required reports.
6. Filing of a false certification on the application or other report or document.
7. Failure to adequately manage, monitor or direct the activities of its subrecipients that are funded under this agreement.

Before taking action, the County will provide the Subrecipient reasonable notice of intent to impose corrective measures and will make every effort to resolve the problem informally.

The County reserves the right to recommend to the federal government that the Subrecipient be suspended or debarred in the case of sustained significant noncompliance by the Subrecipient with the award provisions.

ARTICLE VIII- PERSONNEL

Section 1 - The Subrecipient will provide the required services and will not subaward or assign the services without the County's written approval.

Section 2 - The Subrecipient will not hire any County employee for any of the required services without the County's written approval.

Section 3 - The parties agree that all work done under this agreement shall be completed in the United States and that none of the work will be partially or fully completed by either an offshore entity or offshore business interest either owned or affiliated with the Subrecipient. For purposes of this agreement, the term, "offshore" refers to any area outside the contiguous United States, Alaska or Hawaii.

ARTICLE IX-INDEPENDENT CONTRACTOR

Contractor and the County shall, at all times, be deemed to be independent contractors and nothing herein shall be construed to create or imply that there exists between the parties a partnership, joint venture or other business organization. Contractor shall hold no authority, express or implied, to commit, obligate or make representations on behalf of the County and shall make no representation to others to the contrary.

Nothing herein is intended nor shall be construed for any purpose as creating the relationship of employer and employee or agent and principal between the parties. Except as otherwise specified in this contract, Contractor retains the sole right and obligation to direct, control or supervise the details and means by which the services under this contract are provided.

Contractor shall not be eligible for, or participate in, any insurance, pension, workers' compensation insurance, profit sharing or other plans established for the benefit of the County's employees. Contractor shall be solely responsible for payment of all taxes arising out of the Contractor's activities in connection with this Agreement, including, without limitation, federal and state income taxes, social security taxes, unemployment insurance taxes and any other tax or business license fees as required. The County shall not be responsible for withholding any income or employment taxes whatsoever on behalf of the Contractor.

ARTICLE X - INDEMNIFICATION AGREEMENT

The Subrecipient will protect, defend and indemnify the County, its officers, agents, servants, volunteers and employees from any and all liabilities, claims, liens, fines, demands and costs, including legal fees, of whatsoever kind and nature which may result in injury or death to any persons, including the Subrecipient's own employees, and for loss or damage to any property, including property owned or in the care, custody or control of the County in connection with or in any way incident to or arising out of the occupancy, use, service, operations, performance or non-performance of work in connection with this agreement resulting in whole or in part from negligent acts or omissions of Subrecipient, any subcontractor of the Subrecipient, or any employee, agent or representative of the Subrecipient or any subcontractor of the Subrecipient.

ARTICLE XI- INSURANCE REQUIREMENTS

The Subrecipient will maintain at its own expense during the term of this Agreement, the following insurance:

1. Workers' Compensation Insurance with Michigan statutory limits and Employers Liability Insurance with a minimum limit of \$100,000 each accident for any employee.
2. Commercial General Liability Insurance with a combined single limit of \$1,000,000 each occurrence for bodily injury and property damage. The County shall be added as "additional insured" on general liability policy with respect to the services provided under this agreement.
3. Automobile Liability Insurance covering all owned, hired and non-owned vehicles with Personal Protection Insurance and Property Protection Insurance to comply with the provisions of the Michigan No Fault Insurance Law, including residual

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liability insurance with a minimum combined single limit of \$1,000,000 each accident for bodily injury and property damage. For transportation services contracts, the County shall be added as additional insured on automobile liability policy with respect to the services provided under this contract.

Insurance companies, named insureds and policy forms may be subject to the approval of the County Administrator, if requested by the County Administrator. Such approval shall not be unreasonably withheld. Insurance policies shall not contain endorsements or policy conditions which reduce coverage provided to The County. Subrecipient shall be responsible to the County or insurance companies insuring the County for all costs resulting from both financially unsound insurance companies selected by Subrecipient and their inadequate insurance coverage. Subrecipient shall furnish the County Administrator with satisfactory certificates of insurance or a certified copy of the policy, if requested by the County Administrator.

No payments will be made to the Subrecipient until the current certificates of insurance have been received and approved by the Administrator. If the insurance as evidenced by the certificates furnished by the Subrecipient expires or is canceled during the term of the agreement, services and related payments will be suspended. Subrecipient shall furnish certification of insurance evidencing such coverage and endorsements at least ten (10) working days prior to commencement of services under this agreement. Certificates shall be addressed to the County c/o: **Office of Community and Economic Development, 415 West Michigan Ave, Suite 2200, Ypsilanti, MI 48197, AND Contract # _____**, and shall provide for written notice to the Certificate holder of cancellation of coverage.

ARTICLE XII - COMPLIANCE WITH LAWS AND REGULATIONS

The Subrecipient will comply with all federal, state and local regulations, including but not limited to all applicable OSHA/MIOSHA requirements and the Americans with Disabilities Act.

The Subrecipient agrees to maintain the proper organizational status (such as 501(c)(3) if needed) to be eligible to receive federal financial assistance under this grant, including proper licensure, registration, etc. Subrecipient agrees to keep itself in the same legal position/mode of organization as when it entered into this agreement.

ARTICLE XIII - INTEREST OF SUBRECIPIENT AND COUNTY

The Subrecipient promises that it has no interest which would conflict with the performance of services required by this agreement. The Subrecipient also promises that, in the performance of this agreement, no officer, agent, employee of the County, or member of its governing bodies, may participate in any decision relating to this agreement which affects his/her personal interest or the interest of any corporation, partnership or association in which he/she is directly or indirectly interested or has any personal or pecuniary interest. However, this paragraph does not apply if there has been compliance with the provisions of Section 3 of Act No. 317 of the Public Acts of 1968 and/or Section 30 of Act No. 156 of Public Acts of 1851, as amended by Act No. 51 of the Public Acts of 1978, whichever is applicable.

ARTICLE XIV - CONTINGENT FEES

The Subrecipient promises that it has not employed or retained any company or person, other than bona fide employees working solely for the Subrecipient, to solicit or secure this agreement, and that it has not paid or agreed to pay any company or person, other than bona fide employees working solely for the Subrecipient, any fee, commission, percentage, brokerage fee, gifts or any other consideration contingent upon or resulting from the award or making of this agreement. For breach of this promise, the County may cancel this agreement without liability or,

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at its discretion, deduct the full amount of the fee, commission, percentage, brokerage fee, gift or contingent fee from the compensation due the Subrecipient.

ARTICLE XV - EQUAL EMPLOYMENT OPPORTUNITY

The Subrecipient will not discriminate against any employee or applicant for employment because of race, creed, color, sex, sexual orientation, national origin, physical handicap, age, height, weight, marital status, veteran status, religion and political belief (except as it relates to a bona fide occupational qualification reasonably necessary to the normal operation of the business).

The Subrecipient will take affirmative action to eliminate discrimination based on sex, race, or a handicap in the hiring of applicant and the treatment of employees. Affirmative action will include, but not be limited to: Employment; upgrading, demotion or transfer; recruitment advertisement; layoff or termination; rates of pay or other forms of compensation; selection for training, including apprenticeship.

The Subrecipient agrees to post notices containing this policy against discrimination in conspicuous places available to applicants for employment and employees. All solicitations or advertisements for employees, placed by or on the behalf of the Subrecipient, will state that all qualified applicants will receive consideration for employment without regard to race, creed, color, sex, sexual orientation, national origin, physical handicap, age, height, weight, marital status, veteran status, religion and political belief.

ARTICLE XVI - LIVING WAGE

The parties understand that the County has enacted a Living Wage Ordinance that requires covered vendors who execute a service or professional service agreement with the County to pay their employees under that agreement, a minimum of either \$13.91 per hour with benefits or \$15.51 per hour without benefits. Agreementor agrees to comply with this Ordinance in paying its employees. The Subrecipient understands and agrees that an adjustment of the living wage amounts, based upon the Health and Human Services poverty guidelines, will be made on or before April 30, 2021 and annually thereafter which amount shall be automatically incorporated into this agreement. County agrees to give the Subrecipient thirty (30) days written notice of such change. The Subrecipient agrees to post a notice containing the County's Living Wage requirements at a location at its place of business accessed by its employees.

ARTICLE XVII - ASSIGNS AND SUCCESSORS

This agreement is binding on the County and the Subrecipient, their successors and assigns. Neither the County nor the Subrecipient will assign or transfer its interest in this agreement without the written consent of the other.

ARTICLE XVIII - TERMINATION OF AGREEMENT

Termination without cause. Either party may terminate the agreement by giving thirty (30) days written notice to the other party. Upon any such termination, the Subrecipient agrees to return to the County any funds not authorized for use, and the County shall have no further obligation to reimburse the Subrecipient. Upon termination of the agreement, the Subrecipient shall submit documentation, in a format specified by the County, to formally end its participation in the agreement.

ARTICLE XIX - EQUAL ACCESS

The Subrecipient shall provide the services set forth in the Scope of Service section of this agreement without discrimination on the basis of race, color, religion, national origin, sex, sexual orientation, marital status, physical handicap, or age.

ARTICLE XX - OWNERSHIP OF DOCUMENTS AND PUBLICATION

All documents developed as a result of this agreement will be freely available to the public. None may be copyrighted by the Subrecipient. During the performance of the services, the Subrecipient will be responsible for any loss of or damage to the documents while they are in its possession and must restore the loss or damage at its expense. Any use of the information and results of this agreement by the Subrecipient must reference the project sponsorship by the County. Any publication of the information or results must be co-authored by the County.

ARTICLE XXI - PAYROLL TAXES

The Subrecipient is responsible for all applicable state and federal social security benefits and unemployment taxes for its employees and agrees to indemnify and protect the County against such liability.

ARTICLE XXII - PRACTICE AND ETHICS

The parties will conform to the code of ethics of their respective national professional associations.

ARTICLE XXIII - CHANGES IN SCOPE OR SCHEDULE OR SERVICES

Changes mutually agreed upon by the County and the Subrecipient, will be incorporated into this agreement by written amendments signed by both parties.

Unilateral modification of the agreement may take place by the County if the underlying programmatic legislation or regulations are changed by the federal government. If this unilateral modification is objectionable to the Subrecipient, it may withdraw from receiving further federal financial assistance under this agreement by giving (thirty) 30 days written notice to the County.

The Subrecipient agrees to inform the County in writing concerning any proposed changes of dates, budget, or services indicated in this agreement, as well as changes of address or personnel affecting this agreement. Changes in dates, budget, or services are subject to prior written approval of the County.

ARTICLE XXIV - CHOICE OF LAW AND FORUM

This agreement is to be interpreted by the laws of the State of Michigan. The parties agree that the proper forum for any disputes or litigation arising out of this agreement is in Washtenaw County, Michigan.

The County and the Subrecipient agree that each must seek its own legal representative and bear its own costs, including judgments, in any litigation that may arise from performance of this contract. It is specifically understood and agreed that neither party will indemnify the other party in such litigation. This is not to be construed as a waiver of governmental immunity for either party.

Contract # _____

ARTICLE XXV - EXTENT OF AGREEMENT

This written agreement, including any attachments thereto, represents the entire agreement between the parties and supersedes all prior representations, negotiations or agreements whether written or oral.

ARTICLE XXVI – PRIVACY / THIRD PARTIES

This agreement is solely between the County and Subrecipient. No other parties are part of this agreement. This agreement is not intended to make any person or entity, not a party to this agreement, a third party beneficiary hereof or to confer on a third party any rights or obligations enforceable in their favor.

ARTICLE XXVII - SEVERABILITY

The invalidity or unenforceability of any provisions of this agreement shall not affect the validity or enforceability of any other provision of this agreement, which shall remain in full force and effect.

ARTICLE XXVIII - NOTICES

Communication notices for this agreement may be delivered via electronic mail, U.S. mail, hand delivery, or fax.

The individual or officer signing this agreement certifies by his or her signature that he or she is authorized to sign this agreement on behalf of the organization he or she represents. By signing this agreement, the County and the Subrecipient agree to comply with all of the requirements specified in this agreement.

ATTESTED TO:

WASHTENAW COUNTY (Pass-Through Entity)

By: _____
Lawrence Kestenbaum (DATE)
County Clerk/Register

By: _____
Gregory Dill (DATE)
County Administrator

APPROVED AS TO CONTENT:

CITY OF YPSILANTI (Subrecipient)

By: _____
Teresa Gillotti (DATE)
Director, OCED

BY: _____
Lois Richardson (DATE)
Mayor

APPROVED AS TO FORM:

By: _____
Michelle K. Billard (DATE)
Office of Corporation Counsel

Contract # _____

DRAFT

Contract # _____

[INSERT STANDARD ASSURANCES – CONSTRUCTION PROGRAMS]

DRAFT

CERTIFICATIONS REGARDING LOBBYING; DEBARMENT, SUSPENSION AND OTHER RESPONSIBILITY MATTERS; AND DRUG-FREE WORKPLACE REQUIREMENTS

Applicants should refer to the regulations cited below to determine the certification to which they are required to attest. Applicants should also review the instructions for certification included in the regulations before completing this form. Signature of this form provides for compliance with certification requirements under 34 CFR Part 82, "New Restrictions on Lobbying," and 34 CFR Part 85, "Government-wide Debarment and Suspension (Non-procurement) and Government-wide Requirements for Drug-Free Workplace (Grants)." The certifications shall be treated as a material representation of fact upon which reliance will be placed when Washtenaw County determines to award the covered transaction, grant, or cooperative agreement.

1. LOBBYING

As required by Section 1352, Title 31 of the U.S. Code, and implemented at 34 CFR Part 82, for persons entering into a grant or cooperative agreement over \$100,000, as defined at 34 CFR Part 82, Sections 82.105 and 82.110, the applicant certifies that:

(a) No Federal appropriated funds have been paid or will be paid, by or on behalf of the undersigned, to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with the making of any Federal grant, the entering into of any cooperative agreement, and the extension, continuation, renewal, amendment, or modification of any Federal grant or cooperative agreement;

(b) If any funds other than Federal appropriated funds have been paid or will be paid to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with this Federal grant or cooperative agreement, the undersigned shall complete and submit Standard Form - LLL, "Disclosure Form to Report Lobbying," in accordance with its instructions;

(c) The undersigned shall require that the language of this certification be included in the award documents for all subawards at all tiers (including subgrants, contracts under grants and cooperative agreements, and subcontracts) and that all subrecipients shall certify and disclose accordingly.

2. DEBARMENT, SUSPENSION, AND OTHER RESPONSIBILITY MATTERS

As required by Executive Order 12549, Debarment and Suspension, and implemented at 34 CFR Part 85, for prospective participants in primary covered transactions, as defined at 34 CFR Part 85, Sections 85.105 and 85.110—

A. The applicant certifies that it and its principals:

(a) Are not presently debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded from covered transactions by any Federal department or agency;

(b) Have not within a three-year period preceding this application been convicted of or had a civil judgment rendered against them for commission of fraud or a criminal offense in connection with obtaining, attempting to obtain, or performing a public (Federal, State, or local) transaction or contract under a public transaction; violation of Federal or State antitrust statutes or commission of embezzlement, theft, forgery, bribery, falsification or destruction of records, making false statements, or receiving stolen property;

(c) Are not presently indicted for or otherwise criminally or civilly charged by a governmental entity (Federal, State, or local) with commission of any of the offenses enumerated in paragraph (2)(b) of this certification; and

(d) Have not within a three-year period preceding this application had one or more public transaction (Federal, State, or local) terminated for cause or default; and

B. Where the applicant is unable to certify to any of the statements in this certification, he or she shall attach an explanation to this application.

**3. DRUG-FREE WORKPLACE
(GRANTEES OTHER THAN INDIVIDUALS)**

As required by the Drug-Free Workplace Act of 1988, and implemented at 34 CFR Part 85, Subpart F, for grantees, as defined at 34 CFR Part 85, Sections 85.605 and 85.610 –

A. The applicant certifies that it will or will continue to provide a drug-free workplace by:

(a) Publishing a statement notifying employees that the unlawful manufacture, distribution, dispensing, possession, or use of a controlled substance is prohibited in the grantee's workplace and specifying the actions that will be taken against employees for violation of such prohibition;

Contract # _____

(b) Establishing an on-going drug-free awareness program to inform employees about:

(1) The dangers of drug abuse in the workplace;

(2) The grantee's policy of maintaining a drug-free workplace;

(3) Any available drug counseling, rehabilitation, and employee assistance programs; and

(4) The penalties that may be imposed upon employees for drug abuse violations occurring in the workplace;

(c) Making it a requirement that each employee to be engaged in the performance of the grant be given a copy of the statement required by paragraph (a);

(d) Notifying the employee in the statement required by paragraph (a) that, as a condition of employment under the grant, the employee will:

(1) Abide by the terms of the statement; and

(2) Notify the employer in writing of his or her conviction for a violation of a criminal drug statute occurring in the workplace no later than five calendar days after such conviction; (e) Notifying the agency, in writing, within 10 calendar days after receiving notice under subparagraph (d)(2) from an employee or otherwise receiving actual notice of such conviction. Employers of convicted employees must provide notice, including position title, to: Washtenaw County Administrator's Office, 220 N. Main, P.O. Box 8645, Ann Arbor, MI 48107-8645. Notice shall include the identification number(s) of each affected grant;

(f) Taking one of the following actions, within 30 calendar days of receiving notice under subparagraph (d)(2), with respect to any employee who is so convicted:

(1) Taking appropriate personnel action against such an employee, up to and including termination, consistent with the requirements of the Rehabilitation Act of 1973, as amended; or (2) Requiring such employee to participate satisfactorily in a drug abuse assistance or rehabilitation program approved for such purposes by a Federal, State, or local health, law enforcement, or other appropriate agency;

(g) Making a good faith effort to continue to maintain a drug-free workplace through implementation of paragraphs (a), (b), (c), (d), (e), and (f).

B. The grantee may insert in the space provided below the site(s) for the performance of work done in connection with the specific grant:

Place of Performance (Street address, city, county, state, zip code)

Check ☐ if there are workplaces on file that are not identified here.

**DRUG-FREE WORKPLACE
(GRANTEES WHO ARE INDIVIDUALS)**

As required by the Drug-Free Workplace Act of 1988, and implemented at 34 CFR Part 85, Subpart F, for grantees, as defined at 34 CFR Part 85, Sections 85.605 and 85.610-

A. As a condition of the grant, I certify that I will not engage in the unlawful manufacture, distribution, dispensing, possession, or use of a controlled substance in conducting any activity with the grant; and

B. If convicted of a criminal drug offense resulting from a violation occurring during the conduct of any grant activity, I will report the conviction, in writing, within 10 calendar days of the conviction, to: Washtenaw County Administrator's Office, 220 N. Main, P.O. Box 8645, Ann Arbor, MI 48107-8645. Notice shall include the identification number(s) of each affected grant.

As the duly authorized representative of the applicant, I hereby certify that the applicant will comply with the above certifications.

Name of Subrecipient Organization

Printed Name and Title of Subrecipient's Authorized Representative

Signature of Subrecipient's Authorized Representative

Date

Contract # _____

Subrecipient Audit Certification

Federal Audit Requirements - Fiscal Years Beginning After December 26, 2014

Non-federal organizations which expend \$750,000 or more in federal funds during their fiscal year are required to have a Single Audit performed in accordance with the Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards (2 CFR Chapter I, and Chapter II, Parts 200, 215, 220, 225, 230) issued December 26, 2013 by the Executive Office of the President, Office of Management and Budget. Subrecipients must submit their audit report to the Federal Audit Clearinghouse within the earlier of 30 days after receipt of the auditor's report, or within 9 months after the end of the audit period for each year the Subrecipient meets the \$750,000 federal expenditure threshold.

Program: _____ CFDA Number: _____

Subrecipient Information:

Organization Name: _____

Street Address: _____

City, State, Zip Code: _____

Independent Audit Firm: _____

Certification for Fiscal Year Ending (mm/dd/yyyy): _____

(Check appropriate box):

- ☐ I certify that the Subrecipient shown above **does not expect** to expend \$750,000 or more in federal funds during at least one fiscal year that funds are received for the above listed program and thus it will not be required to have a Single Audit performed under the Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards (2 CFR Chapter I, and Chapter II, Parts 200, 215, 220, 225, 230) issued December 26, 2013 by the Executive Office of the President, Office of Management and Budget, for the above listed program.
- ☐ I certify that the Subrecipient shown above **expects it will** expend \$750,000 or more in federal funds during at least one fiscal year that funds are received for the above listed program and thus it will be required to have a Single Audit performed under the Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards (2 CFR Chapter I, and Chapter II, Parts 200, 215, 220, 225, 230) issued December 26, 2013 by the Executive Office of the President, Office of Management and Budget.

Signature of Subrecipient's Authorized Representative

Date

For Washtenaw County Use Only

Reviewed By: _____

Date: _____

Contract # _____

ATTACHMENT A – SCOPE OF SERVICES & TIMELINE

NARRATIVE DESCRIPTION OF SCOPE OF WORK:

WASHTENAW COUNTY will contract with the **CITY** for the eligible costs of re-constructing **Curb Cuts**, as described in the Scope of Services, to meet the Americans with Disabilities Act (ADA) and Uniform Federal Accessibility Standards (UFAS). The improvement project will be paid for with 2019 CDBG funding in accordance with the budget in Attachment B.

Primary Locations

Jenness St @ Jarvis St - 1 Ramp (1 Southeast)
Lowell St @ Saint Johns – 8 Ramps (2 Northeast; 2 Northwest; 2 Southeast; 2 Southwest)
N. Adams @ Olive – 2 Ramps (2 Northeast)
Ballard St @ Florence St – 6 Ramps (2 Northeast; 1 Northwest; 2 Southeast; 1 Southwest)
Ballard St @ Olive St - 6 Ramps (2 Northeast; 1 Northwest; 2 Southeast; 1 Southwest)

PROJECT TIMELINE:

Activity	Deadline
CITY OF YPSILANTI will award contract to most responsible and responsive bidder.	
Contractor will begin curb cut work.	
Office of Community Development will perform Davis-Bacon Interviews.	
Contractor will achieve substantial completion of curb cuts project.	
Contractor will complete construction and OCED and/or CITY OF YPSILANTI will perform a final inspection.	
CITY OF YPSILANTI will submit request for reimbursement from Washtenaw County OCED, along with accompanying proof of payment and original Davis-Bacon payroll forms.	
Project Completion Date:	

Contract # _____

ATTACHMENT B – PROJECT BUDGET

SUMMARY OF TERMS:

The COUNTY agrees to pay to or on behalf of the **CITY OF YPSILANTI** an amount not to exceed **Fifty Thousand Dollars and Zero Cents (\$50,000.00)** in 2020 CDBG Funds according to the budget below:

PROJECT BUDGET:

2020 Curb Cut Project Budget	
REVENUE SOURCE(S):	TOTAL
CDBG (2020) – Allocation	\$50,000.00
Other Support (In-Kind)	
Status of Funds	
Total Revenues	\$50,000.00
PROGRAM EXPENSES	TOTAL
Personnel, Taxes & Fringe Benefits	
Other – construction	\$50,000.00
Total Expenditures	\$50,000.00

STANDARD ASSURANCES - CONSTRUCTION PROGRAMS

NOTE: Certain of these assurances may not be applicable to your project or program. If you have questions, please contact the Awarding Agency. Further, certain Federal assistance awarding agencies may require applicants to certify to additional assurances. If such is the case, you will be notified.

As the duly authorized representative of the applicant, I certify that the applicant:

1. Has the legal authority to apply for Federal assistance, and the institutional, managerial and financial capability (including funds sufficient to pay the non-Federal share of project costs) to ensure proper planning, management and completion of the project described in this application.
2. Will give the awarding agency, the Comptroller General of the United States and, if appropriate, the State, through any authorized representative, access to and the right to examine all records, books, papers, or documents related to the assistance; and will establish a proper accounting system in accordance with generally accepted accounting standards or agency directives.
3. Will not dispose of, modify the use of, or change the terms of the real property title, or other interest in the site and facilities without permission and instructions from the awarding agency. Will record the Federal interest in the title of real property in accordance with awarding agency directives and will include a covenant in the title of real property acquired in whole or in part with Federal assistance funds to assure non-discrimination during the useful life of the project.
4. Will comply with the requirements of the assistance awarding agency with regard to the drafting, review and approval of construction plans and specifications.
5. Will provide and maintain competent and adequate engineering supervision at the construction site to ensure that the complete work conforms with the approved plans and specifications and will furnish progress reports and such other information as may be required by the assistance awarding agency or State.
6. Will initiate and complete the work within the applicable time frame after receipt of approval of the awarding agency.
7. Will establish safeguards to prohibit employees from using their positions for a purpose that constitutes or presents the appearance of personal or organizational conflict of interest, or personal gain.
8. Will comply with the Intergovernmental Personnel Act of 1970 (42 U.S.C. §§4728-4763) relating to prescribed standards for merit systems for programs funded under one of the 19 statutes or regulations specified in Appendix A of OPM's Standards for a Merit System of Personnel Administration (5 C.F.R. 900, Subpart F).
9. Will comply with the Lead-Based Paint Poisoning Prevention Act (42 U.S.C. §§4801 et seq.) which prohibits the use of lead-based paint in construction or rehabilitation of residence structures.
10. Will comply with all Federal statutes relating to non-discrimination. These include but are not limited to: (a) Title VI of the Civil Rights Act of 1964 (P.L. 88-352) which prohibits discrimination on the basis of race, color or national origin; (b) Title IX of the Education Amendments of 1972, as amended (20 U.S.C. §§1681-1683, and 1685-1686), which prohibits discrimination on the basis of sex; (c) Section 504 of the Rehabilitation Act of 1973, as amended (29 U.S.C. §794), which prohibits discrimination on the basis of handicaps; (d) the Age Discrimination Act of 1975, as amended (42 U.S.C. §§6101-6107), which prohibits discrimination on the basis of age; (e) the Drug Abuse Office and Treatment Act of 1972 (P.L. 92-255), as amended, relating to nondiscrimination on the basis of drug abuse; (f) the Comprehensive Alcohol Abuse and Alcoholism Prevention, Treatment and Rehabilitation Act of 1970 (P.L. 91-616), as amended, relating to nondiscrimination on the basis of alcohol abuse or alcoholism; (g) §§523 and 527 of the Public Health Service Act of 1912 (42 U.S.C. §§290 dd-3 and 290 ee-3), as amended, relating to confidentiality of alcohol and drug abuse patient records; (h) Title VIII of the Civil Rights Act of 1968 (42 U.S.C. §§3601 et seq.), as amended, relating to nondiscrimination in the sale, rental or financing of housing; (i) any other nondiscrimination provisions in the specific statute(s) under which application for Federal assistance is being made; and, (j) the requirements of any other nondiscrimination statute(s) which may apply to the application.

Contract # _____

11. Will comply, or has already complied, with the requirements of Titles II and III of the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 (P.L. 91-646) which provide for fair and equitable treatment of persons displaced or whose property is acquired as a result of Federal and federally-assisted programs. These requirements apply to all interests in real property acquired for project purposes regardless of Federal participation in purchases.
12. Will comply with the provisions of the Hatch Act (5 U.S.C. §§1501-1508 and 7324-7328) which limit the political activities of employees whose principal employment activities are funded in whole or in part with Federal funds.
13. Will comply, as applicable, with the provisions of the Davis-Bacon Act (40 U.S.C. §§276a to 276a-7), the Copeland Act (40 U.S.C. §276c and 18 U.S.C. §874), and the Contract Work Hours and Safety Standards Act (40 U.S.C. §§327-333) regarding labor standards for federally-assisted construction subagreements.
14. Will comply with flood insurance purchase requirements of Section 102(a) of the Flood Disaster Protection Act of 1973 (P.L. 93-234) which requires recipients in a special flood hazard area to participate in the program and to purchase flood insurance if the total cost of insurable construction and acquisition is \$10,000 or more.
15. Will comply with environmental standards which may be prescribed pursuant to the following: (a) institution of environmental quality control measures under the National Environmental Policy Act of 1969 (P.L. 91-190) and Executive Order (EO) 11514; (b) notification of violating facilities pursuant to EO 11738; (c) protection of wetlands pursuant to EO 11990; (d) evaluation of flood hazards in floodplains in accordance with EO 11988; (e) assurance of project consistency with the approved State management program developed under the Coastal Zone Management Act of 1972 (16 U.S.C. §§1451 et seq.); (f) conformity of Federal actions to State (Clean Air) Implementation Plans under Section 176(c) of the Clean Air Act of 1955, as amended (42 U.S.C. §§7401 et seq.); (g) protection of underground sources of drinking water under the Safe Drinking Water Act of 1974, as amended (P.L. 93-523); and, (h) protection of endangered species under the Endangered Species Act of 1973, as amended (P.L. 93-205).
16. Will comply with the Wild and Scenic Rivers Act of 1968 (16 U.S.C. §§1271 et seq.) related to protecting components or potential components of the national wild and scenic rivers system.
17. Will assist the awarding agency in assuring compliance with Section 106 of the National Historic Preservation Act of 1966, as amended (16 U.S.C. §470), EO 11593 (identification and protection of historic properties), and the Archaeological and Historic Preservation Act of 1974 (16 U.S.C. §§469a-1 et seq.).
18. Will cause to be performed the required financial and compliance audits in accordance with the Single Audit Act Amendments of 1996 and OMB Circular No. A-133, "Audits of States, Local Governments, and Non-Profit Organizations."
19. Will comply with all applicable requirements of all other Federal laws, executive orders, regulations, and policies governing this program.

Signature of Subrecipient's Authorized Representative

Title of Subrecipient's Authorized Representative

Name of Subrecipient Organization

Date Submitted



REQUEST FOR LEGISLATION

TO: Mayor and City Council
FROM: Frances McMullan
DATE: August 18, 2020
SUBJECT: Two-year extension of City's towing services contract with Wall Street Towing, Inc. (d.b.a. Budget/Stadium Towing)

DESCRIPTION:

Two-year extension of City's towing services contract with Wall Street Towing, Inc. (d.b.a. Budget/Stadium Towing)

SUMMARY:

The City's towing services contract with Budget/Stadium Towing expired July 30, 2020. The original contract allows for a two-year extension upon approval of the Police Chief and City Council.

Staff is requesting a two-year extension at the same rates, although Budget Towing has requested an increase (see enclosed contract). Given the economic status of many due to the pandemic, the City does not agree to raising rates at this time, and are requesting approval of a two-year extension with the same services and rates.

Budget/Stadium Towing has contracted services with the City as far back as 2002. The city bid for towing services in 2012 and Budget/Stadium Towing was the sole bidder.

The

Washtenaw County Sheriff and the Michigan State Police utilize Budget/Stadium Towing and are pleased with the service they receive. The Ypsilanti Police Chief agrees to work with Budget/Stadium Towing to enhance services and improve customer service.

It is the City's intention to rebid for towing services in 2022. A two-year extension will provide staff more time to research and to author a complete and competitive Request for Proposal (RFP).

Attached for your consideration is a proposed resolution, a letter from Budget/Stadium Towing and the original contract.

RECOMMENDED ACTION: Approval

CITY MANAGER APPROVAL: _____ COUNCIL AGENDA DATE: _____

CITY MANAGER COMMENTS: _____

FISCAL SERVICES DIRECTOR APPROVAL: _____



Resolution No. 2020-172
August 18, 2020

RESOLVED BY THE COUNCIL OF THE CITY OF YPSILANTI:

WHEREAS, the original contract between the City of Ypsilanti and Budget/Stadium Towing provided for a three-year term commencing on July 26, 2017, with a two-year extension at the discretion of the City;

WHEREAS, the contract expired July 30, 2020 and the City Manager is requesting a two-year extension, including terms and fees.

NOW, THEREFORE, IT IS RESOLVED BY THE COUNCIL OF THE CITY OF YPSILANTI that: the City Manager and Chief of Police be authorized to sign all necessary documents needed to execute a two-year extension to the contract with Budget/Stadium Towing, subject to approval by the City Attorney.

OFFERED BY: _____

SECONDED BY: _____

YES: _____ NO: _____ ABSENT: _____ VOTE: _____

This resolution is adopted by the Council of the City of Ypsilanti and approved by the Mayor this 18 day of August 2020

#Resolution No. 2020-172

**Wall Street Towing Inc. D.B.A.
Stadium Towing & Recovery
Budget Towing & Storage**

876 RAILROAD
YPSILANTI, MICHIGAN
48197
Ph: (734) 485-2055

July 17, 2020

Frances McMullan
City Manager

Dear Ms. McMullan:

I trust this letter is reaching you in good health and spirits. I am writing to you as a preliminary gesture to open a dialogue for the upcoming renewal of the towing contract.

As you know the contract comes to term on August 1, 2020. At which time, the City at its discretion may choose to extend the term for 2 additional 2-year terms. It is my desire and intent to exercise the extension to the contract in our mutual best interest.

WCSO has recently renewed its towing agreement with its contractors and has implemented a cost of living increase to their base rates in light of the added expenses of insurance and fuel costs which have been exponentially increased in light of reforms being done throughout the Michigan no fault laws as they are being implemented.

The new standard rates are \$ 145.00 for a basic hook up and \$ 78.00 for the use of special equipment like dollies, go jacks, and skates. This pricing would mirror the approved pricing for both agencies eliminating confusion by staff and provide consistency across the board since both agencies are being dispatched and assisted in tandem.

I would also request that when evaluating your decisions that the value and merit of the complimentary tows and services that are performed regularly for all YPD owned vehicles in a prompt and efficient manner. This continues to benefit the constituents by ensuring that their public service officials are not impeded in performing their functions due to vehicle failure.

Its also important to note that we are the only tower in the area that is consistently in good standing for all fees which are assessed to cars that are towed either by police request or private parties and the funds are remanded in a timely fashion at no cost to the City.

Considering the economy (Pandemic) and the general hardship of constituents of the area. There are valid reasons with which I can empathize not wanting to grant my requests. However, as a small business owner these factors are exacerbated by the challenges which I contend with as well since we struggle with the unemployment issues and retraining new staff as well as the additional health requirements to keep the associates and the public safe from spreading the disease such as additional cleaning staff, PPE for all staff and customers, as well as the installation of ultra violet lights on all access points in an effort to reduce or eliminate transmission of the virus.

In closing, I am reiterating my request for an increase. The contract spells out a mechanism to allow an increase without any additional expense to the city for a rebid and since it is clearly spelled out in the contract there is no new precedent which need be set.

I look forward to the opportunity to discuss this matter and resolve and concerns which may arise.

Respectfully,

Billy Salamey

Owner/Operator

i. Additional reasonable fees:

		<i>Pricing Current</i>	<i>New price</i>
i	Extra Charge for Dollies	\$65	78.00
ii	Extra Charge for Disconnecting Linkages	\$45	
iii	Extra Charge for winching (off roadway)	\$150-\$250	
iv	Extra Charge for flatbeds	\$150	
v	Abandons off private property	\$130 plus special equipment	145.00
vi	Motorcycles	\$185	
vii	Non-Motorized, wheeled vehicle	Case-by-case	
viii	Hourly rate for additional service	\$95	
ix	Drop Fees	\$100	
x	Hazardous materials fee	\$45	50
xi	Clean up	\$35	50

- j. Mileage: Mileage shall not be charged for towing from the point of origin to any point within the City. Towing from the point of origin to the towing company's yard shall be no charge. \$3.50 per mile may be charged for mileage driven in excess of five (5) miles from the point of hook up to any other destination.

5. Section VIII(E)(2) on page 16 of the RFP and CONTRACTOR's bid shall be amended to read:

CONTRACTOR shall provide free towing for Class A vehicles, road service and tire changing for all vehicles owned or leased by CITY during the term of this contract. CONTRACTOR shall provide towing for non-Class A vehicles at cost on a case-by-case basis.

6. Section III(A) on page 11 of the RFP and CONTRACTOR's bid shall be amended to strike the last paragraph and read as follows:

Upon request of The City of Ypsilanti, the Towing Company shall promptly dispatch suitable equipment to provide appropriate service to designated vehicles.

The City of Ypsilanti agrees to call the Towing Company to service all designated vehicles found within the City of Ypsilanti.

CONTRACT FOR TOWING SERVICES

This contract is entered into this ____ day of _____, 2017, by and between the City of Ypsilanti, a Michigan home rule city of One South Huron Street, Ypsilanti, Michigan (hereinafter CITY), and Wall Street Towing, Inc, d/b/a Budget/Stadium Milan Towing, of 876 Railroad Street, a Michigan corporation of Ypsilanti MI 48197 (hereinafter CONTRACTOR), who agree as follows:

WHEREAS the City issued a Request for Proposals (hereinafter RFP) on June 26, 2017 for towing services; and

WHEREAS CONTRACTOR properly submitted a bid to perform such services for the CITY; and

WHEREAS the CITY is desirous of obtaining towing services and the CONTRACTOR desires to provide such services;

NOW, THEREFORE, IT IS AGREED AS FOLLOWS:

1. Both the RFP and CONTRACTOR's bid are attached hereto and incorporated herein by reference. In an event of a conflict between the language of this contract and either the RFP or CONTRACTOR's bid, the language and terms of this contract shall take precedence.
2. The term of this contract shall begin on August 1, 2017 and will expire August 1, 2020. This term may be extended for an additional two years at the discretion of the City of Ypsilanti Police Department.
3. CONTRACTOR shall provide services as set forth in the RFP faithfully and diligently.



Resolution No. 2020-173
August 18, 2020

RESOLVED BY THE COUNCIL OF THE CITY OF YPSILANTI:

WHEREAS, City Council has not received an increase in pay since 2018; and

WHEREAS, Non-Union Employees are provided the same increase in salary as AFSCME; and

WHEREAS, the most recent increase in FY 2020-2021 was 2.5%.

NOW THEREFORE BE IT RESOLVED, that City Council of the City of Ypsilanti be provided the same salary increase as Non-Union Employees, and that increase be reflected in Account # 101-7-1010-703-00 effective at the seating of the new City Council on November 9, 2020.

OFFERED BY: _____

SECONDED BY: _____

YES:

NO:

ABSENT:

VOTE:

This resolution is adopted by the Council of the City of Ypsilanti and approved by the Mayor this 18 day of August 2020

#Resolution No. 2020-173

MEETING MINUTES
Planning Commission - Virtual Meeting
Wednesday, 15 July 2020 – 7:00 P.M.

Please be advised that due to COVID-19, City Hall will not be open to the public. This meeting will be held electronically on a video conferencing application in accordance with Governor Whitmer's Executive Order. The access code is posted in the Public Notice on www.cityofypsilanti.com and attached in the packet. The public may choose to participate during Audience Participation or the Public Hearing through the video conferencing application, or may submit e-mailed comments to aaamodt@cityofypsilanti.com by 4 pm, July 15.

I. Call to Order

II. Roll Call

Matt Dunwoodie, Chair
Jared Talaga, Vice-Chair
Eric Bettis
Mike Davis Jr.
Jessica Donnelly
Phil Hollifield
Heidi Jugenitz
Michael Simmons

P
P
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P
P
P

III. Approval of Minutes

- June 17, 2020 Meeting
Motion to approve.

Offered By: Commissioner Hollifield; Seconded By: Commissioner Simmons
Approved: Yes – 8; No – 0; Absent – 0

Motion to amend the agenda to place housing affordability and accessibility presentation under public presentation items.

Offered By: Commissioner Jugenitz; Seconded By: Commissioner Hollifield
Approved: Yes – 8; No – 0; Absent – 0

IV. Audience Participation

Open for general public comment to Planning Commission on items for which a public hearing is not scheduled. Please limit to five minutes.

Motion to open audience participation.

Offered By: Commissioner Donnelly; Seconded By: Commissioner Hollifield
Approved: Yes – 8; No – 0; Absent – 0

Motion to close audience participation.

Offered By: Commissioner Jugenitz; Seconded By: Commissioner Donnelly.
Approved: Yes – 8; No – 0; Absent – 0

V. Presentations and Public Hearing Items

- Zoning Ordinance Text Amendment: Medical marijuana provisioning centers and

recreational marihuana retailers as a special land use in Neighborhood Corridor zoning districts.

Staff presentation by City Planner Andy Aamodt. Medical marijuana provisioning centers and recreational marihuana retailers have rather mirrored regulations, and are only permitted in Center by-right and in General Corridor as a special land use.

The intent is to still keep the buffering requirements as is. These will in essence buffer out some "NC" properties. Staff believes the provisioning center or retailer use would not be a more intense use than uses that already exist in NC, such as smaller wholesale/distribution facilities, liquor stores, and automobile filling stations.

Staff suggested the possibility of limiting square footage of such facilities, as the zoning ordinance has various limitations of other uses in NC, such as a 10,000 square foot maximum for medical/dental clinics.

Commissioner Dunwoodie asked about if there are any 5,000 square foot maximums in NC. Mr. Aamodt replied that the 10,000 square foot for medical/dental clinics is the smallest expressed square footage requirement.

Commissioner Hollifield asked about clarification for the gross square footage calculation. For example, there could be a 7,000 square foot building. In order to be a compliant facility then it would need to split up units with the unit for this use under 5,000 square feet.

Commissioner Simmons asked if this amendment would affect existing facilities. No, because marijuana uses have never been allowed in NC and there are none in NC. No nonconformities would be created.

The applicant, Sal, spoke about the intent in filing the application.

- Public Hearing
 - *Motion to open the public comment.*
Offered By: Commissioner Hollifield; Seconded By: Commissioner Simmons. Approved: Yes – 8; No – 0; Absent – 0

No one spoke.

- *Motion to close the public comment.*
Offered By: Commissioner Hollifield; Seconded By: Commissioner Jugenitz. Approved: Yes – 8; No – 0; Absent -0

*Motion that the Planning Commission recommend **approval** of the proposed text amendment to Chapter 122: Article IV, Division 3, Subdivision III (§122-451). with the following condition and findings:*

Condition:

- *The proposed text amendment be revised as follows:*

- Medical marijuana provisioning centers, less than 5,000 square feet of gross floor area permissible as a special land use in Neighborhood Corridor
- Recreational marijuana retailer, less than 5,000 square feet of gross floor area permissible as a special land use in Neighborhood Corridor

Findings:

1. The proposed amendment is consistent with the guiding values of the Master Plan;
2. The rezoning is consistent with description and purpose of the proposed district;
3. The proposed amendment is consistent with the intent of this Zoning Ordinance;
4. The proposed amendment will enhance the character of the future development in the City;
5. The proposed amendment will address a community need in physical or economic conditions or development practices.

Offered By: Commissioner Talaga; Seconded By: Commissioner Hollifield
Approved: Yes – 8; No – 0; Absent -0

• **Housing Affordability and Accessibility Committee Report and Recommendations**

Members of the Committee presented the Report and Recommendations to the Commission.

Motion to refer the report from the Housing Affordability and Accessibility Committee to City Council.

Offered By: Commissioner Talaga; Seconded By: Commissioner Donnelly
Approved: Yes – 8; No – 0; Absent -0

VI. Old Business

VII. New Business

- Master Plan: Draft Update
- Draft Bylaws Amendment

Staff presented the staff bylaws amendment to the Commission. The Commission had no suggested changes. Therefore, the bylaws amendment will be voted on at the next meeting.

VIII. Future Business Discussion / Updates

IX. Committee Reports

- Non-Motorized Committee Report

o Planning Commission Representative
Motion to approve Mike Davis Jr. as the Planning Commission representative on the Non-Motorized Committee until July 21, 2022.

Offered By: Commissioner Talaga; Seconded By: Commissioner Jugenitz
Approved: Yes – 8; No – 0; Absent -0

- Housing Affordability and Accessibility Committee Report

X. Adjournment

Motion to adjourn

Offered By: Commissioner Hollifield; Seconded By: Commissioner Donnelly
Approved: Yes – 8; No – 0; Absent -0

**Report and Recommendations of the City of Ypsilanti
Citizen Committee on Housing Affordability and
Accessibility**

Submitted to the City of Ypsilanti Planning Commission

July 2020

Executive Summary

Throughout 2016 and 2017, members of the public repeatedly voiced concerns to the City of Ypsilanti Planning Commission regarding (1) rising rents in the City that were putting people at risk of displacement, and (2) limited physical accessibility of the City's aging housing stock. In response to these concerns, the Planning Commission voted in December 2017 to charter a citizen sub-committee to study the issues of housing affordability and accessibility, and to "develop and issue recommendations for specific land use and policy changes for consideration by the Planning Commission and (upon invitation) City Council."

The purpose of the sub-committee, as described in its founding charter, was to inform updates to the City of Ypsilanti's 2013 Master Plan with a focus on preserving and enhancing housing affordability and accessibility, in keeping with the guiding values that "anyone, no matter what age or income, can find a place to call home in Ypsilanti."

The first phase of the committee's work was devoted to fact-finding in subgroups, and was followed immediately by a second phase focusing on analysis of the situation. **Five problem statements** were formulated to capture the key challenges facing the City with respect to housing affordability and accessibility:

- **The cost of housing is increasing steadily.** After the crash of the housing market in 2008, Ypsilanti saw a steep decline in housing prices, accompanied by an increase in foreclosures and a decline in the homeownership rate due to an influx of "house flipping," whereby landlords and speculators purchased foreclosed homes and converted them into investment properties. For-sale housing prices remained low for several years post-crisis before starting to pick up again in 2012-2013. Since then, available housing stock has dried up, leading to a very low vacancy rate, increases in demand, and higher prices for both rental and for-sale housing.
- As a result of these trends, housing in Ypsilanti is **increasingly unaffordable for many residents**. Because a strong majority of housing units in Ypsilanti (69.2%) are renter-occupied, and because renters in Ypsilanti have lower incomes, on average, than homeowners, renters are disproportionately affected by increasing housing costs. However, a significant proportion of homeowners in Ypsilanti are also affected. In total, Nearly half of households in Ypsilanti are cost-burdened (meaning >30% of household income goes to housing costs), and Ypsilanti has significantly higher rates of cost burden than both Ann Arbor and Washtenaw County as a whole.
- **Existing data and measures do not adequately capture the local situation with respect to housing affordability and accessibility.** There is a pressing need for improved measures and additional information to paint a more comprehensive picture of the nature and magnitude of housing affordability and accessibility challenges, and how it impacts specific populations, including seniors, people with low incomes, people with disabilities, and school-aged youth experiencing housing insecurity or homelessness.
- **Ypsilanti's old housing stock poses health, safety and accessibility challenges.** While Ypsilanti's old and historic homes add character to the City, their age and

condition present challenges for affordability and accessibility. Most homes were constructed before contemporary health and safety codes were in place; and just one in 10 houses or apartments in Ypsilanti was built in the 1990s or later,¹ when updates to the Fair Housing Act and building codes began requiring some accessibility features in new housing, such as stepless entry and ground-level bathrooms and bedrooms. As a result, Ypsilanti residents face health risks from lead paint, radon exposure, and mold; high heating bills from poor insulation; and difficulty finding housing that will accommodate a disability. Rental households are at increased risk for all of these factors. In addition to a general lack of accessible housing, there are few housing options adapted to the needs of seniors, many of whom live on modest fixed incomes and/or have limited physical mobility.

- **Ypsilanti does not have a lot of land available to build new housing.** Nearly all land in the City has already been developed, limiting opportunities for construction of new housing. Much of the land that is currently vacant, like Water Street, is considered “brownfield,” meaning past industrial activity has left behind contamination that adds cleanup costs to development; other available parcels have potential or actual wetlands on them. There are significant limits on what types of homes can be built, due to a combination of zoning restrictions (e.g. minimum building envelopes, setback requirements) and historic preservation requirements. And because new housing is typically more expensive than existing housing -- especially in the Ann Arbor construction market, where labor costs are relatively high -- replacing older housing with new construction has the potential to exacerbate housing affordability issues.
- **Current and past policies at the state and local levels have contributed to our affordability and accessibility challenges.** The City of Ypsilanti Zoning Ordinance limits construction and conversion of multi-unit dwellings and smaller-scale single-unit dwellings through a combination of single-family zoning, accessory dwelling unit (ADU) restrictions, and residential lot and building envelope requirements. In addition, the City currently imposes a limit of three (3) on the number of unrelated adults that may occupy a single dwelling, a regulation that is stricter than in surrounding communities and which contributes to under-utilization of available housing units. Inadequate oversight by the State of Michigan in administering federal Low-Income Housing Tax Credits (LIHTC) to private real estate developers led to the exploitation of a loophole that allowed several apartment complexes in Ypsilanti City and Township to shed their affordability requirements far ahead of schedule. Seniors residing at Cross Street Village apartments have seen dramatic escalation in rent as a result.

Based on the above understanding of the problem, our committee designed and implemented a multi-stage public engagement process consisting of:

- **A Housing Affordability & Accessibility Survey** to gather up-to-date information on the nature and magnitude of housing affordability and accessibility issues experienced by Ypsilanti residents. The survey was circulated online and via paper questionnaires

¹ U.S. Census Bureau, 2012-2016 American Community Survey 5-Year Estimates, “Selected Housing Characteristics”

and was completed by more than 500 respondents between October 2018 and January 2019.

- **Interviews** with three landlords of residential properties in Ypsilanti (one with a small number of rental properties, one with a moderate number of rental properties, and one with a large number of rental properties).
- An **Open Forum** to present the survey and interview findings to the public and to solicit public input on a preliminary set of housing affordability and accessibility strategies for the City of Ypsilanti.
- An **Ypsilanti Housing Strategies Survey** to gather quantitative feedback from Ypsilanti residents on the favorability of specific housing strategies in six key domains: (1) Renters' rights, (2) Sustainable development strategies, (3) Need-based assistance strategies, (4) Physical accessibility strategies, (5) Zoning strategies, and (6) Partnership and advocacy strategies. The Housing Strategies Survey was launched online on September 3, 2019 and closed on October 22, 2019. More than 360 responses were collected.
- Finally, the committee welcomed public comment and input through its standing monthly meetings, held from January 2018 to May 2019.

Despite efforts to solicit input from a representative cross-section of Ypsilanti residents, the survey demographics indicate that some groups were underrepresented while others were overrepresented. Males, Black/African Americans, and renters were underrepresented in the survey by a significant margin.

Our **key findings** with respect to housing affordability are the following:

- Prices of both for-sale and rental housing are **rising fast** and show no signs of abating, in line with national trends.
- The most **commonly used measures** of housing affordability fail to capture the total cost of housing as experienced by most Ypsilanti residents, and especially those who earn the median income or less. Monthly rents do not capture the full picture with respect to the cost of rental housing; most rentals require a deposit equal to a full month's rent.
- Over half (54.6%) of Ypsilanti renters are **cost-burdened** with respect to housing, meaning that they spend more than 30% of their income on housing.² Data from the committee's Housing survey closely track ACS data on this point.
- The consequences of the **boom-bust cycle in for-sale housing** have not been the same for all residents and stakeholders. Real estate investors -- some local, others from outside of the area -- who bought homes in Ypsilanti during the housing crisis in order to "flip" them have profited from increasing sales prices. Many Ypsilanti homeowners who purchased their homes at depressed prices (i.e. from 2008 to 2013) have seen their

² Gross rent as a percentage of household income (GRAPI) for the City of Ypsilanti in 2017, according to the US Census Bureau ACS.

property values escalate rapidly since 2013, resulting in substantial growth in home equity.

- The flip side of these benefits to investors and newer homeowners has been a sharp **decline in access to homeownership** for Ypsilanti residents who currently rent their homes, especially those ages 25 to 34. In addition, the boom-bust housing cycle -- by first displacing people with limited wealth and/or income from their homes through foreclosure or short sales and then making it difficult or impossible for them to afford another home in the same neighborhood -- has had a gentrifying effect.
- The **consequences of rising rents** have been acutely felt by Ypsilanti residents, particularly those with lower incomes. Some of the disruptive effects have included frequent moves motivated by sharp rent increases; being forced to settle for poorly maintained rental units that are less accessible to public transportation and other essential amenities; displacement, especially among seniors and people with disabilities; housing insecurity; and homelessness.
- **Source-of-income discrimination** appears to be a problem for renters in Ypsilanti, with 9.3% of housing survey respondents indicating they have been denied housing based on their source of income.
- Protecting and advancing housing affordability and accessibility will require **decisive and sustained action at multiple levels** of government, including the municipal, county, state, and federal levels. Collaborating with policymakers and officials at other levels of government will be essential to ensuring that all people, no matter what age or income, can find a place to call home in Ypsilanti.
- One-size-fits-all solutions do not apply; we will need a **combination of strategies** that are tailored to the specific housing needs and preferences of Ypsilanti residents, including young people, seniors who wish to age in place and people with disabilities.

Our **key findings** with respect to housing **accessibility** are the following:

- Only a small portion of units offer wheelchair accessibility, and houses often require modifications to doorways, bathrooms, and kitchens to serve a resident with a disability.³
- The City of Ypsilanti 2012-2016 census statistics reported that 6.7% of persons under 65 have a disability, or about 1400 disabled persons (auditory, visual, cognitive, ambulatory impairments).⁴
- Accessibility is not limited to the needs of wheelchair users. According to a broader definition of disability, 32% of Ypsilanti residents are living with a disability of some type.⁵ The highest concentrations of residents with a disability are in areas with the lowest average incomes.

³ While there are several of these facilities that offer these amenities, they often have limited availability. Namely, Cross Street Village, River Rain Apartments, 422 Pearl, 420 Emmet, 404 N Huron, Peninsular Place, UGA Townhomes, and recently renovated Ypsilanti Housing Authority units.

⁴ Figures exclude seniors and use a narrow definition of disability ("Serious difficulty with four basic areas of function -- hearing, vision, ambulation, cognition").

⁵ Fair Housing Act defines a person with a disability as an individual for whom a physical or mental impairment limits one or more major life activities.

- AARP/Harvard reports that 90% of seniors plan to age in place, and SEMCOG estimates the over-65 demographic will increase in our area by 240% by 2035. Given the proportions of owner-occupied to rental units in the City, it is important to create accessible options in both categories.
- Survey results further emphasize these basic facts, with two-thirds of survey respondents (66.7%) reported that their homes have no accessibility features. Over 1 in 4 reported that barriers to physical accessibility in a home had limited their quality of life.
- Many survey respondents say that accessibility is a consideration in the selection of their next residence with over half of respondents saying a ramp or step-free entrance would be a factor in their choice, and at least 1 in 5 saying that every accessibility option listed in the survey would be a desirable factor from parking, to bathroom and kitchen amenities, to doorways and elevators.

Based on input and feedback from 361 respondents who reviewed 26 housing strategies included in the committee's Housing Strategies survey, our committee recommends that the City consider adoption and implementation of **11 strategies**. The selected proposals reflect the input of Ypsilanti residents who engaged with this survey and, if implemented, will respond to pressing housing needs and start to correct housing inequities in Ypsilanti. They are:

1. **Tenant Right of First Refusal:** Enact a 'Tenant Right of First Refusal' ordinance mandating that tenants receive advance notice when their landlord intends to sell the property and have the opportunity to purchase the property before it is offered for sale to outside buyers.
2. **Just Cause Ordinance:** Enact a 'Just Cause' ordinance to protect renters from wrongful and/or retaliatory displacement. The ordinance would bar landlords from evicting or refusing to renew a tenant's lease without 'just cause' such as failure to pay rent or a violation of lease terms, pursuant to Michigan Act 18 of 1933.
3. **Affordability and Accessibility Ordinance:** Enact an Affordability & Accessibility Ordinance that 1) defines the parameters for affordable & accessible housing based on the City of Ypsilanti's Area Median Income (AMI) and 2) requires new housing developments to include a percentage of affordable and accessible units based on Ypsilanti's need.
4. **Homeless Shelter:** Construct or establish an overnight shelter in Ypsilanti to help meet needs of residents experiencing homelessness.
5. **Community Land Trust:** Work with local non-profit agencies and neighboring communities to establish a Community Land Trust (CLT) to promote long-term housing affordability and accessibility through community control of land. Community Land Trusts are nonprofit, community-based organizations designed to ensure community stewardship of land. CLTs provide an opportunity for democratic ownership of land with private ownership of the structure on the land in order to maintain long-term housing affordability. CLT properties can be interspersed throughout one or more neighborhoods and can include rental homes and businesses.

6. **Assist low-income residents with home-buying:** Assist low-income residents who wish to purchase a home by offering credit improvement services, and mortgage down-payment assistance.
7. **Minor home repair:** Establish a Minor Home Repair Program to assist with the cost of essential home repairs for eligible low-income and disabled homeowners. Eligible repairs could include roof replacement, plumbing replacement, mechanical or electrical replacements, ADA ramp installation or repair, door modifications, and lead or mold remediation.
8. **Visitability ordinance:** Enact a Visitability Ordinance to ensure that newly constructed homes incorporate basic accessibility features that make it easier for mobility-impaired people to visit or live in Ypsilanti. A home is “visitability” if it has: (1) at least one no-step entrance; (2) doors with 32 inches of clear passage space; and (3) a bathroom on the main floor that is wheelchair-accessible.
9. **Increase the number of non-related adults who may occupy a dwelling:** Increase the number of unrelated individuals who may reside together in a dwelling by changing the Zoning Ordinance definition of “Family” to include a limit of two unrelated persons for each bedroom in the dwelling.
10. **Rent Control:** Advocate with state lawmakers to grant municipalities the authority to cap annual rent increases.
11. **Ask local universities to invest in the City of Ypsilanti Housing Trust Fund:** Advocate with the University of Michigan and Eastern Michigan University to invest in the Ypsilanti Housing Trust Fund and to actively support other county-wide housing affordability measures.

In the context of the COVID-19 pandemic and civil unrest due to systemic racial inequities, we share a conviction that it is more urgent than ever for local governments to proactively address the needs and interests of communities under duress. With a view to accelerating action, we offer a prospective three-phase pathway and timeline for rolling out housing policies and programs over the next 10 years.

Phase One (current Budget year)

Make the Ypsilanti Housing Trust permanent: Assure a sustainable funding source for housing affordability and accessibility by formalizing and making permanent the City of Ypsilanti Housing Trust Fund started by Councilmember Pete Murdock and nourishing it with an annual contribution of no less than \$100,000.

Allocate staff time to housing affordability and accessibility: Allocate a significant portion of an existing staff member’s time to the coordination and monitoring of City housing affordability and accessibility policy and to liaising with other units of government and partners on housing affordability and accessibility.

Draft and implement the Tenant Right of First Refusal ordinance (Strategy 1), the Just Cause Ordinance (Strategy 2), the Affordability and Accessibility Ordinance (Strategy 3), the Visitability

Ordinance (Strategy 8), and the Zoning Ordinance text amendment to increase the number of non-related adults who may occupy a single dwelling (Strategy 9) from three total to two persons per bedroom. (*The Planning Commission is also encouraged to consider additional changes to the Zoning Ordinance to reduce restrictions on construction and/or conversion of multi-unit homes, accessory dwelling units, and smaller-scale homes.*)

Begin advocating for State legislation to expand local authority to regulate rent increases (Strategy 10) and for local university contributions to the City of Ypsilanti Housing Trust Fund (Strategy 11).

Phase Two (Budget year 2021)

Draft an affordability-focused property acquisition plan that would go into effect in the event of another housing crisis resulting in a surge of foreclosures of multi-unit residences. The aim of this plan would be to ensure that such properties can be converted to sustainable affordable and accessible use, either in partnership with a local housing non-profit or through the launch of a Community Land Trust.

Introduce a home-buying assistance program (Strategy 6) and the Minor home repair program (Strategy 7).

Phase Three (Budget year 2022-2030)

Create and invest in institutions that promote community stability and build toward long range sustainable housing goals.⁶ Pursue affordability and accessibility-focused collaborations at the county and regional levels, with a view to leveraging resources from outside of the City of Ypsilanti. These would include the establishment of a Community Land Trust (Strategy 5) and the construction or establishment of an overnight homeless shelter (Strategy 4).

⁶ <https://shelterforce.org/2017/11/02/time-for-trickle-up-housing/>

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In Memoriam: Liz Dahl-MacGregor and Pete Murdock

In memory of Pete Murdock and Liz Dahl-MacGregor, their commitment to making Ypsilanti a more just and inclusive City, and their efforts to advance housing affordability and accessibility and the work of our committee towards that end.

Acknowledgements

This report would not have been possible without the people who generously volunteered their time, energy, ideas, and experiences as past and present members of the Housing Affordability and Accessibility Committee:

Mike Auerbach
Toi Dennis
Matt Dunwoodie
Amber Fellows
Alexis Ford
Bryan Foley
Zachary Fosler
Ashley Fox
Patrick Gaulier
Tariq Hamad
Marquan Jackson

Heidi Jugenitz
Chris Madigan
Richard Murphy
Cheranissa Roach
Nathanael Romero
James Scarletta
Desirae Simmons
Shari Wander
Bonnie Wessler
Roberta Wojick-Andrews

The Committee would also like to extend our thanks to the Washtenaw County Office of Community & Economic Development and Bridgeport Consulting for providing facilitation support to the Committee in the first year of its work.

Finally, we are enormously grateful to the residents who shared their experiences and insights with the Committee through participation in its meetings, surveys, interviews, and Open Forum.

The following people contributed to the production of this report:

Matt Dunwoodie
Amber Fellows
Ashley Fox
Heidi Jugenitz
Cheranissa Roach
Nathanael Romero
Desirae Simmons

I. Context

A. Committee formation and mandate

The sub-committee on housing affordability and accessibility was formed by the City of Ypsilanti Planning Commission in December 2017. The purpose of the sub-committee, as described in its founding charter (see **Appendix A**), was to “review and update the City of Ypsilanti’s 2013 Master Plan with a focus on preserving and enhancing housing affordability and accessibility in keeping with the guiding values of the Master Plan.”

At the time the 2013 Master Plan was developed, Ypsilanti was still recovering from the housing crash of 2008, and housing affordability had not yet emerged as a high-visibility issue. The 2013 Master Plan process emphasized other aspects of the City’s built environment but did not address housing directly. It did, however, embrace as a guiding principle that “Anyone, no matter what age or income, can find a place to call home in Ypsilanti.”

From 2015 to 2017, in the course of its regular business, the Planning Commission heard repeatedly from members of the public about two issues: (1) rising rents in the City that were putting people at risk of displacement, and (2) limited physical accessibility of the City’s aging housing stock.

In response to these concerns, the Planning Commission chartered a citizen sub-committee to study the issues of housing affordability and accessibility, and to “develop and issue recommendations for specific land use and policy changes for consideration by the Planning Commission and (upon invitation) City Council.”

Per the charter, the sub-committee was to be comprised of:

- Up to four (4) members of the Planning Commission
- One member of the Human Relations Commission
- One member of the Sustainability Commission
- One member of the Ypsilanti Housing Commission board
- One representative of EMU
- One representative of Defend Affordable Ypsi
- One representative of Ann Arbor Center for Independent Living
- One representative of Avalon Housing
- One representative of civic affairs organization at the county or state level
- One Ypsilanti owner-occupant
- One Ypsilanti business owner (and employer)
- One lessor of rental properties in Ypsilanti
- Up to two members of the community at large.

B. Housing policy in the U.S.: A legacy of exclusion and impoverishment

Over time, many legalized forms of anti-Black racism and discrimination in the U.S. – from chattel slavery to Jim Crow laws and school segregation – have been phased out. In their place, other, more covert forms of institutional racism and discrimination have emerged. Past and present housing policy in the U.S. is fraught with examples of overt and covert racism and discrimination. These include racial segregation of federally-funded public housing developments; demolition of Black homes, businesses, and neighborhoods to build highways in the name of urban renewal; systematic denial of federal insurance for home mortgages in areas with Black residents (a practice known as redlining); and use of restrictive housing covenants. More recently, less conspicuous practices like real estate steering, racial targeting of high-risk mortgage loans, exclusionary zoning, and discrimination by landlords have been utilized to maintain racial and economic segregation within and across municipalities. The 2008 housing crisis – brought on by a proliferation of real estate speculation and subprime mortgage lending – produced an unprecedented wave of foreclosures that disproportionately affected Black and Latinx households⁷ and rapidly transferred homes and equity from residents to investors.⁸

The City of Ypsilanti has its own, well documented legacy of restrictive covenants, housing segregation, and urban renewal policies that have shaped the local housing landscape over the last century. Since 2010, rising demand and home prices in Ypsilanti, fueled in part by skyrocketing housing costs in Ann Arbor, have accelerated gentrification throughout the City, a subject of increasing concern in recent years. Gentrification is particularly visible in the racial demographics of the southwest portion of the City,⁹ which has become increasingly whiter over the last decade, a continuation of a pre-existing trend.

Housing discrimination and exclusion have severe, long-lasting consequences for Black households, communities, and the country as a whole. Restricted access to homeownership has dramatically limited equity-building; on average, a white household in the U.S. today has more than 11 times the wealth of a Black household.¹⁰ Many U.S. cities and schools are as racially and economically segregated as they were in the 1950s, and research has shown that cities with the greatest life expectancy gaps between census tracts are those where racial and ethnic segregation are most stark.¹¹

While local policy change is inadequate to eliminate systemic, centuries-old injustices in housing, it is nonetheless essential. The City of Ypsilanti has several tools at its disposal to begin the important work of addressing historical inequities and designing a City that is more open, inclusive, and just.

⁷ [Minorities hit harder by foreclosure crisis](#)

⁸ [The Eviction Machine: Neighborhood Instability and Blight in Detroit's Neighborhoods](#)

⁹ 68% of the southwest portion was African-American, down from 80% in 2010 (American Community Survey 2017).

¹⁰ [The black-white economic gap remains as wide as in 1968 - The](#)

¹¹ [Life Expectancy Follows Segregation in US Cities](#)

C. Ypsilanti's housing landscape

Ypsilanti's housing landscape reflects its people, past and present policies, and the prominent influence of Eastern Michigan University (EMU) on the City.

Demographics: In 2018, the City of Ypsilanti had an estimated population of 20,939. With a median age of 24.2, Ypsilanti residents are younger, on average, than residents of Michigan (39.8), Washtenaw County (33.6), and Ann Arbor (26.9).¹² Half of all households are headed by householders aged 15-34, and most householders in this age group rent their homes. There has been a recent drop-off in the share of householders ages 25 to 34 who own their homes; in 2010, 65% of householders in this age group rented versus 85% today.¹³ Seniors comprise just 7.2% of Ypsilanti's population compared with 17.7% statewide.

Ypsilanti has a larger percentage of Black residents than the County and the State. As of 2018, 27.3% of the population identified as Black or African American; 4.6% as Hispanic or Latinx; 4.4% as two or more races; and 2% as Asian. The proportion of the population identifying as White alone was 61.6%.¹⁴ The biggest change in the City's racial makeup since 2010 is a decline in the Black population from 31.9%¹⁵ to 27.3%. The loss of Black residents appears to be concentrated in the southwest portion of the City (census tract 4106), which was 90% Black in 2000, 80% Black in 2010, and 68% Black in 2018.

Since 2010, the City of Ypsilanti's population and average household size have both grown significantly, by 3% and 11% respectively,¹⁶ while Michigan has only seen population growth of 1% and no change in average household size during the same period.

Income: Median household income in Ypsilanti is \$36,982, compared to \$69,434 in Washtenaw County and \$54,938 in Michigan.¹⁷ An estimated 32% of households are living below the poverty line. However, both median household income and per capita income in Ypsilanti are rising, and the latter has grown by 9.5% since 2010.¹⁸

Aggregate measures of income in Ypsilanti mask sharp disparities across neighborhoods. The original 2013 Master Plan highlights these disparities, which track closely with racial composition and historical discrimination. As of 2010, the census tract containing College Heights -- a neighborhood that employed a racially restrictive covenant in the 1940s¹⁹ -- had a median household income of \$59,688, while the census tract containing Heritage Park, Worden

¹² ACS 2018 5-year estimates.

¹³ City of Ypsilanti Master Plan, updated 2020.

¹⁴ ACS 2018 5-year estimates.

¹⁵ 2010 Census.

¹⁶ <https://www.census.gov/quickfacts/fact/table/MI,ypsilanticitymichigan/LND110210>.

¹⁷ <https://semcog.org/community-profiles/communities/4130#EconomyJobs>

¹⁸ <https://www.census.gov/quickfacts/fact/table/MI,ypsilanticitymichigan/LND110210>.

¹⁹ <http://ypsiarchivesdustydiary.blogspot.com/2012/02/racially-restrictive-covenants-in.html>

Gardens, and Bell Kramer -- historically black neighborhoods -- had a median household income of \$18,828.

Quantity and type of housing units: The U.S. Census Bureau places the current number of housing units in the City of Ypsilanti at 8,868. Of these, 37.5% are single-unit homes (including 3,146 detached and 183 attached homes); 6.7% are part of two-unit homes; and 11.6% are part of three- or four-unit homes. Another 13.8% of housing units are located in structures with five to nine units; 12.4% in structures with 10 to 19 units; and 15.8% in structures with 20 or more units.²⁰ The spatial distribution of different home types within the City is described in greater detail in Chapter 3 of the Master Plan.

Housing tenure: Nearly 70% of Ypsilanti residents rent their homes, while 31.3% own their homes. This is effectively the inverse of the statewide pattern, and reflects both the young demographics of the City, the prominence of property management firms within Ypsilanti's housing market, and the consequences of the 2008 housing crisis, which shifted additional homes into the hands of real estate investors. Use of alternative housing tenures, such as cooperative housing and condominiums, is sparse, and there is no active land trust in the City.

Age of housing units: Just over 30% of housing units in Ypsilanti were constructed before 1940, and a full 50% of units were built before 1960. As buildable land in the City has diminished, so has the pace of construction; 332 units were added in the decade from 2000 to 2009, and since 2010, just 195 units have been constructed.

Land area and population density: Comprising just 4.33 square miles of land area, the City has a population density of approximately 4,800 people per square mile, comparable to that of Detroit today. By contrast, the City of Ann Arbor has a slightly lower population density of 4,100 people per square mile, while Ypsilanti Township has a much lower population density of 1,800 people per square mile.

Land use: Single-family homes account for 37.5% of Ypsilanti's roughly 9,000 housing units and 30% of its land. EMU and other tax-exempt uses occupy nearly 40% of the City's land area, a reality that constrains opportunities for construction of new housing. The 38-acre Water Street Redevelopment area that extends south from Michigan Avenue and east from the Huron River is the largest expanse of undeveloped land in the City. However, environmental contamination of sections of the land has thwarted past plans to build affordable housing there and continues to pose a financial barrier to the future development of the land for this purpose.

²⁰ ACS 2018.

II. Our Process

A. Fact-finding

The **first phase** of the committee's work was devoted to fact-finding. To facilitate in-depth review of existing (secondary) data and information on housing affordability and accessibility in the City of Ypsilanti, the committee formed five sub-groups:

- (1) a Housing Stock sub-group charged with assessing the quantity and quality of housing;
- (2) a Housing Market sub-group charged with examining trends in housing demand and pricing;
- (3) a Homelessness and Housing Insecurity sub-group charged with estimating the magnitude of homelessness and housing insecurity vis-a-vis available beds and housing;
- (4) a Density/Zoning sub-group charged with examining the existing zoning ordinance and its implications for housing affordability and accessibility; and
- (5) a Housing Accessibility sub-group charged with assessing the situation with respect to physical accessibility of housing for people with disabilities as well as those aging in place.

Housing Stock: Quantity and quality

To determine the state of housing in Ypsilanti, the subgroup on Housing Stock: Quality and Quantity consulted the following resources:

- CoStar Custom Market Report- Ypsilanti Market Overview. Costar is a real estate market analytics company that aggregates vacancy, rents, sales activity, etc. The Rental Vacancy Rates over time were highlighted by the Housing Stock Subgroup as a notable indicator of market changes.
- Rent.com, Zillow.com, and Ann Arbor Area Board of Realtors Multiple Listing Service data were monitored to track number and prices for active listings during the time of the subgroup activity- January-March 2018
- U.S. Census Bureau data was reviewed for housing unit counts over time, including a 5-year estimate for 2012-2016. The Housing Stock Subgroup drew from that same 5-year forecast to identify housing unit counts by the year the structure was built and for the number of units contained in the structure.
- Washtenaw County Staff provided counts of "committed affordable housing" through Low-Income Housing Tax Credit subsidies, Community Development Block Grants, and Housing Commission information. EMU housing counts were included with this information based on the Fall 2017 term, both for on-campus apartments and dorms.
- The SEMCOG 2045 Regional Development Forecast was referenced for expectations of changes to housing stock and population changes.

Available information on the condition of housing stock was identified as a shortcoming at the early stages of data collection, due to quality issues being complaint-based and therefore incomprehensive. Washtenaw County Public Health has the mandate to intervene in occurrences of lead, mold, pests, radon, etc., but aggregate data on these outcomes are not consistently available.

Housing Market: Trends in for-sale and for-rent demand, price

Data sources consulted by the subgroup on Housing Market Trends included:

- U.S. Census Bureau American Community Survey (ACS), published annually. We analyzed multiple ACS indicators, including population and household counts by tenure (owner-occupied vs. renter-occupied), household income data and cost-burdened status, and median rent costs.
- The CoStar Market Report, which provided data on average asking rent by number of bedrooms.
- Rent.com and zillow.com rental listings posted from January to March 2018. Data analyzed included asking rents for properties located within the City of Ypsilanti.
- The Ann Arbor Area Board of Realtors Multiple Listing Service, which provided data on home sale prices helpful in estimating cost barriers facing home buyers.

The ACS presents multi-year estimates for many housing characteristics, and these estimates can differ markedly from “point-in-time” estimates, especially in periods of major or consistent change in housing. Given that local housing costs have been rising consistently over the past five years, ACS estimates of housing costs lag behind the reality.²¹

Homelessness and Housing Insecurity: Estimating the size of the homeless and housing insecure population

The homelessness and housing insecurity sub-group examined the available data on homelessness and housing insecurity in Ypsilanti. Homelessness was defined as those who are “sleeping in a place not meant for human habitation (e.g. living on the streets) or living in a homeless emergency shelter.” Housing insecurity was defined as those experiencing “frequent moving, staying w/friends or relatives, couch surfing, difficulty paying rent/mortgage, living in an unstable neighborhood, overcrowding in home, fleeing domestic violence, or more than 50% of income goes toward housing costs.”

Obtaining reliable estimates of the number of people experiencing housing insecurity and/or homelessness in Ypsilanti proved challenging due in part to the inadequacy of traditional survey instruments and methods to capture this information. Accordingly, the group focused on survey findings and service statistics from agencies that serve homeless and housing-insecure clients in Washtenaw County like Shelter Association of Washtenaw County (SAWC) Delonis Center and Ozone House.

Understanding barriers to securing housing and staying housed over time is critical to mounting an effective response, so the sub-group consulted with social service providers in Washtenaw County to enumerate a list of barriers -- individual and systemic -- faced by people experiencing homelessness and housing insecurity.

²¹ [Understanding and Using ACS Single-Year and Multiyear Estimates](#)

Density and Zoning: Barriers to and facilitators of affordable, accessible housing

To characterize the current situation with respect to population density, zoning regulations, and housing affordability and accessibility, the Density and Zoning sub-group consulted the existing City of Ypsilanti Zoning Ordinance and Zoning Map (revised substantially in alignment with the 2013 *Shape Ypsi* Master Plan and amended multiple times since) as well as ACS data on population growth, housing unit availability, and vacancy rates.

The density and zoning sub-group also looked at broad patterns of land use within the City and analyzed the implications of these patterns for housing stock and prices.

Accessibility: Barriers to and facilitators of physical accessibility of housing

The Americans with Disabilities Act (ADA) of 1990 prohibits discrimination against individuals with disabilities in all areas of public life, including jobs, schools, transportation, and all public and private places that are open to the general public.²² The Fair Housing Act and building code updates since 1990 have required some accessibility standards in new housing.

The Accessibility sub-group examined the local situation with respect to the physical accessibility of housing for people with disabilities and people aging in place. To situate its analysis within the framework of federal law, the Accessibility sub-group reviewed Fair Housing Act and Americans with Disabilities Act definitions of housing accessibility-related terms, such as universal design, visitability, and reasonable accommodation.

The sub-group then consulted US Census and ACS data on the number of people with disabilities and the number of seniors in Ypsilanti, and reviewed maps displaying the percent of residents with a disability by census tract. Finally, the sub-group considered regional, statewide, and national data on the projected growth of the senior population, which is expected to increase demand for accessible housing substantially between now and 2035.

The following definitions guided the committee's work on accessibility. A home is **accessible** when a resident with a disability can live independently in that home. The most common form of housing accessibility is a design that supports a person using a wheelchair: first floor bathrooms and bedrooms, floor plans and door widths that can be moved through in a wheelchair, and similar. A home may be **adaptable** if it is not fully accessible, but allows for addition of accessibility features, e.g. through reinforced walls that can accommodate grab bars.

B. Problem definition

Following the presentation and discussion of sub-group findings, the committee proceeded to a **second phase**: definition and analysis of the problem (or situation). In this phase, information from the fact-finding phase was synthesized into a series of five "problem statements" that,

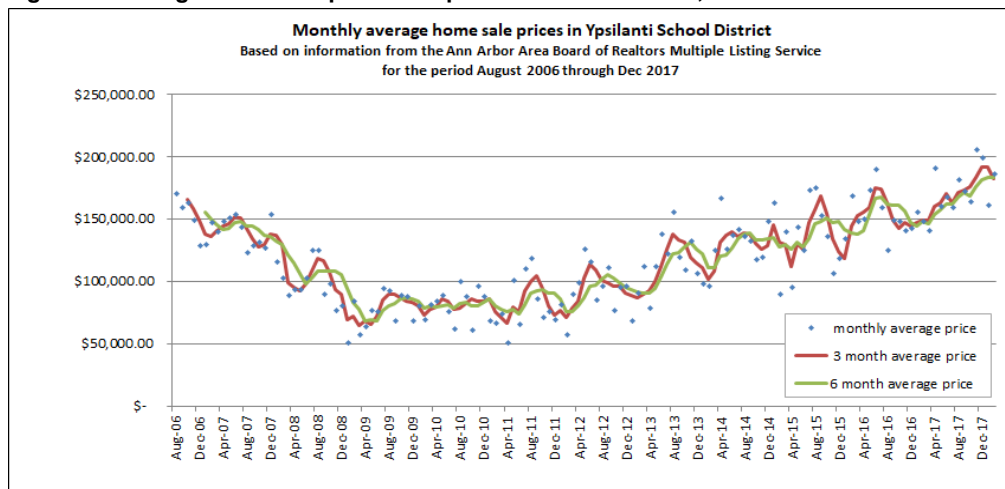
²² [An Overview of the Americans With Disabilities Act](#)

together, capture the essence of the situation with respect to housing affordability and accessibility in Ypsilanti.

Problem Statement #1: The cost of housing is increasing steadily.

After the crash of the housing market in 2008, Ypsilanti saw a steep decline in housing prices, accompanied by an increase in foreclosures and a decline in the homeownership rate due to an influx of “house flipping,” whereby landlords and speculators purchased foreclosed homes and converted them into investment properties. For-sale housing prices remained low for several years post-crisis before starting to pick up again in 2012-2013 (see *Fig 1*). Since then, available housing stock has dried up, leading to a very low vacancy rate (*Fig 2*), increases in demand, and higher prices for both rental and for-sale housing. Despite lower prices in comparison to other areas of Washtenaw County, housing in Ypsilanti is increasingly unaffordable for many residents. By way of illustration, a household earning the median income for Ypsilanti (\$35,000) can afford monthly housing costs of \$875 or less, including utilities (see *Table 1*). By contrast, the average asking rent for a two-bedroom apartment in Ypsilanti was \$897 in January 2018, (see *Table 2*), and average monthly housing costs for owner-occupied housing units was \$1367.²³

Figure 1: Average home sale prices in Ypsilanti School District, 2006 - 2017



²³ ACS 2018.

Figure 2: Housing Vacancy Rate, City of Ypsilanti, 2008 - 2017



Table 1: Affordable Rent Thresholds by Income Level

Annual Income	Rent at 30 Percent of Monthly Income
\$10,000	\$250
\$15,000	\$375
\$25,000	\$625
\$35,000	\$875
\$50,000	\$1,250
\$75,000	\$1,875
\$92,900	\$2,323

Table 2: Estimates of Average Monthly Rent in the City of Ypsilanti, by data source

	2013-2017 ACS 5-Year Estimates	Costar, 2018	Online rental listings, January to March 2018*
	Median Gross Rent	Average Asking Rent	Median Asking Rent
No bedroom/Studio	\$587	\$744	\$685
1 bedroom	\$677	\$795	\$775
2 bedrooms	\$873	\$897	\$975
3 bedrooms	\$1,090	\$960	\$1,350
4 bedrooms	\$1,377	N/A	\$1,650
5 or more bedrooms	\$1,646	N/A	\$2,300

* Sources: rent.com and zillow.com active listings for dwellings located within the City of Ypsilanti (listings were accessed from January 15, 2018 to March 15, 2018).

Because a strong majority of housing units in Ypsilanti (69.2%) are renter-occupied, and because renters in Ypsilanti have lower incomes, on average, than homeowners, renters are disproportionately affected by increasing housing costs. However, a significant proportion of homeowners in Ypsilanti are also affected. The ACS 2017 found that:

- 49% of all households in Ypsilanti are cost-burdened, meaning they spend >30% of their income on housing and may have difficulty affording necessities such as food, clothing, transportation, and medical care.
- Rates of housing cost burden in Ypsilanti are highest among renters (54.6%), followed by homeowners with a mortgage (29.2%) and homeowners without a mortgage (12.9%).
- Rates of housing cost burden are higher among lower-income Ypsilanti residents regardless of housing tenure.
- Ypsilanti has higher rates of cost burden than Ann Arbor and Washtenaw county overall.

A growing number of new residents, including students coming to Ypsilanti for college and people relocating from Ann Arbor in search of more affordable housing, has contributed to affordability pressures. The City's population growth has outpaced growth in housing stock since 2012, and there is no indication that this trend will change soon.

Rapidly increasing housing costs are especially consequential for renters with lower incomes, who face mounting obstacles to remaining in their homes and communities. One proxy measure for these pressures is the 20.8% eviction rate in the City of Ypsilanti, which is higher than the statewide average (17%) and nearly 10 times as high as in neighboring Ann Arbor (2.2%).²⁴

Problem Statement #2: Existing data and measures do not adequately capture the local situation with respect to housing affordability and accessibility.

There is a pressing need for improved measures and additional information to paint a more comprehensive picture of the nature and magnitude of housing affordability and accessibility challenges, and how it impacts specific populations, including seniors, people with low incomes, people with disabilities, and school-aged youth experiencing housing insecurity or homelessness.

Area median income (AMI), the measure used to determine eligibility for federal housing assistance, is calculated on a countywide or metropolitan area-wide basis. In counties and metropolitan areas where household incomes are relatively similar across communities, AMI helps direct affordable housing resources to households with the lowest relative incomes. In counties and metropolitan areas with significant income variation across communities, like Washtenaw County, the effect is different. Because Ann Arbor is significantly larger and more affluent than Ypsilanti, it exerts outsized influence on Washtenaw County's AMI, which is \$69,434.²⁵ (By comparison, median income in the City of Ypsilanti is \$36,982.) The continuing use of countywide AMI to determine eligibility for affordable housing assistance has the effect of

²⁴ [MICHIGAN EVICTIONS: Trends, Data Sources, and Neighborhood Determinants](#)

²⁵ ACS 5-year estimate, 2014-2018.

punishing very low-income (<50% AMI) and extremely-low income households (<30% AMI), the majority of which are located in Ypsilanti, by forcing them to compete for scarce rental assistance resources with households earning up to 80% of AMI.

List prices of rental housing fail to capture the full cost of renting. Securing rental housing often requires payment of non-reimbursable application, credit check, and/or administrative fees as well as proof of renter's insurance, a utilities deposit, and a security deposit equivalent to a full month's rent (which increases with rent). Collectively, these costs can pose a significant barrier for renters, yet they are seldom acknowledged by policymakers seeking to advance housing affordability.

List prices of for-sale housing similarly fail to capture total cost of homeownership. Down payment requirements, combined with recurring costs (e.g. mortgage insurance, homeowner's insurance, home maintenance, and property taxes) put home ownership out of reach for many people without substantial savings and/or high incomes.

Seniors: According to the 2010 census, seniors represent 13% of the U.S. population, and this is expected to grow to 20% by 2030. AARP/Harvard find that 90% of seniors plan to age in place. SEMCOG estimates that by 2035, the number of residents over 65 living in Ypsilanti will reach 5,335, which represents a 240% increase over the last measurement. It is clear that the need for affordable senior housing will continue to grow between now and 2035. However, few data are available regarding housing preferences and needs of seniors in Ypsilanti.

People with disabilities: According to the U.S. Census Bureau, nearly 1 in 5 Americans has a physical or mental impairment that limits one or more major life activities. By this broad definition, 32% of Ypsilanti residents have a disability, while 6.7% of Ypsilanti residents under the age of 65 (≈1400 residents) have a disability characterized by auditory, visual, cognitive, or ambulatory impairment. Disabilities -- and systemic discrimination against people with disabilities -- can limit economic activity and opportunity; nationwide, median income for people with disabilities is two-thirds of median income for people with no disability.²⁶ Within Ypsilanti, the areas with the highest concentrations of disabled residents also have the highest rates of poverty. However, there is no data available on the prevalence of housing insecurity among people with disabilities in Ypsilanti.

People experiencing homelessness or housing insecurity: While much effort has gone into developing standard definitions and metrics for housing affordability in the U.S., data and information gaps persist, especially with respect to homelessness and housing insecurity. According to the Washtenaw County Office of Community & Economic Development (OCED), 1,541 people experiencing homelessness in 2018 reported their last zip code as 48197 or 48198. People from Ypsilanti thus account for more than half (53%) of all those receiving

²⁶ US Census Bureau, 2015.

homelessness prevention, emergency shelter, rapid re-housing, or permanent supportive housing services. A 2018 survey conducted by Delonis Center found that 33% of clients listed Ypsilanti as their last place of residence, while approximately half (47.4%) of Ozone House clients listed 48198 or 48197 as the zip code of their last permanent residence. There is reason to believe that these figures underrepresent the true scale of homelessness in Ypsilanti and Washtenaw County. The SAWC estimates some 5,000 individuals are experiencing homelessness in Washtenaw County,²⁷ and the concentration of overnight shelters in Ann Arbor may lead people whose homelessness originated in Ypsilanti to report an Ann Arbor zip code where they have been staying more recently. Gaining a clear sense of the magnitude of homelessness in Ypsilanti remains a pressing priority.

Housing insecurity can be broadly defined as the condition of frequent moving, staying with friends or relatives, couch surfing, having difficulty paying rent/mortgage, living in an unstable neighborhood, overcrowding in the home, fleeing domestic violence, or spending more than 50% of household income goes toward housing costs. There is currently no federal definition by which to assess housing insecurity. However, based on ACS data on housing cost burden, it is estimated that approximately half of Ypsilanti residents could be experiencing some level of housing insecurity.

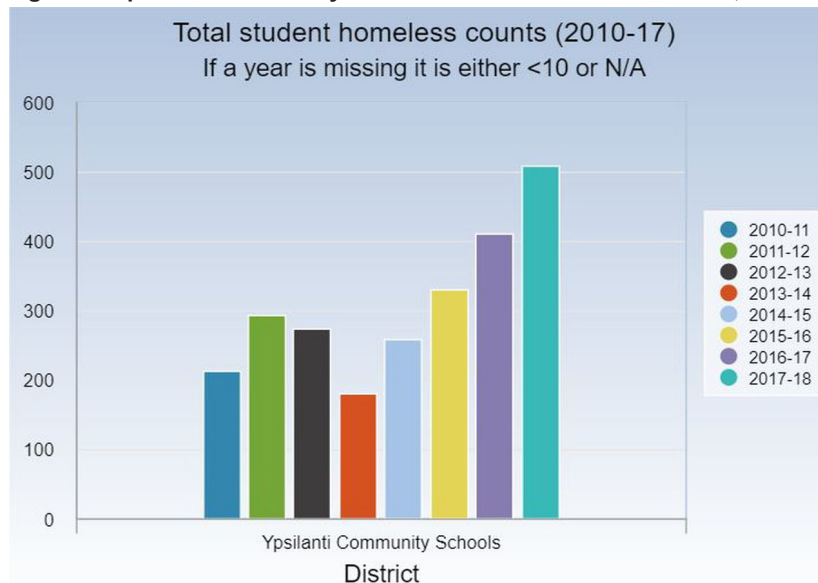
Homeless youth²⁸ face special obstacles; for example, they are unable to obtain housing vouchers or get on public housing waitlists until they are 18, and they lack the rental history required to qualify for renting in the private market. Former foster care youth, LGBTQ youth, and transition age youth (ages 18 to 24) are especially likely to experience homelessness and housing insecurity. The number of youth experiencing housing insecurity (including couch surfing or doubling up with friends or relatives) is presently unknown. *Fig 3* (below) shows the count of Ypsilanti Community Schools students experiencing homelessness by school year, from 2010-2011 to 2017-2018.²⁹

²⁷ <https://www.annarborshelter.org/annualreport>

²⁸ The U.S. Department of Education defines homeless youth as “youth who “lack a fixed, regular, and nighttime residence” or an “individual who has a primary nighttime residence that is a) a supervised or publically operated shelter designed to provide temporary living accommodations; b) an institution that provides a temporary residence for individuals intended to be institutionalized including welfare hotels, congregate shelters, and transitional housing for the mentally ill; or c) a public or private place not designed for, or ordinarily used as, a regular sleeping accommodation for human beings.” This definition includes both youth who are unaccompanied by families and those who are homeless with their families.

²⁹ [Ypsilanti schools gear up for large homeless student population](#)
[Washtenaw County grapples with barriers to ending youth homelessness](#)

Figure 3: Ypsilanti Community Schools Student Homeless Counts, 2010-2017



Problem Statement #3: Ypsilanti's old housing stock poses health, safety and accessibility challenges

While Ypsilanti's old and historic homes bring character to the City, they also present challenges. Most homes were constructed before contemporary health, safety, and accessibility codes were in place (see *Fig 4*, below). As a result, Ypsilanti residents face health risks from lead paint, radon exposure, and mold; high heating bills from poor insulation; and difficulty finding housing that will accommodate a disability.

Rental households are at increased risk for all of these factors, both because they may not be provided information about the home that an owner-occupant would have, and because they lack the right to make fixes or improvements to address housing quality concerns. Additionally, the oldest housing stock is concentrated in neighborhoods that have some of the highest rental occupancy rates. City rental code inspections do not include testing for problems like exposed lead paint, hazardous mold, or radon, and do not include standards for accessibility.

Figure 4: City of Ypsilanti housing by year of construction

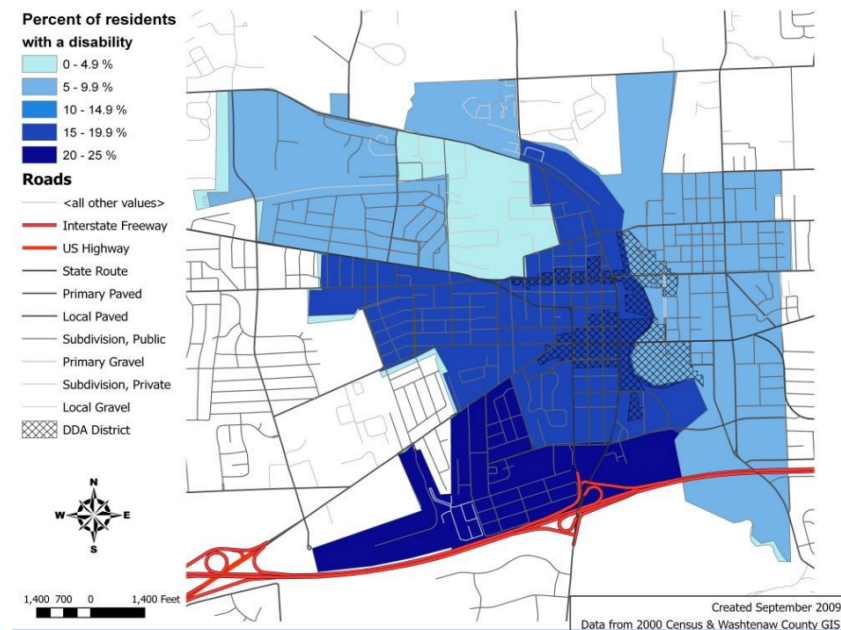


As existing housing stock ages and little new housing is added, Ypsilanti's overall housing vacancy rate continues to decline. From 2012 to 2017, the homeowner vacancy rate decreased from 4% to 1%, and the rental vacancy rate decreased from 12% to 5% during the same period. Meanwhile, the number of housing units available in the City fell from 9,118 to 8,872.

Accessibility: Only 1 in 10 houses or apartments in Ypsilanti was built in the 1990s or later³⁰, when Fair Housing Act and building code updates began requiring some accessibility standards in new housing. As a result, only a few apartment complexes offer wheelchair accessible units, and houses often require modifications to doorways, bathrooms and kitchens to serve a resident with a disability. Given the proportion of owner-occupied to rental units in the city, it is important to create accessible *and* affordable options in both categories.

³⁰ U.S. Census Bureau, 2012-2016 American Community Survey 5-Year Estimates, "Selected Housing Characteristics"

Figure 5: Proportion of Ypsilanti residents with a disability by census tract



In addition to a general lack of accessible housing, there are few housing options adapted to the needs of seniors, many of whom live on modest fixed incomes and/or have limited physical mobility. Until 2017, Cross Street Village offered 104 housing units for seniors in Ypsilanti with incomes ranging from 20 to 40 percent of AMI. However, these units have been transitioned to market-rate housing over the past three years, resulting in a sizable loss of affordable housing for seniors (see Box 1).

Box 1:

Cross Street Village is the formerly affordable senior housing development that was incrementally converted to a market-rate complex starting in 2017. The developer of the building took advantage of a back-out clause in the agreement made to receive Low-Income Housing Tax Credit (LIHTC), despite the developer's initial pledge to keep it low-income senior housing for a term of 99 years. Residents of Cross Street Village demonstrated against the market-rate conversion on July 12th, 2017. Remaining low-income and disabled seniors have reported issues of negligence on the part of the owner, American Community Developers, to local and state representative's offices.

Heating and other systems: Older housing stock is typically poorly insulated and may be drafty, increasing household energy bills. This is of special concern in rental properties where tenants pay for heating but do not have the right to make energy efficiency improvements, removing the incentive for the property owner to make improvements. In some cases, the tenant does not have control of the heat, but must wait for the landlord to turn it on each year, creating discomfort and potential health problems. Other aging systems -- electrical, plumbing, HVAC, etc -- can also reduce quality of life for residents of rental properties.

Health and safety: *Lead poisoning* is a major health risk, especially for young children. 5 in 6 Ypsilanti homes are in buildings constructed before lead paint was banned for residential use in 1978. The Washtenaw County Environmental Health Department notes that over 1/3 of children (8 of 22) diagnosed with elevated lead levels in 2017 lived in Ypsilanti ZIP codes; 5 of those 8 lived in rental housing.³¹ No inventory exists of housing that has had lead risks abated by the owner, except in cases where abatement was legally required as a result of a child testing high for lead exposure.

Radon: About 40% of homes in Washtenaw County have radon above EPA recommended exposure limits³². Radon is a radioactive gas naturally occurring in soil, and risk of exposure is higher in homes that have dirt basements or crawl spaces, or have cracked foundations or basement floors--conditions common in older homes. Radon testing is easy and cheap, with test kits available for about fifteen dollars³³ from the Washtenaw County website, but there is not a legal requirement to test homes either in rental code or in for-sale units. Also, radon can change seasonally so a one-time reading is not always reliable.

Mold: High levels of household mold exposure can lead to respiratory and other health problems, and over 1 in 3 survey respondents reported having had concerns over exposure to mold in their home. However, there are no legal standards for mold detection or remediation at any level of government.

Data limitations and needs: Assessment of these challenges is difficult because of limited data; as noted, there are few legal requirements to test for or disclose many of these conditions. Survey responses show how frequently residents have experienced problems. Some of these conditions may warrant being added to the city's housing inspections or rental disclosure requirements even if there are no requirements for remediation.

Problem statement #4: Ypsilanti does not have a lot of land available to build new housing

Ypsilanti is sometimes considered "built-out"-- nearly all land in the city has already been developed, limiting the opportunity for new homes to be built. Much of the land that is currently vacant, like Water Street, is considered "brownfield," meaning past industrial activity has left behind contamination that adds cleanup costs to development. Other possible parcels have potential or actual wetlands on them.

The cost of environmental remediation and demolition, combined with the lack of available land to build on, makes adding residential density difficult. High construction costs and low supply compound the problem of finding affordable housing and building more units.^{34,35}

³¹ Email from County Health Department staff.

³² Conversation with Washtenaw County Health Department staff.

³³ Conversation with Washtenaw County Health Department staff.

³⁴ [The State of the Nation's Housing 2018](#)

³⁵ [Paying for dirt: Where have home values detached from construction costs?](#)

Most of Ypsilanti's residential areas have significant limits on what types of homes can be built, due to a combination of zoning restrictions (e.g. minimum building envelopes, setback requirements) and historic preservation requirements. Some barriers to construction of new affordable housing in Ypsilanti include: single-family residential (R-1) zoning (nearly 30% of land within the city is zoned R-1, which restricts residential density); Historic District Commission requirements; minimum parking requirements; and the existing family definition, which restricts the number of unrelated adults who may occupy the same housing unit. These barriers are discussed in greater detail under Problem Statement #5.

Since new housing is typically more expensive than existing housing -- especially in the Ann Arbor construction market, where labor costs are relatively high -- replacing older housing with new construction may exacerbate housing affordability issues.

Problem statement #5: Current and past policies contribute to our affordability and accessibility challenges (state level, local level)

Exclusionary zoning actions: Over the past 40 years, the City of Ypsilanti has used zoning changes to reduce the number of housing units in neighborhoods, explicitly working to limit multi-family housing in favor of owner-occupied single-unit properties. These actions have contributed to the loss of affordable rental apartments over time, while limiting the city's opportunity to create new housing. The current zoning ordinance also limits the potential development or conversion of smaller-scale or multi-unit housing through (1) accessory dwelling unit (ADU) restrictions (ADUs are allowed only in select zoning districts, namely CN, CN-Mid, and HC) and (2) residential lot requirements and building envelopes that effectively prevent the construction of smaller-scale homes (including tiny homes), except as an accessory use in select districts. (Some recent updates to the zoning ordinance, including the elimination of minimum parking requirements for single- and two-unit residences, are better aligned with the goal of housing affordability.)

Non-family occupancy caps: The City of Ypsilanti Zoning Ordinance limits the number of unrelated adults that may constitute a "family" living in a single dwelling. The City's regulation is stricter than in surrounding communities, leading to under-utilization of available housing units.

Neighborhood Enterprise Zone: The city has designated the neighborhoods around Harriet Street as a Neighborhood Enterprise Zone (NEZ), a State of Michigan program that offers property tax abatements for new home construction or renovations. The structure of NEZ abatements adopted by the Ypsilanti City Council grants preferential treatment (in the form of longer-duration tax incentives) to new purchasers of properties, which could accelerate displacement of existing residents. Only two NEZ certificates have been issued since the inception of the NEZ around Harriet Street; both were issued to new occupants/homebuyers. In combination with the NEZ, the city offered a number of empty lots for sale at the heavily

discounted price of \$1,000,³⁶ foregoing a public asset (buildable land) that could have been invested in the creation of permanently affordable housing.

Loss of LIHTC dedicated affordable housing: The federal Low-Income Housing Tax Credit (LIHTC) program offers tax credits to private real estate developers to create affordable housing. Because of how Michigan administered the state's allocation of credits in the early 2000s, the owners of several apartment complexes in Ypsilanti city and township have been able to shed their affordability requirements recently, leading to dramatic increases in rents. While the state has seemingly closed the loophole for newer LIHTC, this experience underscores the need for the City to scrutinize developers' use of state and federal programs to ensure the promised affordability is actually delivered.

C. Public input

Public engagement and representation emerged early on as key priorities for the committee. Because today's housing affordability and accessibility issues have historical roots in racist and exclusionary policies that range from redlining and racial steering to restrictive zoning and housing covenants, it is critical that people in historically marginalized groups have a voice in both the framing of the problem and the design of remedial policies and measures.

The committee designed and implemented a multi-stage public engagement process that consisted of:

- A **Housing Affordability & Accessibility Survey** to gather up-to-date information on the nature and magnitude of housing affordability and accessibility issues experienced by Ypsilanti residents. The Housing Survey, which was made available online and in hard copy at several locations throughout the City, was launched on December 5, 2018 and closed in February 2019. More than 600 responses were collected; a summary of survey results is included in **Appendix B**.
- **Key informant interviews** with three landlords of residential properties in Ypsilanti (one with a small number of rental properties, one with a moderate number of rental properties, and one with a large number of rental properties). Interviews were conducted while the Housing Survey was ongoing, and the input provided by landlords was used to paint a more complete picture of the factors that influence housing affordability and accessibility. A list of interview questions is included in **Appendix C**.
- An **Open Forum** to present the survey and interview findings to the public and to solicit public input on a preliminary set of housing affordability and accessibility strategies for the City of Ypsilanti. The forum, which was held at Riverside Arts Center on May 2, 2019, generated lively discussion on certain topics (e.g. rental inspections and quality of rental housing) as well as written and verbal feedback input on potential strategies.
- An **Ypsilanti Housing Strategies Survey** to gather quantitative feedback from Ypsilanti residents on the favorability of specific housing strategies in six key domains: (1)

³⁶ [City of Ypsilanti to sell its empty land for \\$1,000](#)

Renters' rights, (2) Sustainable development strategies, (3) Need-based assistance strategies, (4) Physical accessibility strategies, (5) Zoning strategies, and (6) Partnership and advocacy strategies. The Housing Strategies Survey was launched online on September 3, 2019 and closed on October 22, 2019. More than 360 responses were collected; a copy of the survey and a summary of its results are included in **Appendix D**.

- Finally, the committee welcomed public comment and input through its standing monthly meetings, held from January 2018 to May 2019.

Despite efforts to solicit input from a representative cross-section of Ypsilanti residents, the survey demographics indicate that some groups were underrepresented while others were overrepresented. Males, Black/African Americans, and renters were underrepresented in the survey by a significant margin.

III. Key findings:

Our major findings with respect to housing affordability are the following:

- Prices of both for-sale and rental housing are rising fast and show no signs of abating, in line with national trends.
- The most commonly used measures of housing affordability fail to capture the total cost of housing as experienced by most Ypsilanti residents, and especially those who earn the median income or less. Monthly rents do not capture the full picture with respect to the cost of rental housing; most rentals require a deposit equal to a full month's rent.
- Over half (54.6%) of Ypsilanti renters are cost-burdened with respect to housing, meaning that they spend more than 30% of their income on housing (ACS 2017). Data from the committee's Housing survey closely track data from the ACS on this point.
- Real estate investors -- some local, others from outside of the area -- who bought homes in Ypsilanti during the housing crisis in order to "flip" them have profited from increasing sales prices. Many Ypsilanti homeowners who purchased their homes at depressed prices (i.e. from 2008 to 2013) have seen their property values escalate rapidly since 2013, resulting in substantial growth in home equity.
- The flip side of these benefits to investors and newer homeowners has been a sharp decline in access to homeownership for Ypsilanti and other area residents who currently rent their homes. In addition, the boom-bust housing cycle -- by first displacing people with limited wealth and/or income from their homes through foreclosure or short sales and then making it difficult or impossible for them to afford another home in the same neighborhood -- has had a gentrifying effect that is especially visible in the southwest section of the City.
- The consequences of rising rents have been acutely felt by Ypsilanti residents, particularly those with lower incomes. Some of the disruptive effects have included frequent moves motivated by sharp rent increases; being forced to settle for poorly maintained rental units that are less accessible to public transportation and other essential amenities; displacement, especially among seniors and people with disabilities; housing insecurity; and homelessness.
- Source-of-income discrimination appears to be a problem for renters in Ypsilanti, with 9.3% of housing survey respondents indicating they have been denied housing based on their source of income.
- Protecting and advancing housing affordability and accessibility will require decisive and sustained action at multiple levels of government, including the municipal, county, state, and federal levels. Collaborating with policymakers and officials at other levels of government will be essential to ensuring that all people, no matter what age or income, can find a place to call home in Ypsilanti.
- One-size-fits-all solutions do not apply; we will need a combination of strategies that are tailored to the specific housing needs and preferences of Ypsilanti residents, including young people, seniors who wish to age in place and people with disabilities.

Our major findings with respect to housing accessibility are the following:

- Overwhelmingly, Ypsilanti's housing stock is older, predating the ADA and Fair Housing Act, with only 1 in 10 houses or apartments in Ypsilanti built since 1990.³⁷ Only a small portion of units offer wheelchair accessibility, and houses often require modifications to doorways, bathrooms, and kitchens to serve a resident with a disability.³⁸
- The City of Ypsilanti 2012-2016 census statistics reported that 6.7% of persons under 65 have a disability, or about 1400 disabled persons (auditory, visual, cognitive, ambulatory impairments).³⁹
- Accessibility is not limited to the needs of wheelchair users. According to broadest definitions of disability, 32% of Ypsilanti residents are living with a disability of some type.⁴⁰ The highest concentrations of residents with a disability are in areas with the least income.
- AARP/Harvard reports that 90% of seniors plan to age in place, and SEMCOG estimates the over 65 demographic will increase in our area by 240% by 2035. Given the proportions of owner-occupied to rental units in the city, it is important to create accessible options in both categories.
- Results from our Housing Affordability & Accessibility Survey bear out these basic facts. Two-thirds of survey respondents (66.7%) reported that their homes have no accessibility features, and more than 1 in 4 reported that barriers to physical accessibility in a home had limited their quality of life.
- Beyond those experiencing a disability, many survey respondents said that accessibility is a consideration in the selection of their next residence. Over half of respondents said a ramp or step-free entrance would be a factor in their choice of a home, and more than 1 in 5 said that every accessibility option listed in the survey -- from parking, to bathroom and kitchen amenities, to doorways and elevators -- would be a desirable factor. Furthermore, there was broad support for an Affordability & Accessibility Ordinance.

³⁷ U.S. Census Bureau, 2012-2016 American Community Survey 5-Year Estimates, "Selected Housing Characteristics"

³⁸ While there are several of these facilities that offer these amenities, they often have limited availability. Namely, Cross Street Village, River Rain Apartments, 422 Pearl, 420 Emmet, 404 N Huron, Peninsular Place, UGA Townhomes, and recently renovated Ypsilanti Housing Authority units.

³⁹ Those numbers exclude seniors and use a definition of disability ("Serious difficulty with four basic areas of function -- hearing, vision, ambulation, cognition") that could be expected to underestimate numbers determined by other methods

⁴⁰ The Fair Housing Act defines a person with a disability as an individual for whom a physical or mental impairment limits one or more major life activities. This

IV. Committee recommendations:

In our work as a committee, we emphasized the lived experience and observations of residents of Ypsilanti as forms of expertise that are central to understanding and addressing the complex problems of housing affordability and accessibility. Our recommendations were generated in large part through the aggregation of community expertise sought through public engagement and inquiry.

Based on input and feedback from 361 respondents who reviewed the 26 proposed housing strategies included in the committee's Housing Strategies survey, our committee recommends that the City review and seek to implement 11 proposals. The selected proposals reflect the input of Ypsilanti residents who engaged with this survey and are consistent with the committee's analysis of strategies that, if implemented, will respond to pressing housing needs and start to correct historical inequities in Ypsilanti.

In the context of the Covid-19 pandemic and civil unrest due to systemic racial inequities, we share a conviction that it is more important than ever for local governments to proactively address the needs and interests of historically marginalized communities. With a view to accelerating action, we offer a prospective pathway and timeline for rolling out housing policies.

The recommended proposals are preferred across demographics with a notable difference between renters and homeowners; on a scale of 1 to 5, renters assigned almost all proposals a higher score (an average of ~4.4 compared to an average score of ~3.6 given by homeowners, as detailed in Table 3).

Table 3: Renter vs. homeowner ratings of housing strategy proposals

Proposal	Avg. score, renters (n=126)	Avg. score, homeowners (n=220)	Difference
Protect renters from improper eviction	4.54	3.33	Renters +36%
Give renters with criminal records a fair chance	4.15	3.35	Renters +24%
Give tenants first opportunity to purchase property from owner	4.52	3.78	Renters +20%
Build on public land	4.44	3.54	Renters +25%
Establish a community land trust	4.29	3.29	Renters +30%
Enact an inclusionary housing ordinance	4.66	3.42	Renters +36%
Enact an affordability & accessibility ordinance	4.75	3.60	Renters +32%
Incentivize co-op conversions	4.37	3.56	Renters +23%
Build a homeless shelter in Ypsilanti	4.57	3.66	Renters +25%
Install public toilets and benches in our parks	4.41	3.68	Renters +20%
Establish a Minor Home Repair Program	4.60	4.11	Renters +12%
Fund local agencies that provide need-based assistance	4.67	3.88	Renters +21%
Allow existing homeowners living South of Michigan Ave to qualify for the same tax breaks as new home-buyers	4.40	3.95	Renters +11%
Create a landlord incentive program to stabilize rent	4.46	3.58	Renters +25%
Assist low-income residents with home-buying	4.61	3.80	Renters +21%
Adopt a Visitability Ordinance	4.38	3.34	Renters +31%

Launch a Universal Design Program	4.23	3.48	Renters +22%
Change single family zoning districts to include multiple family dwellings	4.35	3.08	Renters +41%
Lift the limit on non-related persons living in a single dwelling	4.41	3.42	Renters +29%
Increase housing stock by allowing Accessory Dwelling Units	4.37	3.89	Renters +12%
Increase housing stock by accommodating tiny homes	4.39	3.99	Renters +10%
Change parking space requirement for new housing developments	3.73	3.22	Renters +16%
Advocate for rent control	4.54	3.37	Renters +35%
Ask local universities to invest in the Ypsilanti Housing Trust	4.63	4.19	Renters +11%
Ask the Office for Community and Economic Development (OCED) of Washtenaw for funding toward housing in Ypsilanti	4.57	3.99	Renters +15%
Advocate for the authority to regulate Airbnb (and other short-term rentals)	3.91	3.39	Renters +15%
All proposals pertaining to renters' rights or sustainable development strategies	4.42	3.61	Renters +19%

A. Priority Recommendations

Our committee recommends adoption of the following proposals, organized by category:

Renter's Rights: These are recommendations that the City of Ypsilanti could implement to expand renters' rights and protect them from discrimination.

1) Tenant Right of First Refusal

Proposal: Give tenants first opportunity to purchase properties from the property owner by enacting a 'Tenant Right of First Refusal' ordinance. The ordinance would grant tenants both advance notice of a planned sale and a specified time period within which to purchase a property, should the owner wish to sell it.

Tenant Right of First Refusal can set in motion a process that leads to the successful transfer of ownership—either to the residents or to another entity willing to preserve the long-term affordability of the property. It has been successful in producing a number of resident-owned properties and partnerships among residents and nonprofits in Washington, DC and other cities.

2) Just Cause Ordinance

Proposal: Protect renters from improper eviction by enacting a 'Just Cause' ordinance to protect renters from eviction and displacement for improper reasons.

The Michigan Act of 1933 Just Cause Eviction statutes protect tenants from wrongful and/or retaliatory eviction. They limit a landlord's ability to evict tenants to specific reasons, such as failure to pay rent or for violation of the lease terms. A city Just Cause

Ordinance could extend the protections of Michigan Act 1933 to lease renewals, and bar rental property owners from refusing to renew a tenant's lease without 'just cause'.

Sustainable Development: These are recommendations that the City of Ypsilanti could implement to prioritize the sustainable development of affordable and accessible housing, as well as to provide safe shelter to all residents.

3) **Affordability and Accessibility Ordinance**

Proposal: Enact an Affordability & Accessibility Ordinance that (1) defines the parameters for affordable and accessible housing based on Ypsilanti's median income rather than countywide median income and (2) requires new housing developments that receive public funding or tax subsidies to include a percentage of affordable and accessible units in line with Ypsilanti's need.

Enacting an Affordability Ordinance would help set the stage for future adoption of an inclusionary housing policy by tying affordability thresholds to Ypsilanti's median income rather than the median income of Washtenaw County as a whole. This would help ensure that affordable housing subsidies and resources in Ypsilanti are adapted to local conditions and directed to those who need them most.

Disabled residents in Ypsilanti are predominantly low-income and many live in older units within the City. An Accessibility Ordinance based on these figures would take the needs of disabled residents into account when determining new construction and rehabilitation requirements.

4) **Homeless Shelter**

Proposal: Build or establish an overnight shelter in Ypsilanti to help meet needs of residents experiencing homelessness.

Ozone House's newly constructed 26-bed youth shelter on North Huron River Drive is now serving homeless youth, but Ypsilanti does not have an overnight shelter for adults and families experiencing homelessness. Adding a shelter for adults and families would help ensure that everyone has access to a safe place to stay in times of acute need.

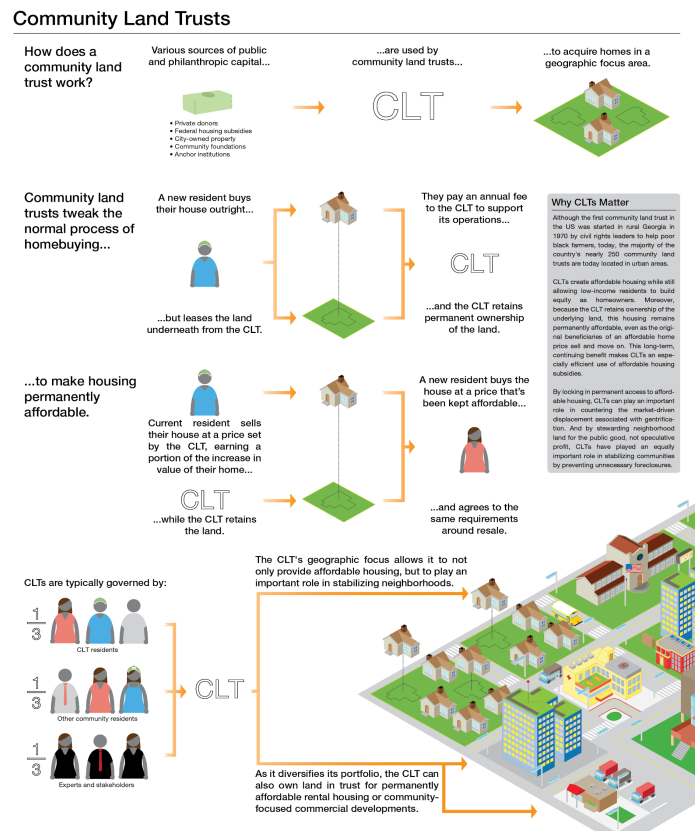
5) **Community Land Trust**

Proposal: Establish a Community Land Trust (CLT) to promote long-term housing affordability and accessibility through community control of land.

Community Land Trusts are nonprofit, community-based organizations designed to ensure community stewardship of land. They combine democratic ownership of land with private ownership of structures on the land. Most CLTs limit the rate at which the structures they manage can appreciate each year, so that the affordability of those

structures is preserved over time. CLTs can be interspersed throughout one or more neighborhoods, and can include businesses and single- and multi-family homes.

There are multiple ways of funding and running a CLT. The City of Ypsilanti could provide financial incentives for the formation of independent, neighborhood-based CLTs in core neighborhoods and center districts. It could also advocate with Washtenaw County and the City of Ann Arbor for the establishment of a countywide, publicly funded CLT like the one in Orange County, North Carolina. The infographic below from the Democracy Collaborative describes the basic attributes of a CLT.



Need-based assistance: These are recommendations that the City of Ypsilanti could implement to support low-income residents' home improvement and housing stability.

6) Assist low-income residents with home-buying

Proposal: Assist low-income residents who wish to purchase a home by offering credit improvement services, and mortgage down-payment assistance.

Seven in ten households in Ypsilanti are (predominantly low-income) renter households—a significantly higher percentage to comparable college towns of its size. The city could provide assistance to low-income households who wish to buy homes, to reduce barriers to homeownership and promote housing stability.

7) **Minor home repair**

Proposal: Establish a Minor Home Repair Program to assist with the cost of essential home repairs for eligible low-income and disabled homeowners. Eligible repairs could include roof replacement, plumbing replacement, mechanical or electrical replacements, ADA ramp installation or repair, door modifications, and lead or mold remediation.

Cities in the State of Michigan can choose to offer small grants for home improvements. For example, the City of Battle Creek has a Minor Home Repair Program that provides eligible low-income homeowners with up to one-half of the cost of roof replacement, or other exterior code compliance or health and safety issues.

Accessibility: In addition to enacting an Affordability and Accessibility Ordinance as recommended above, the City of Ypsilanti could enact a Visitability Ordinance to expand physical accessibility of housing and public life in Ypsilanti.

8) **Visitability ordinance**

Proposal: Adopt a Visitability Ordinance to ensure that newly constructed homes incorporate basic accessibility features that make it easier for mobility-impaired people to visit or live in Ypsilanti.

A home can be considered “visitable” if it has: (1) at least one no-step entrance; (2) doors with 32 inches of clear passage space; and (3) a bathroom on the main floor that is wheelchair-accessible. Some US cities have adopted mandatory visitability ordinances for all newly built homes; others have adopted visitability ordinances for houses built with public funding or tax incentives.

Zoning: These are zoning recommendations that the City of Ypsilanti could implement to expand density and housing affordability through land use policy.

9) **Lift the limit on non-related adults per dwelling**

Proposal: Increase the number of unrelated individuals who may reside together in a dwelling by changing the Zoning Ordinance definition of Family to include a limit of two unrelated persons for each bedroom in the dwelling.

The current City of Ypsilanti Zoning Ordinance definition of a “family” limits the number of unrelated individuals that may occupy a single-family home as follows: “A group of

persons, none of whom are related to each other by blood, marriage, or adoption, who reside together in a single dwelling unit, provided that the total number of occupants in such group shall not exceed three, except in the MD district and in any permitted residential uses in any corridor district the total number of occupants in this group shall not exceed four, unless otherwise provided for in this chapter; or". This section may be updated to "A group of persons, none of whom are related to each other by blood, marriage, or adoption, who reside together in a single dwelling unit, provided that the total number of occupants in such group shall not exceed two for each bedroom in the dwelling; or"

Advocacy and partnership: These are proposals that the City of Ypsilanti could advocate for on the state, county, and local level to expand and sustain housing affordability in Ypsilanti and beyond, through partnership and/or legislative change.

10) **Rent Control**

Proposal: Advocate with state lawmakers to grant municipalities the authority to cap annual rent increases.

Michigan law currently prohibits local government units from enacting or enforcing rent control policies. Two bills introduced in 2017 (House Bills 4686 and 4687) would (1) revise the law to create an exception to the rent control prohibition and (2) give local governments the power to prevent landlords from charging tenants that have a disability or elderly tenants more than 50 percent of their income in rent. Another approach to capping rent increases would be to allow rents to appreciate by a fixed percentage each year; for example, Oregon recently passed a statewide rent control bill that caps annual rent increases at inflation plus 7 percent.

11) **Ask Universities to invest in Ypsilanti's Housing Trust Fund**

Proposal: Advocate for the University of Michigan and Eastern Michigan University to invest in the Ypsilanti Housing Trust Fund and to actively support other county-wide housing affordability measures.

Many reports, including the 2014 OCED housing report, point to Ann Arbor's increasing rental rates driving the displacement of Ann Arbor residents to Ypsilanti. Asking universities and other large employers to fund the Ypsilanti Housing Trust would offer these entities the opportunity to address the harms of displacement and support housing equity in Ypsilanti.

Table 4 (below) provides a visual overview of alignment between the above recommendations and the five problem statements introduced in **section II.B** of this report.

Table 4: Cross-mapping of recommendations and problem statements

	The cost of housing is increasing quickly.	Existing data and measures do not adequately capture the local situation with respect to housing affordability and accessibility.	Ypsilanti's old housing stock poses health, safety, and accessibility challenges.	Ypsilanti does not have a lot of land available to build new housing.	Current and past policies contribute to our affordability and accessibility challenges (state level, local level).
Tenant Right of First Refusal	✓	✓		✓	✓
Just Cause	✓	✓			✓
Affordability and Accessibility Ordinance	✓	✓	✓	✓	✓
Homeless Shelter		✓			✓
Community Land Trust	✓	✓		✓	✓
Assist low-income residents with home-buying	✓	✓	✓		✓
Minor home repair		✓	✓	✓	✓
Visitability ordinance		✓	✓	✓	✓
Lift the limit on non-related adults	✓	✓		✓	✓
Rent Control	✓	✓		✓	✓
Ask Universities to invest in Housing Trust Fund	✓	✓	✓	✓	✓

B. Proposed pathway and timeline for implementation

In the context of the Covid-19 pandemic and civil unrest due to systemic racial inequities, we share a conviction that it is more urgent than ever for local governments to proactively address the needs and interests of communities under duress. With a view to accelerating action, we

offer a prospective three-phase pathway and timeline for rolling out housing policies and programs over the next 10 years.

Phase One (current Budget year)

Make the Ypsilanti Housing Trust permanent: Assure a sustainable funding source for housing affordability and accessibility by formalizing and making permanent the City of Ypsilanti Housing Trust Fund started by Councilmember Pete Murdock and nourishing it with an annual contribution of no less than \$100,000 from the City's general fund.

Allocate staff time to housing affordability and accessibility: Allocate a significant portion of an existing staff member's time to the coordination and monitoring of City housing affordability and accessibility policy and to liaising with other units of government and partners on housing affordability and accessibility.

Draft and implement the Tenant Right of First Refusal ordinance (Strategy 1), the Just Cause Ordinance (Strategy 2), the Affordability and Accessibility Ordinance (Strategy 3), the Visitability Ordinance (Strategy 8), and the Zoning Ordinance text amendment to increase the number of non-related adults who may occupy a single dwelling (Strategy 9) from three total to two persons per bedroom.

Conduct a public outreach campaign to raise awareness about tenant rights and protections in the City. Property managers and tenants should be educated about the Tenant's rights brochure/handbook requirement implemented in 2018, as well as their protection from source-of-income discrimination (including housing vouchers and student loans) and protections around criminal history as stipulated in Ypsilanti's Non-Discrimination Ordinance. Finally, the campaign presents an opportunity to notify tenants and property managers about the resources available to them -- at the local, county, and state levels -- for home repair,

Begin advocating for State legislation to expand local authority to regulate rent increases (Strategy 10) and for local university contributions to the City of Ypsilanti Housing Trust Fund (Strategy 11).

Finally, while we have not included broader rezoning actions in our official recommendations, we would nonetheless encourage the Planning Commission to **consider additional changes to the Zoning Ordinance** to reduce restrictions on construction and/or conversion of multi-unit homes, accessory dwelling units, and smaller-scale homes.

Rationale: The recommendations for Budget Year 2020 face relatively few barriers to implementation, as they modify existing codes or ordinances. The Just Cause ordinance and zoning text amendment to increase the limit on non-related adults could immediately increase housing security for residents at risk of eviction and/or discriminatory action. The Tenant Right of First Refusal ordinance would help slow or stem another rapid transfer of homes to speculative investors in the case of an economic slowdown or crisis. The Visitability and

Affordability and Accessibility Ordinances are recommended with a view to ensuring that future development is adapted to local needs and conditions. Advocating for and/or implementing a rent control ordinance at the city level (that would remain non-enforceable until State legislation changes) is a means of signaling that the City of Ypsilanti has interest in changing State restrictions on rent control. Securing annual funding commitments from local universities for the Ypsilanti Housing Trust Fund would be an important step towards acknowledging and making amends for those institutions' outsize role in driving up housing costs and housing inequity in the area, including by enrolling large numbers of students without capacity -- or a viable plan -- to house them.

Phase Two (Budget year 2021)

Allocate \$100,000 from the 2021-2022 budget to the Ypsilanti Housing Trust Fund. As communities across the U.S. re-evaluate their budget priorities in light of the nationwide critique of police brutality and police-related public expenditures, we encourage the City of Ypsilanti to prioritize housing affordability through a standing annual contribution of \$100,000 to the Ypsilanti Housing Trust Fund. These funds could be reallocated from the Ypsilanti Police Department budget (which currently accounts for 24% of the total City budget) or from the funds that were set aside for the construction of a train platform. Reorienting funding to housing and other essential services would provide for both a progressive financial policy change and material change toward public safety.

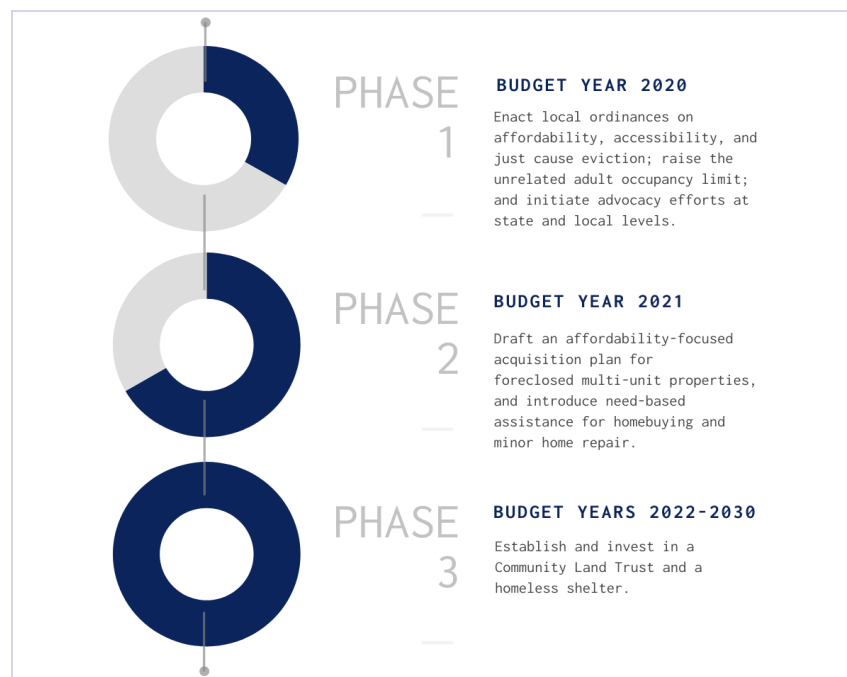
Create a diversified funding strategy for the Ypsilanti Housing Trust Fund. We recommend that the City create a sustainable funding plan incorporating diversified funding sources. These could include contributions from the University of Michigan, Michigan Medicine, and EMU; Ann Arbor-based businesses with large shares of employees who reside in Ypsilanti; the American Center for Mobility (assuming future growth of its operations and local employment rolls); owners of short-term rental properties in Ypsilanti; and real estate investors with ownership of 100 or more housing units in Ypsilanti.

Draft an affordability-focused property acquisition plan that would go into effect in the event of another housing crisis resulting in a surge of foreclosures of multi-unit residences. The aim of this plan would be to ensure that such properties can be converted to sustainable affordable and accessible use, either in partnership with a local housing non-profit or through the launch of a Community Land Trust.

Introduce a home-buying assistance program (Strategy 6) and the Minor home repair program (Strategy 7).

Phase Three (Budget year 2022-2030)

Create and invest in institutions that promote community stability and build toward long range sustainable housing goals.⁴¹ Pursue affordability and accessibility-focused collaborations at the county and regional levels, with a view to leveraging resources from outside of the City of Ypsilanti. These would include the establishment of a Community Land Trust (Strategy 5) and the construction or establishment of an overnight homeless shelter (Strategy 4).



C. Gaps and Limitations:

Representation: Despite efforts to solicit input from a representative cross-section of Ypsilanti residents, the survey demographics indicate that some groups were underrepresented while others were overrepresented. Males, Black/African Americans, and renters were underrepresented in the survey by a significant margin. This could be suggestive of a general underrepresentation of these groups in City government, non-profits, and other entities that were represented on our committee, and we encourage the City to monitor and prioritize representation in all housing-related actions that it undertakes.

Short-term rentals: The short-term rental market in Ypsilanti poses a potential threat to future housing affordability, since it reduces the supply of long-term rental housing. Our report stops

⁴¹ [Trickle Up Housing: Filtering Does Go Both Ways](#)

short of making recommendations vis-a-vis short-term rental properties. However, preserving local government authority to regulate short-term rental uses under State law is an essential priority in the short term, as it will provide the City with better options if and when the number of short-term rentals grows.

Senior housing: While seniors who own their homes in Ypsilanti would benefit from our recommendations for need-based assistance programs, our report does not adequately address the need for affordable senior housing. One way in which the City could respond more fully to the housing needs of seniors would be through the establishment of a Community Land Trust and the designation of some housing within that Trust as senior housing.

Appendix A: Housing affordability and accessibility committee charter

COMMITTEE CHARTER: Citizen Committee on Housing Affordability & Accessibility

Adopted December 20, 2017

Background

In October 2013, the Planning Commission of the City of Ypsilanti adopted a new Master Plan (also referred to as the “Shape Ypsi” Master Plan), a hybrid land use/policy plan intended to guide development, redevelopment and preservation in the City over a 20-year horizon. It provides the framework on which the City’s Zoning Ordinance is based and also contains guidance for other areas of civic governance, such as capital improvements, non-motorized transportation and development of publicly-owned land.

Two of the guiding values set forth in the Master Plan are “Diversity is our strength” and “Anyone, no matter what age or income, can find a place to call home in Ypsilanti.”

In the four-plus years since the 2013 Master Plan was adopted, issues of housing affordability and accessibility have surfaced repeatedly during Planning Commission proceedings (which include reviews of site plans and special use applications). Rents are rising, in some cases so sharply that renters have been priced out of the City. Barriers to physical accessibility, common among Ypsilanti’s older homes, continue to limit housing options for people with a disability.

These realities conflict with the Master Plan guiding values cited above.

By statute, the Planning Commission is required to review the Master Plan at least once every five years and to make updates as deemed necessary.

I. Purpose

The Citizen Committee will review and update the City of Ypsilanti’s 2013 Master Plan with a focus on preserving and enhancing housing affordability and accessibility in keeping with the guiding values of the Master Plan. The Committee will develop and issue recommendations for specific land use and policy changes for consideration by the Planning Commission and (upon invitation) City Council.

II. Committee Type

Per Planning Commission bylaws, “the Commission, Chair or City Planner may establish and appoint citizen committees with the consent of the Commission. The purpose of the citizen committee is to be able to use individuals who are knowledgeable or expert in a particular issue before the Commission or to better represent various interest groups.”

The Citizen committee is a “special” committee of the Planning Commission (as opposed to a standing committee). It is formed to serve for a limited time and will be dissolved once the tasks and responsibilities assigned to it are complete.

III. Membership

The committee will be comprised of:

Up to four (4) members of the Planning Commission

One member of the Human Relations Commission

One member of the Sustainability Commission

One member of the Ypsilanti Housing Commission board
One representative of EMU
One representative of Defend Affordable Ypsi
One representative of Ann Arbor Center for Independent Living
One representative of Avalon Housing
One representative of civic affairs organization at the county or state level
One Ypsilanti owner-occupant
One Ypsilanti business owner (and employer)
One lessor of rental properties in Ypsilanti
Up to two members of the community at large

All members will be residents of the City. A guiding principle in recruiting and selecting individuals to serve on the committee will be the degree to which the members, as a whole, represent the diversity of the Ypsilanti community, both demographically (in terms of income, race or ethnicity, age group and ward) and with respect to affordability and accessibility-related interests.

Organizations represented on the committee may elect to rotate their representative as appropriate to accommodate the thematic focus of work sessions. Participation is voluntary, and any organization may opt out of committee participation at any time.

All members shall have equal voice and standing with respect to the proceedings and recommendations of the Committee.

The Planning Department of the City of Ypsilanti will provide a staff advisor to the Committee.

IV. Chairperson

The Chair of the Planning Commission shall serve as the Chairperson of the Citizen Committee and will designate another committee member to chair work sessions in her absence.

V. Activities, Duties & Responsibilities

- Drawing on the most up-to-date quantitative and qualitative data and resources available, assess the current situation with respect to housing affordability and accessibility in Ypsilanti and Washtenaw County
- Analyze underlying barriers to affordability and accessibility at the municipal, county, state and national levels
- Study existing affordability and accessibility strategies and models (local and non-local)
- Identify additional strategies and models for increasing affordability and accessibility
- Rate strategies based on their probable impact, feasibility and acceptability in Ypsilanti
- Develop written land use and policy recommendations for adoption and implementation
- Present recommendations to Planning Commission and (upon invitation) City Council

Appendix B: Housing Affordability & Accessibility Survey Questions & Results

Housing Affordability & Accessibility Survey Results

October 2018 – January 2019
City of Ypsilanti

The survey was published online (via Google Forms) and made available in hard copy at several locations throughout the City of Ypsilanti. Of 604 total responses received, more than 500 were submitted online.

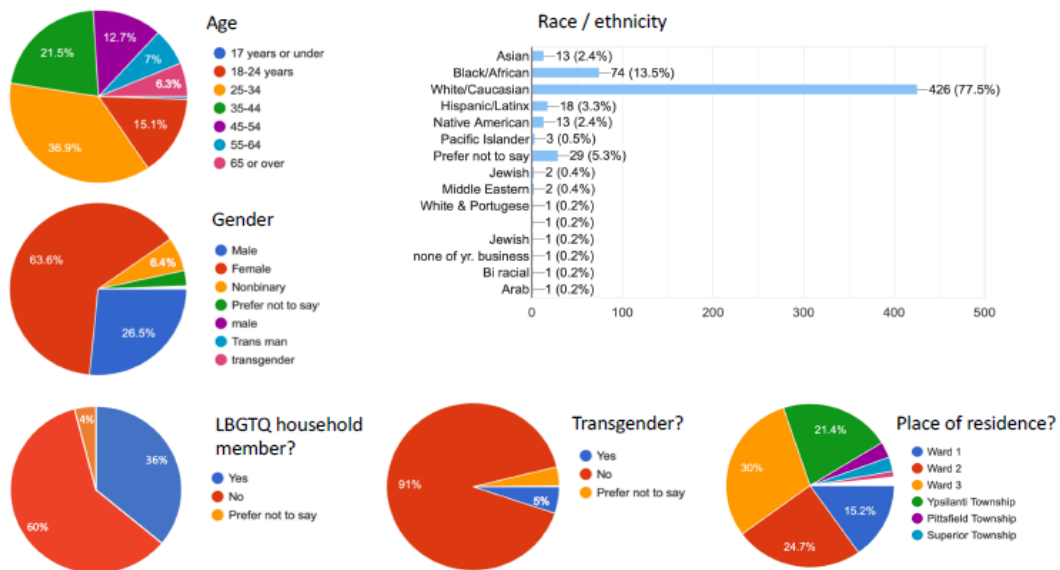
Limitations: Because non-probability sampling was used, we were unable to calculate confidence intervals and margins of error. In addition, several groups were underrepresented or overrepresented in the survey, compared to their relative size as reported by the 2017 American Community Survey (ACS). See comparisons below.

Underrepresented (Survey vs. ACS)

Black/African American (13.5% vs. 30.3%)
Male (25.4% vs. 52.6%)
Under 18 years (7% vs. 13.6%)
18-24 years (15.1% vs 25.1% age 20-24)
Hispanic (3.3% vs 4.5%)
Asian (2.4% vs. 3.5%)

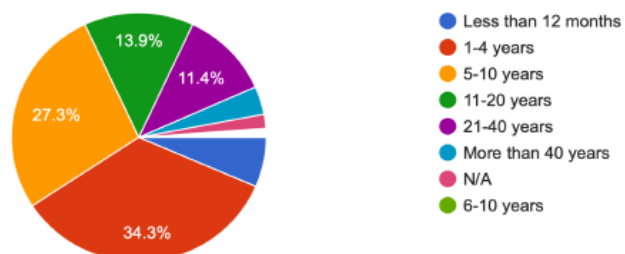
Overrepresented (Survey vs. ACS)

White/Caucasian (77.5% vs. 66.9%)
Female (63.6% vs. 47.4%)
25-34 years (39.9% vs 18.2%)
35-44 years (21.5% vs 7.8%)
45-54 years (12.7% vs. 7.3%)



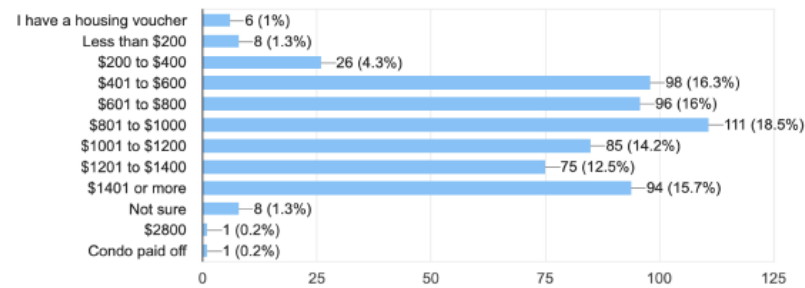
How long have you lived in the City of Ypsilanti?

604 responses



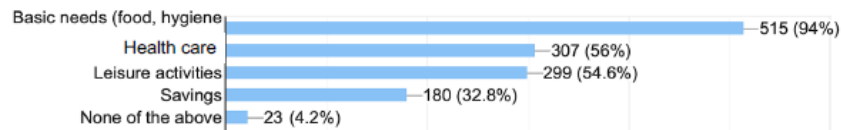
On average, how much do you spend on housing-related costs each month?

600 responses



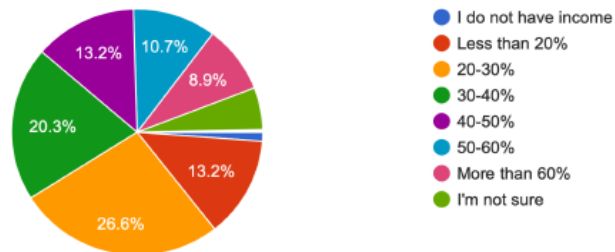
After paying your monthly housing costs, which of the following are you able to afford:

548 responses



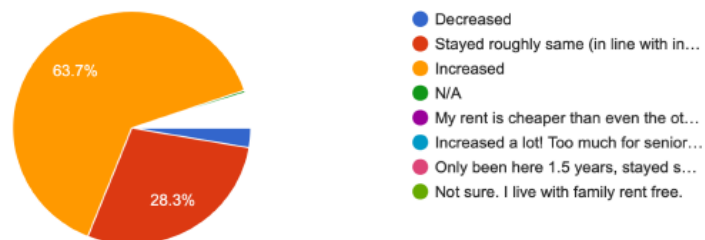
Approximately what share of your gross (pre-tax) monthly income do you spend on the above housing-related costs?

597 responses



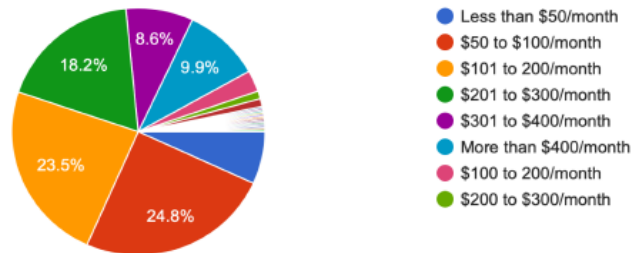
Over the past 4 to 5 years (since 2014), would you say your housing costs in the City of Ypsilanti have:

590 responses

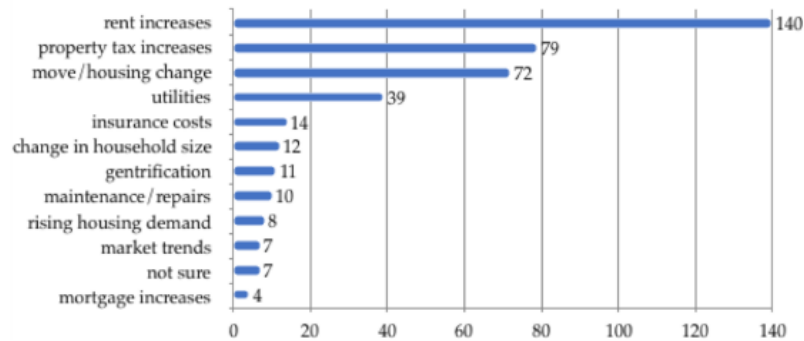


By how much have your monthly housing costs changed since 2014?

395 responses

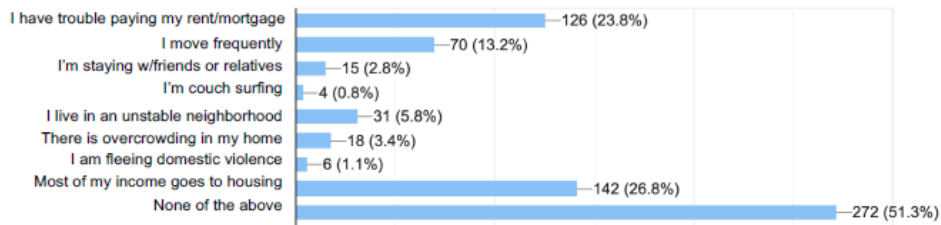


What caused the change in your housing costs since 2014?



Do any of the following describe your current or most recent housing situation? (select all that apply)

530 responses



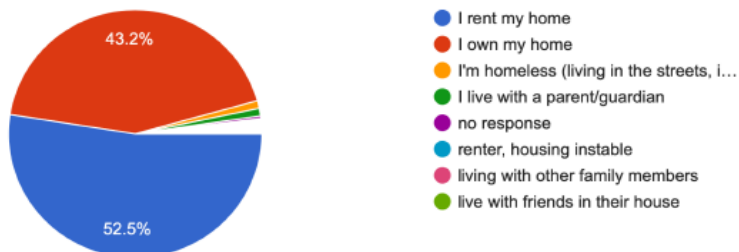
Which of the following best describes your current or most recent home in the City of Ypsilanti?

602 responses



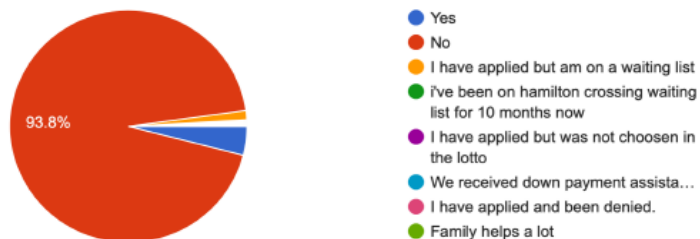
Which of the following best describes your current housing situation?

604 responses



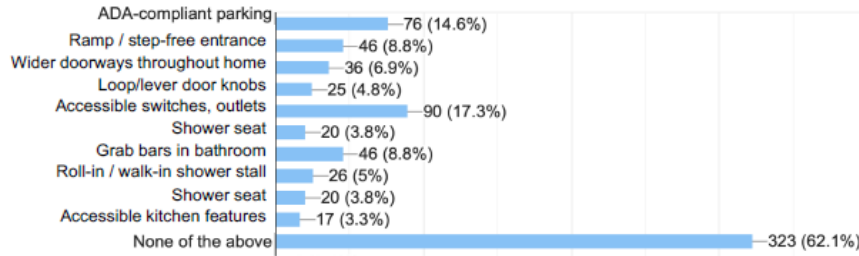
Do you currently receive housing assistance (such as housing choice vouchers or subsidized housing) through federal, state or local government?

551 responses



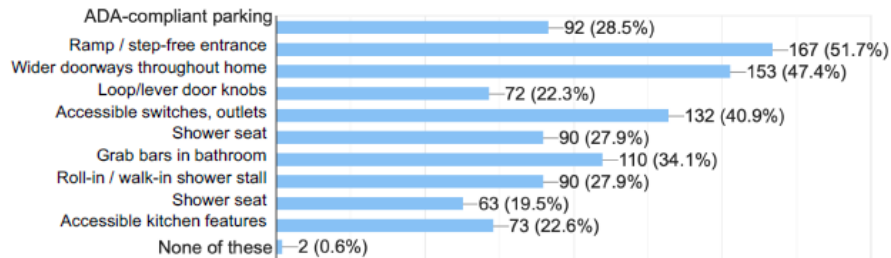
Which of the following features does your current or most recent home have to make it accessible to people with a disability?

520 responses



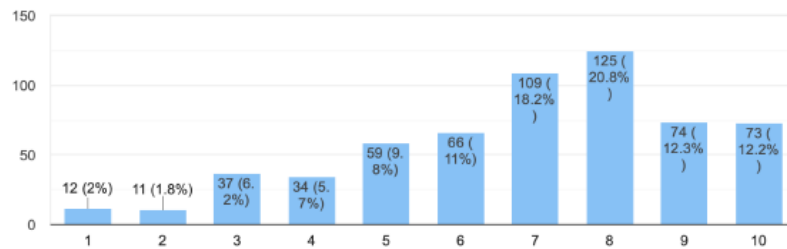
Which physical accessibility features will you take into consideration in choosing your next home (whether for y...y and friends who visit you at home)?

323 responses

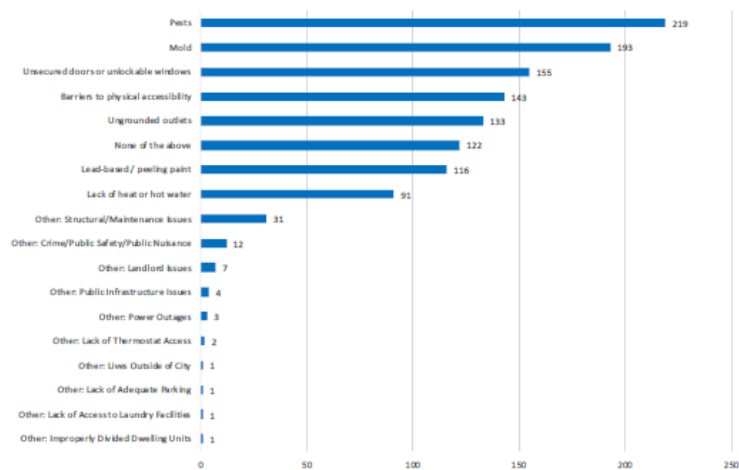


On a scale of 1 to 10, how satisfied are you with your current housing situation?

600 responses

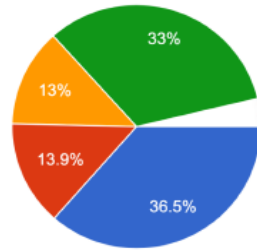


Which housing quality issues have you experienced in the City of Ypsilanti?



Would you feel comfortable asking your current landlord or housing provider to correct a quality-of-life issue (e.g. pests, physical access issues)?

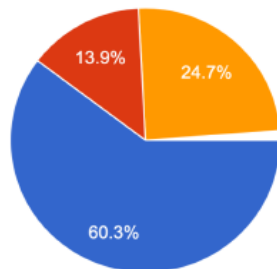
540 responses



- Yes
- No
- Not sure
- N/A
- depends on landlord temperament
- Some landlords are very unhelpful (...)
- ABSOLUTELY NOT. i learned the h...
- Only when I knew I wasn't going to...

Would you like to live in the City of Ypsilanti 3 to 5 years from now?

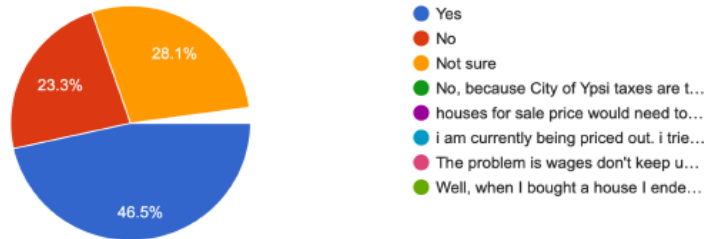
604 responses



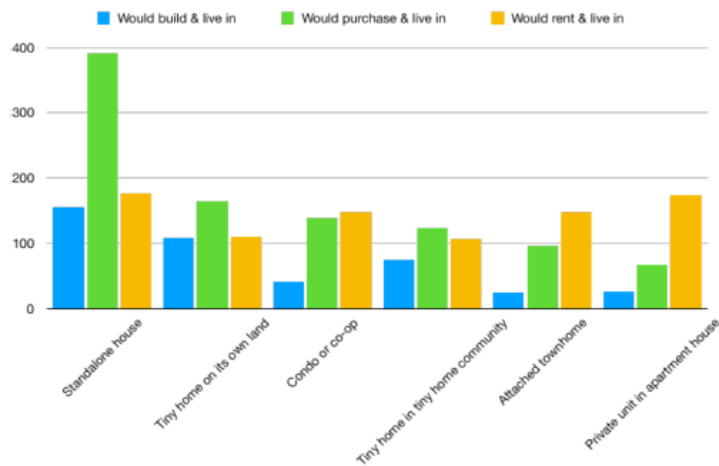
- Yes
- No
- Not sure
- if I could afford it, but probably will n...
- I would prefer Ann Arbor but Ypsila...
- Can't with the taxes
- If I stay I plan to buy a house, if not...
- I would love to stay in Ypsilanti, but...

If the cost of housing remains as it is today, do you see yourself living in the City of Ypsilanti 3 to 5 years from now?

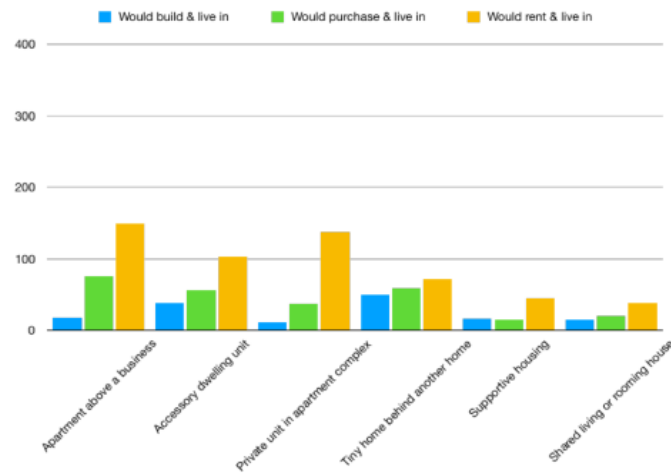
602 responses



If they were available in Ypsilanti, which types of homes would you consider living in in the next 3-5 years?

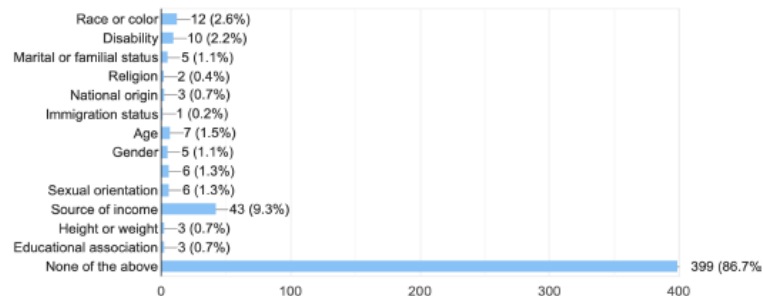


If they were available in Ypsilanti, which types of homes would you consider living in in the next 3-5 years?



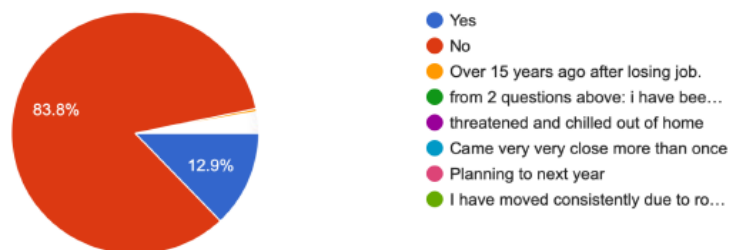
Have you ever have been denied housing or evicted from housing due to any of the following in the City of Ypsilanti:

460 responses



Have you ever been evicted or have you ever moved to avoid eviction due to rent increases you could not afford to pay?

520 responses



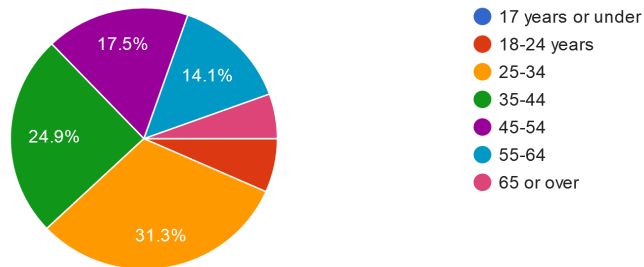
Appendix C: Landlord Interview Questions

1. Number of units owned/managed?
2. Rent range of units by bedroom size?
3. Types of units rented (size and type – townhouse, apartment, duplex, single family home)?
4. Do any of your units have any accessibility features, such as no-step entry, wide doors, roll-in showers, grab bars or ramps? Do you have a formal process for addressing these types of requests?
5. Why change rents? How often? On a set schedule?
6. What do you take into consideration when setting rent prices? (utilities?)
7. Do you allow renters with felony convictions? Why or why not? Experience?
8. What types of units are most in demand? In what size units do you experience the greatest vacancy?
9. Do you accept housing subsidies, such as Section 8? Why or why not? Experience?
10. How many eviction filings and actual evictions do you have in a typical year? What's the primary cause?
11. What's your turnover rate? What percentages of tenants renew leases?
12. Do you have a formal process for addressing tenant maintenance and emergency concerns?
13. Is there anything the city could do to facilitate adding accessibility features?

Appendix D: Housing Strategies Survey Questions & Results

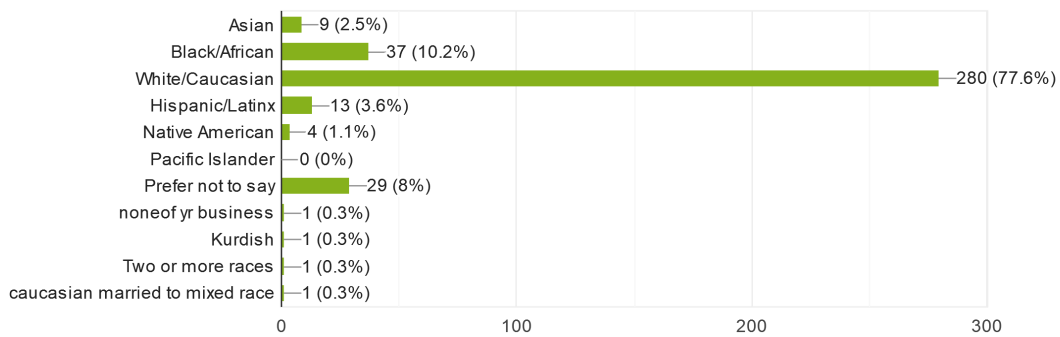
Which age group best describes you?

361 responses



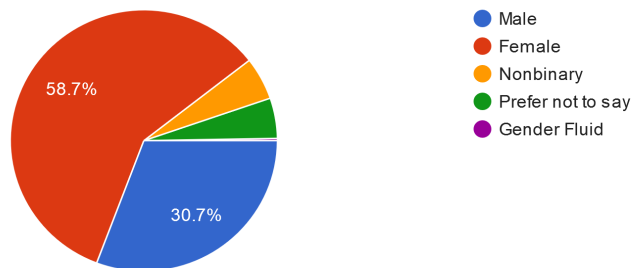
Which of the following races/ethnicities do you identify as (select all that apply)?

361 responses



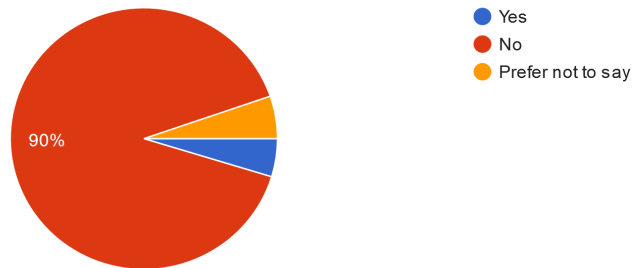
Gender:

361 responses



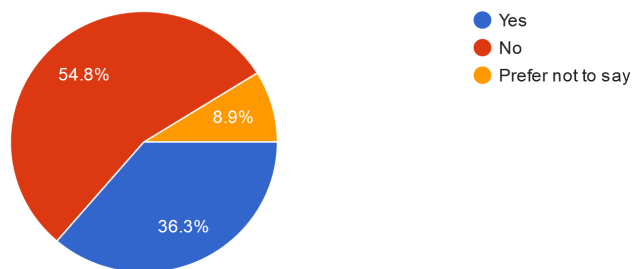
Do you identify as transgender?

361 responses



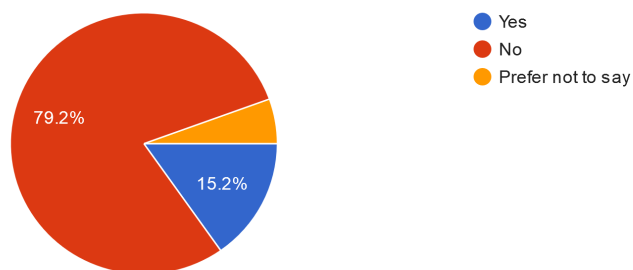
Are you or a member of your household a part of the LGBTQ (lesbian, gay, bisexual, transgender, queer) community?

361 responses



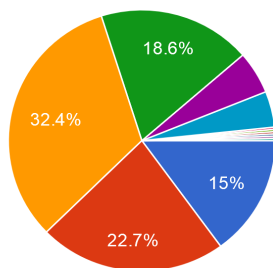
Do you identify as living with a disability?

361 responses



Which area of Ypsilanti do you currently reside in?

361 responses

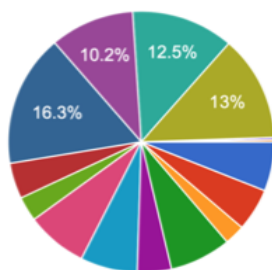


- Ward 1: See map below
- Ward 2: See map below
- Ward 3: See map below
- Ypsilanti Township
- Pittsfield Township
- Superior Township
- Ingham county
- Right outside of ward 1

▲ 1/2 ▼

Which of the following best describes your income in the past 12 months?

361 responses

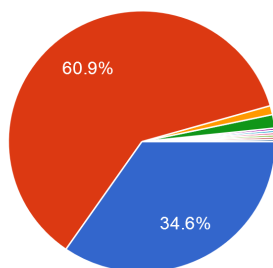


- Less than \$10,000
- \$10,000 - \$14,999
- \$15,000 - \$19,999
- \$20,000 - \$24,999
- \$25,000 - \$29,999
- \$30,000 - \$34,999
- \$35,000 - \$39,999
- \$40,000 - \$44,999
- \$45,000 - \$49,999
- \$50,000 - \$59,999
- \$60,000 - \$74,999
- \$75,000 - \$99,000
- \$100,000 or more

Half of respondents

Which of the following best describes your current housing situation?

361 responses



- I rent my home
- I own my home
- I'm homeless (living on the streets, in...)
- I live with a parent/guardian
- Live with friend
- I want to take this survey without defin...
- Multigenerational living with matriarc...
- I rent apartment from Barnes and bar...

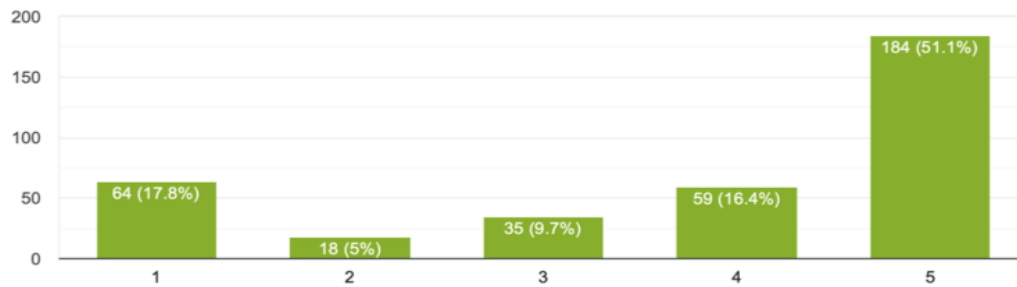
▲ 1/2 ▼

SECTION 1: RENTERS' RIGHTS

1. Protect renters from improper eviction

proposal rating:
360 responses

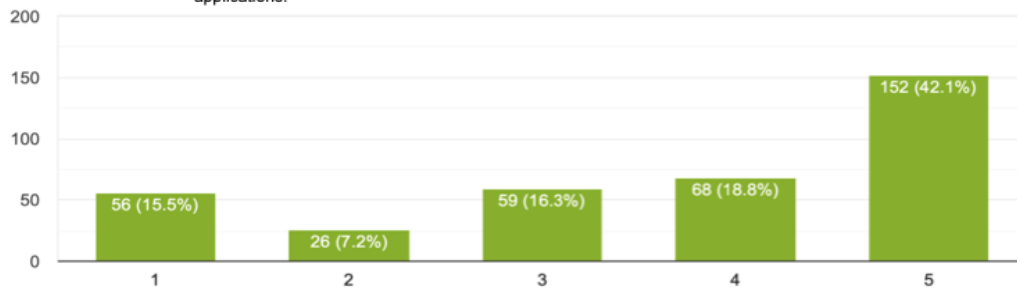
Proposal: Enact a 'Just Cause Eviction' ordinance to protect renters from eviction for an improper reason. Just Cause Eviction statutes protect tenants from wrongful eviction. They limit a landlord's ability to evict tenants to certain reasons, such as failure to pay rent or for violation of the lease terms.



2. Give renters with criminal records a fair chance

proposal rating:
361 responses

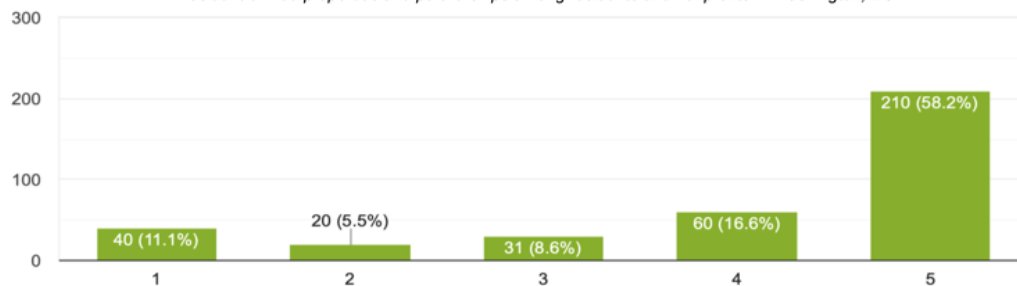
Proposal: Enact a 'Ban the Box'/'Fair Chance' ordinance to protect renters with criminal records by restricting landlords from asking about criminal history on rental applications. Detroit recently decided to Ban the Box in another category: housing. Under Detroit's new ordinance, landlords with portfolios of five or more units are no longer allowed to ask questions about criminal history on housing applications.



3. Give tenants right of first refusal

proposal rating:
361 responses

Proposal: Enact a 'Tenant Right of First Refusal' ordinance that will allow tenants to have a certain notice period and time to purchase their properties, should the owner wish to sell their units. Tenant Right of First Refusal can set in motion a process that transfers property ownership either to residents or to another entity willing to preserve the long-term affordability of the property. It has produced a number of resident-owned properties and partnerships among residents and nonprofits in Washington, DC.



Renters' rights: Priority ranking

1. Protect against improper eviction (52.7% of respondents)
2. Give tenants right of first refusal to purchase properties (39.6% of respondents)
3. Give renters w/criminal records a fair chance (38.8% of respondents)

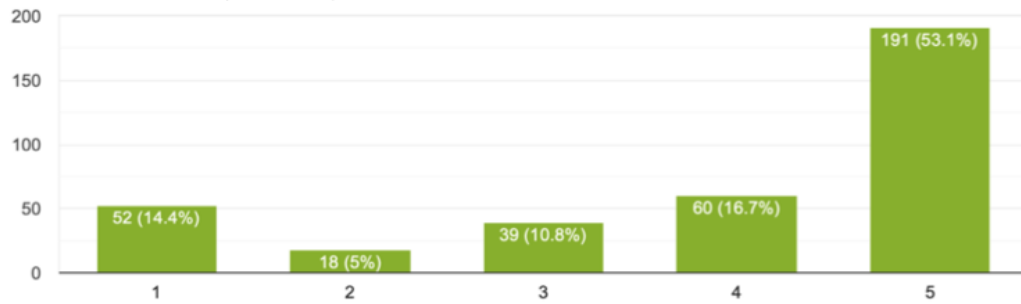
SECTION 2: SUSTAINABLE DEVELOPMENT

Build on public land

proposal rating:

360 responses

Proposal: *Prioritize using public land for public good—build affordable & accessible housing on the available public lands in the City of Ypsilanti (such as Water St. and 220 N Park). Other possible uses of public land for public good: incentivize construction of an affordable grocery store to address Ypsilanti's food desert, build a recreation center for resident youth and adults, or establish Community Land Trust (see below) on available public land.*

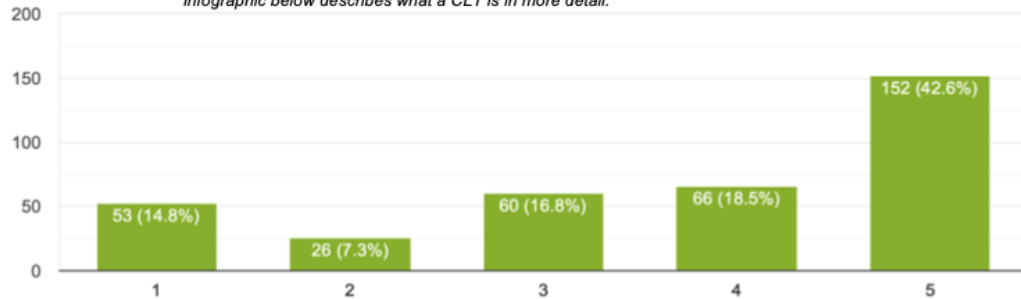


Establish a community land trust

proposal rating:

357 responses

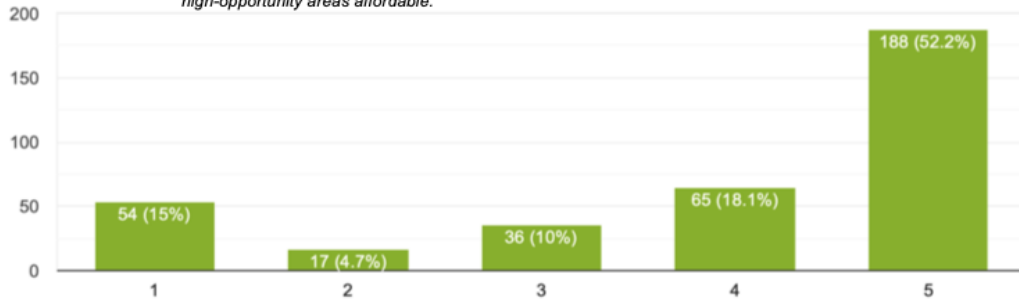
Proposal: *Establish a Community Land Trust (CLT) to promote long term housing affordability & accessibility through community control of land. CLTs are nonprofit, community-based organizations designed to ensure community stewardship of land. CLTs combine democratic ownership of land with private ownership of the structure on the land in order to maintain long term housing affordability. CLTs can be interspersed throughout a neighborhood, and can include rental homes and businesses. The infographic below describes what a CLT is in more detail.*



Enact an inclusionary housing ordinance

proposal rating:
360 responses

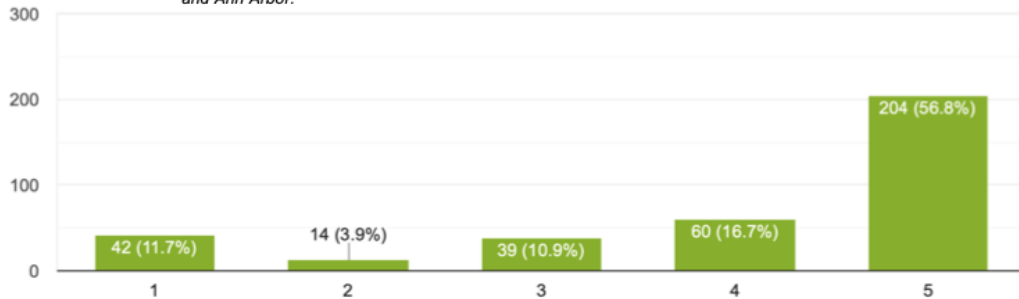
Proposal: Enact an Inclusionary Housing ordinance to require private developers include a certain percentage of units at below market rate. Inclusionary zoning requires (or incentivizes) private developers to designate a certain percentage of the units in a given project as below market rate. In D.C. and around the country, inclusionary housing is an increasingly popular way to produce affordable housing through the private market—it is one of the main tools cities have for maintaining neighborhood diversity, and keeping high-opportunity areas affordable.



Enact an affordability & accessibility ordinance

proposal rating:
359 responses

Proposal: Enact an Affordability & Accessibility Ordinance to 1) Define the parameters for affordable & accessible housing based on Ypsilanti's Area Median Income (AMI) and 2) Require new housing developments to include a percentage of affordable and accessible units based on Ypsilanti's need. An Affordability Ordinance would enhance a future inclusionary housing policy by setting affordability rates based on Ypsilanti's AMI, thus acting in consideration of income disparity and segregation between Ypsilanti and Ann Arbor.



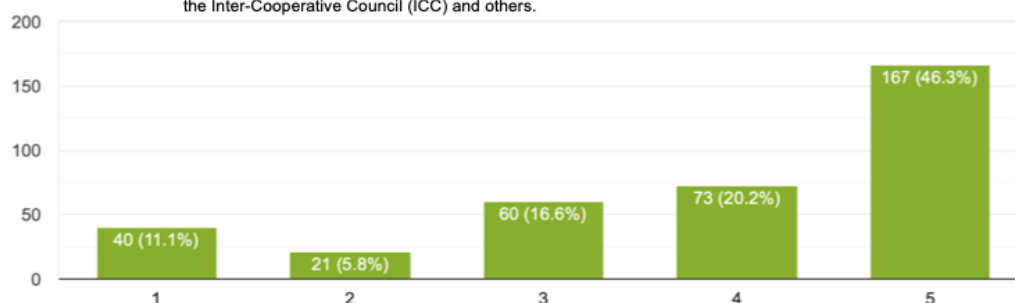
Incentivize co-op conversion

proposal rating:

361 responses

Proposal: Create a legal framework incentivizing co-operative housing conversion and assist tenants in the purchase of rental units for the purposes of creating affordable co-operative housing.

Cooperative housing is a type of home ownership—it is formed when people join on a democratic basis to own or control the housing and/or related community facilities in which they live. Co-operative housing usually includes an apartment building or buildings. Ann Arbor has many co-operative housing options via the Inter-Cooperative Council (ICC) and others.



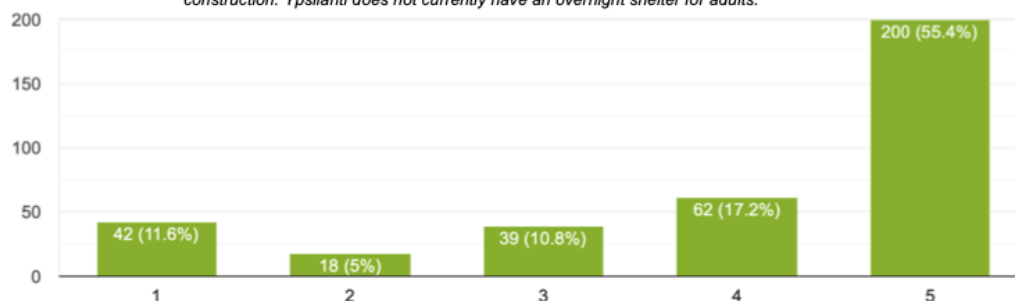
Build a homeless shelter in Ypsilanti

proposal rating:

361 responses

Proposal: Build a shelter in Ypsilanti to help meet needs of residents experiencing homelessness.

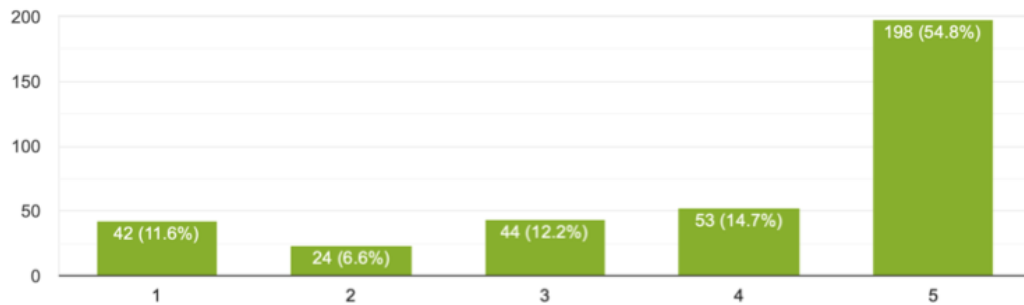
Ann Arbor's homeless shelter, The Delonis Center, has 50 resident beds this year (down from 77 beds in 2018) and is serving a significant percentage of people who identify their last address as being in Ypsilanti. At the same time, reports from Ypsilanti Community Schools and Eastern Michigan University show increased rates of student homelessness. A youth shelter, Ozone House, is currently under new construction. Ypsilanti does not currently have an overnight shelter for adults.



Install public toilets and benches in our parks

proposal rating:
361 responses

Proposal: Install high-quality public toilets and napping benches in our parks for the use of the general public, including residents experiencing homelessness. Ypsilanti also receives the Mental Health & Public Safety millage which could be used to fund projects like these and others that promote the health the safety of residents experiencing homelessness.



Sustainable development: Priority ranking

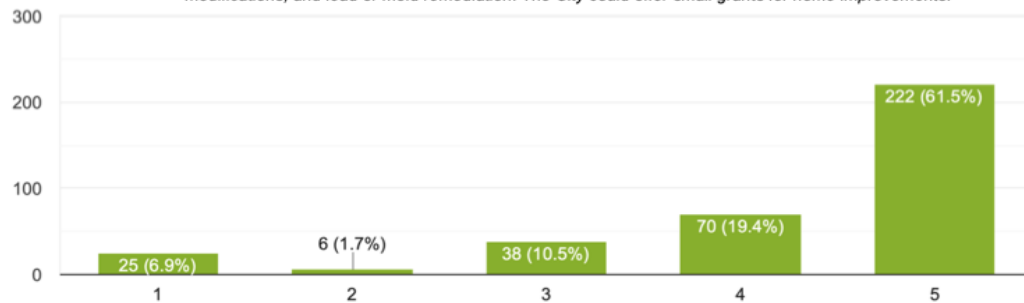
1. Enact an affordability & accessibility ordinance (44.9%)
2. Build a homeless shelter in Ypsilanti (39.9%)
3. Install public toilets and benches in our parks (35.9%)
4. Enact an inclusionary housing ordinance (32.7%)
5. Build on public land (28.9%)
6. Establish a community land trust (27.1%)
7. Incentivize co-op conversion (25.4%)

SECTION 3: NEED-BASED ASSISTANCE

1. Establish a minor home repair program

361 responses

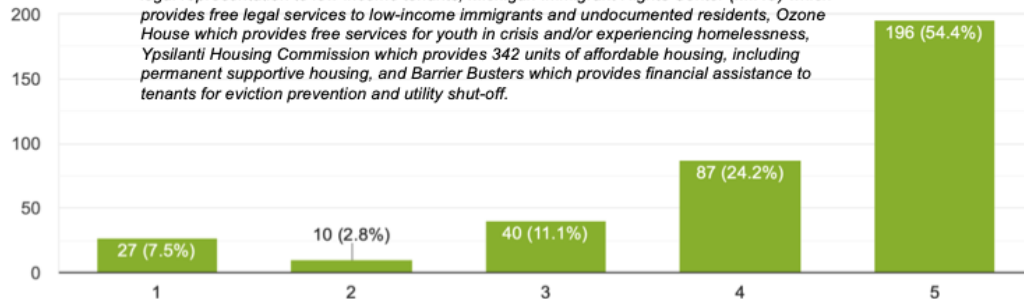
Proposal: Establish a Minor Home Repair Program to assist with the cost of essential home repairs for eligible low-income and disabled homeowners. Eligible repairs could include roof replacement, plumbing replacement, mechanical or electrical replacements, ADA ramp installation or repair, door modifications, and lead or mold remediation. The City could offer small grants for home improvements.



2. Fund local agencies that provide need-based assistance

360 responses

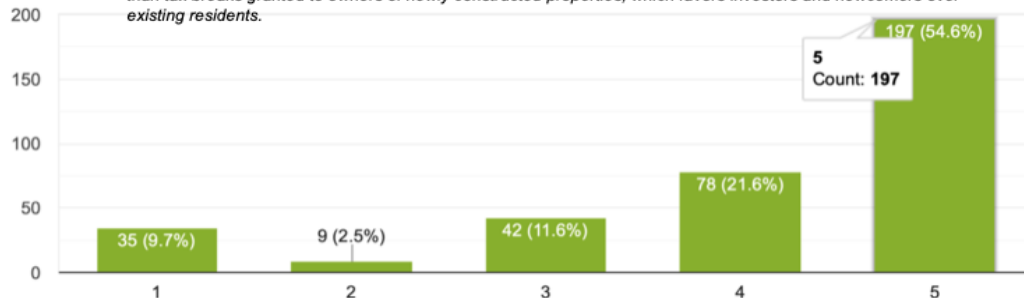
Proposal: Fund local agencies that provide need-based assistance to further expand services and programs to Ypsilanti residents. Agencies that provide need-based assistance include Legal Services of South Central Michigan (LSSCM) which provides free legal representation to low-income tenants, Michigan Immigrant Rights Center (MIRC) which provides free legal services to low-income immigrants and undocumented residents, Ozone House which provides free services for youth in crisis and/or experiencing homelessness, Ypsilanti Housing Commission which provides 342 units of affordable housing, including permanent supportive housing, and Barrier Busters which provides financial assistance to tenants for eviction prevention and utility shut-off.



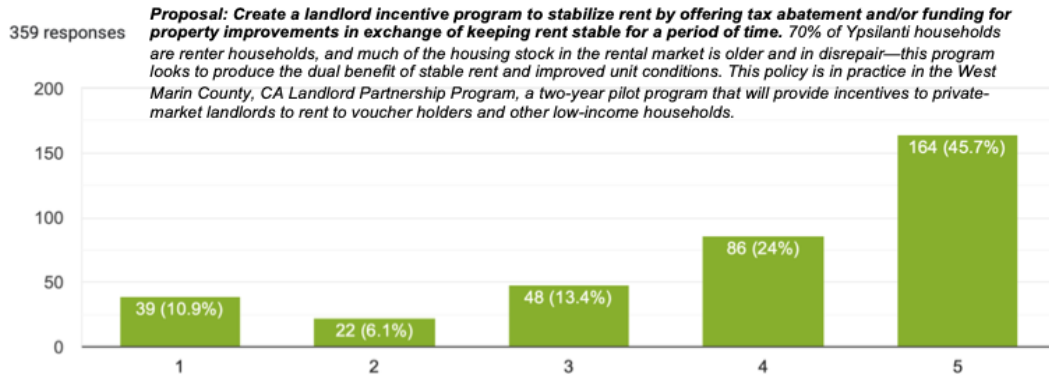
3. Allow existing homeowners living South of Michigan Avenue to qualify for same incentives as new homebuyers

361 responses

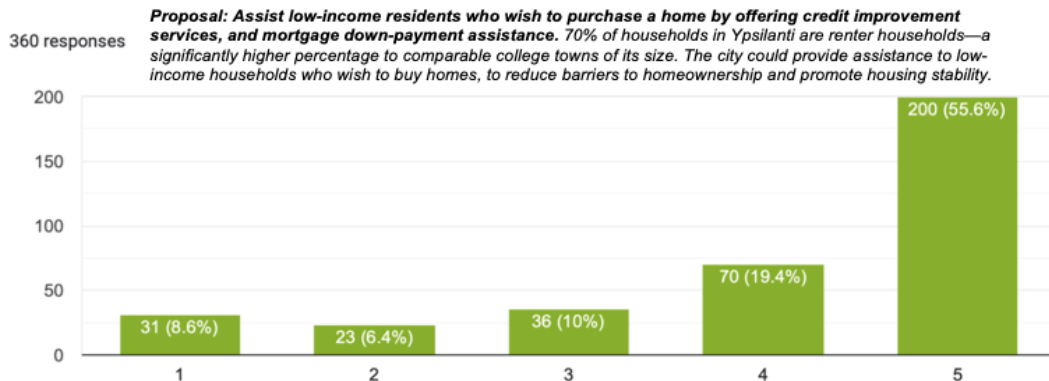
Proposal: Modify the policy for the South of Michigan Avenue Neighborhood Enterprise Zone (NEZ) to allow existing homeowners to qualify for the same tax breaks as new home-buyers. Under the current City of Ypsilanti NEZ policy, tax breaks granted to homeowners who rehabilitate existing properties are of shorter duration than tax breaks granted to owners of newly constructed properties, which favors investors and newcomers over existing residents.



4. Create a landlord incentive program to stabilize rent



5. Assist low-income residents with home buying

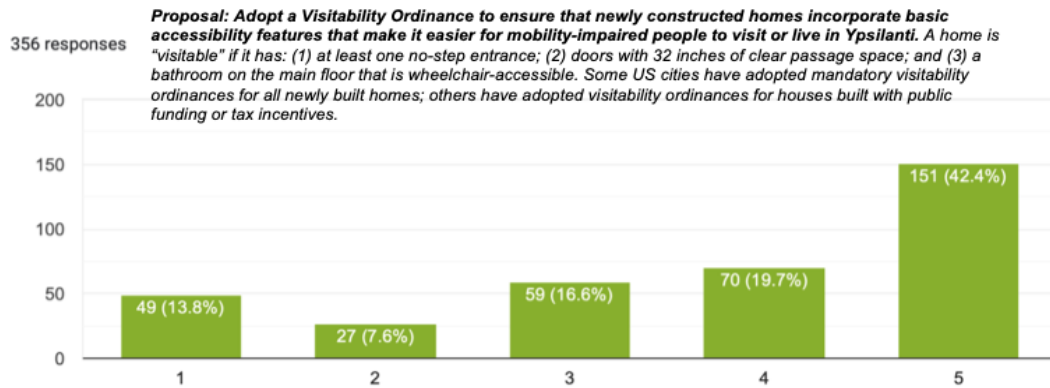


Need-based assistance: Priority ranking

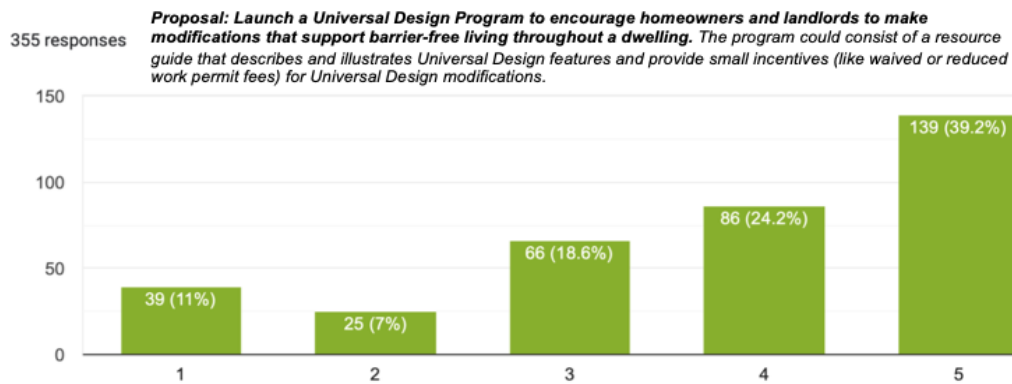
1. Assist low-income residents with home buying (49.1%)
2. Establish a minor home repair program (42.4%)
3. Create a landlord incentive program to stabilize rent (40.9%)
4. Fund local agencies that provide need-based assistance (39.2%)
5. Allow existing homeowners living South of Michigan Avenue to access the same incentives as new homebuyers (32.2%)

SECTION 4: PHYSICAL ACCESSIBILITY

Adopt a visitability ordinance



Launch a universal design program

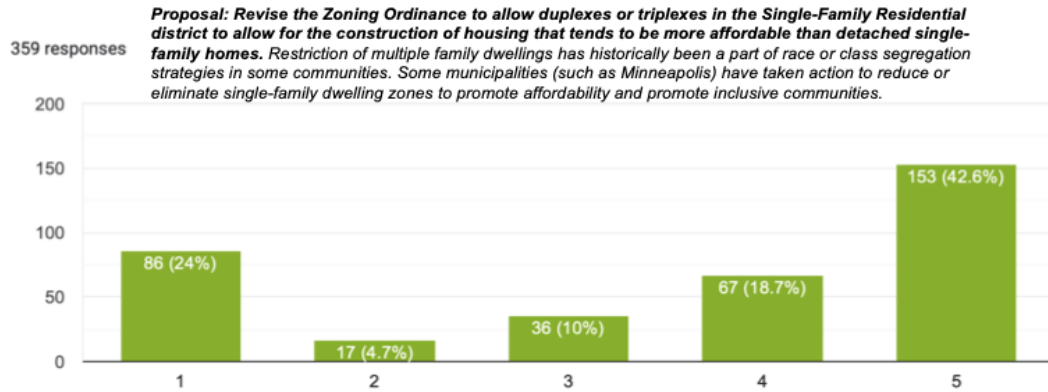


Physical accessibility: Priority ranking

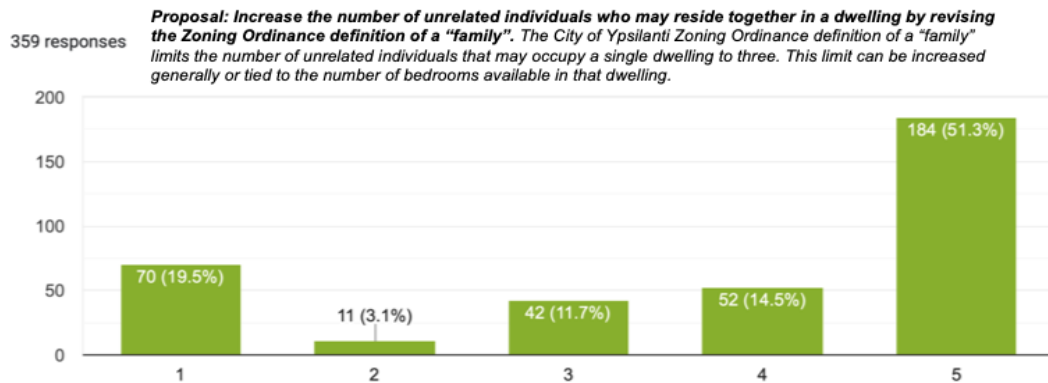
1. Launch a Universal Design program (60.4%)
2. Adopt a visitability ordinance (59.4%)

SECTION 5: ZONING

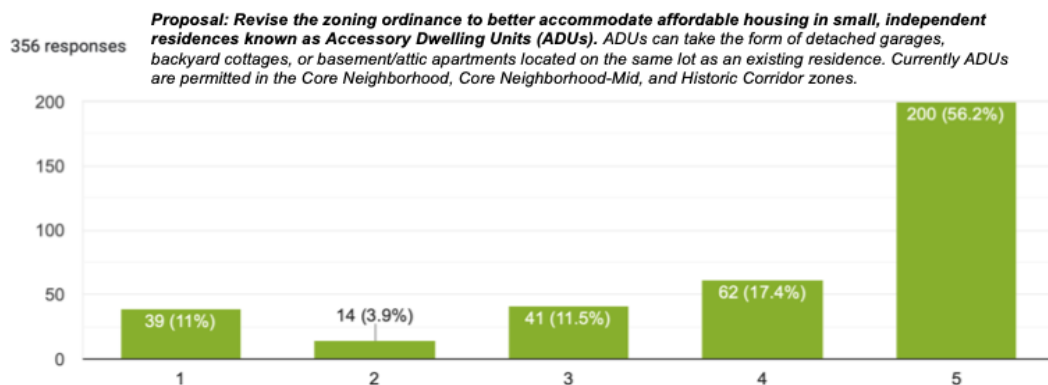
Change single-family zoning districts to allow 2- or 3-unit homes



Lift limit on non-related persons living in a single dwelling



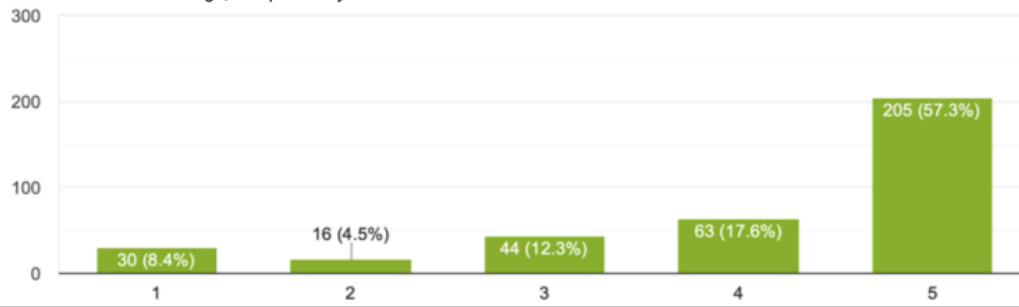
Allow accessory dwelling units throughout the City



Alter zoning ordinance to accommodate tiny homes

358 responses

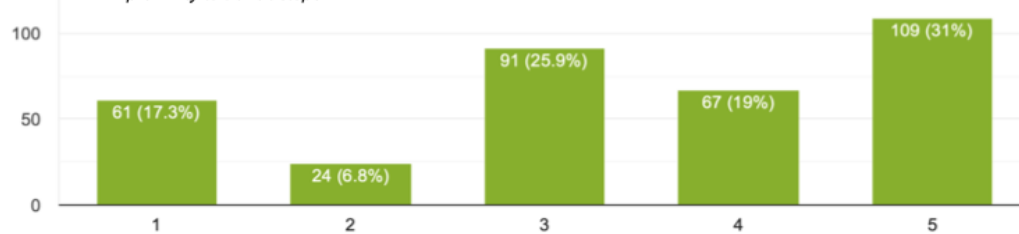
Proposal: Revise the Zoning Ordinance to remove barriers to tiny home construction and occupancy. Tiny homes can provide an affordable alternative to larger, traditional homes. They can come in a variety of styles, many of which are complicated by zoning requirements governing building frontage, lot coverage, and portability.



Change parking space requirement for new housing developments

352 responses

Proposal: Revise the Zoning Ordinance to reduce the number of parking spaces required for new housing development or altered housing. Reduction of parking requirements can lower the cost of construction or provide more site-layout options for new or altered housing. Reductions in parking space requirements could be applied to individual uses, such as multiple family dwelling or group homes, or to additional zoning districts. The center district and certain uses within the historic corridor are already exempt from these requirements. The ordinance also allows for reductions to certain requirements, such as proximity to transit stops.

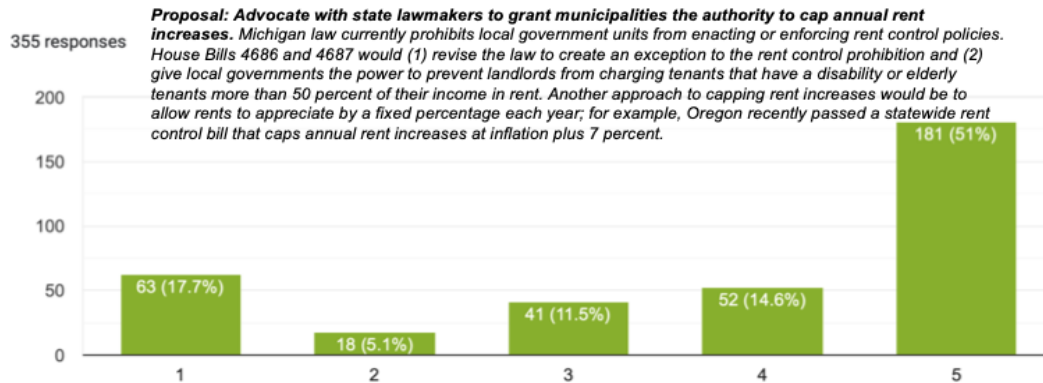


Zoning: Priority ranking

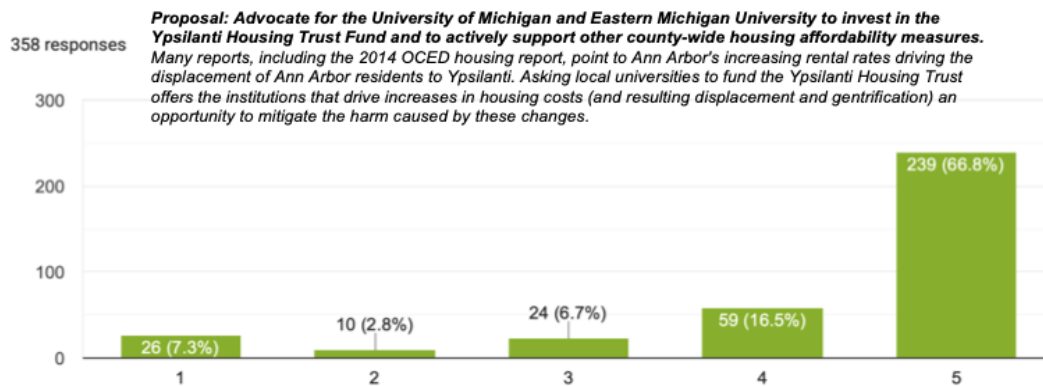
1. Alter zoning ordinance to accommodate tiny homes (52.3%)
2. Lift the limit on non-related persons living in a dwelling (44.6%)
3. Change single-family zoning districts to permit 2- or 3-unit homes (44%)
4. Allow accessory dwelling units throughout the City (39.1%)
5. Change parking space requirement for new housing developments (19%)

SECTION 6: PARTNERSHIP & ADVOCACY

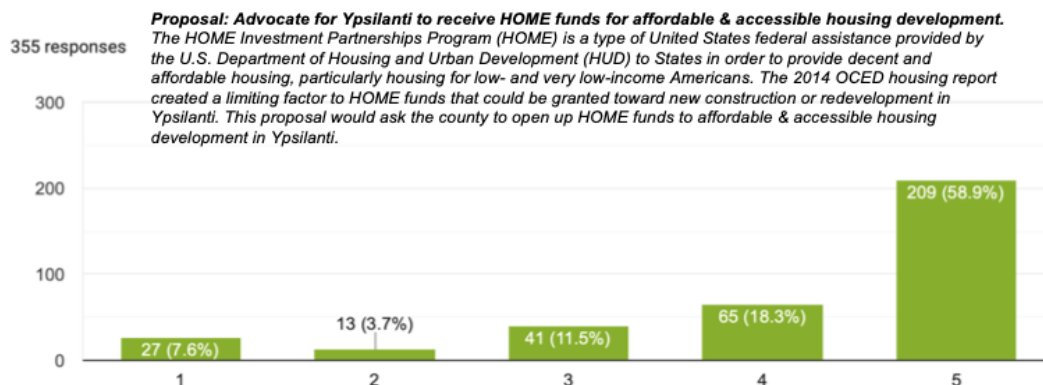
Advocate for rent control legislation



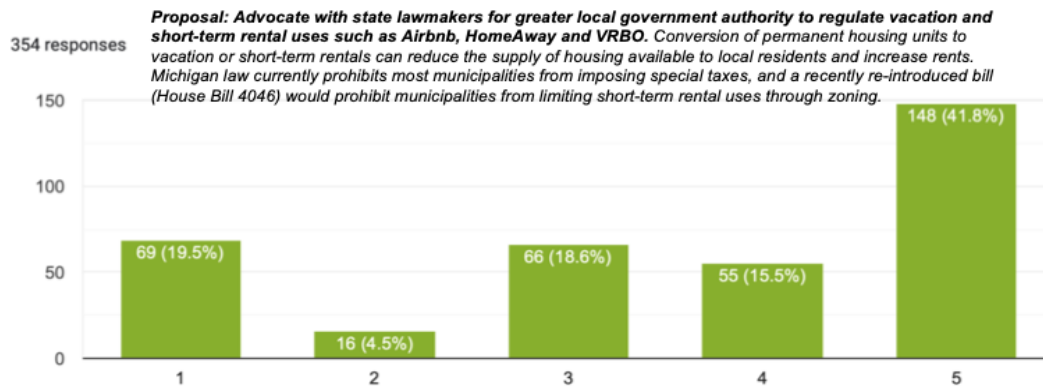
Ask local universities to invest in the Ypsilanti Housing Trust



Ask OCED to fund affordable, accessible housing in Ypsilanti



Advocate for local authority to regulate Airbnb/short-term rentals



Partnership & Advocacy: Priority ranking

1. Ask local universities to invest in the Ypsilanti Housing Trust (54.8%)
2. Advocate for rent control legislation at State level (54.2%)
3. Ask OCED to fund affordable and accessible housing in Ypsilanti (36.7%)
4. Advocate for local authority to regulate Airbnb/short-term rentals (28.2%)

Note on representativeness of survey respondents: Homeowners, white/caucasians, women, and able-bodied people were overrepresented in the survey as compared with census data. Renters, men, Black/African Americans and non-Black people of color, and people with disabilities were underrepresented.

Select comments from survey respondents: Certain themes cropped up in the comments section of the housing survey that advocate for expansion of proposals or alternatives. Zoning, rental stock, accessibility, taxes, and subsidized housing were commented on in particular.

“Multi family zoning has huge economic benefits, and increases accessibility significantly. Progressive cities like Minneapolis have made this move. Ypsilanti could lead and do the same for our community.”

“Ypsilanti has entirely too much rental stock. We need to incentivize single-family homeownership.”

“Re: a homeless shelter in Ypsi, I am wary because other programs have been proven more effective:

1. Supportive Housing for chronically homeless (cheaper and more effective at keeping people housed and out of jail/ER than shelter, Avalon Housing does this work)

2. Dispersed Shelter/ Rapid Rehousing for families and individuals who are not chronically homeless (E.g. this is their first time experiencing homelessness due to a lost job, domestic violence, etc. No history of mental illness, addiction or other "chronically homeless" factors. A lot of homeless people, especially families, fit into this category)."

"There are actually two family shelters in Ypsilanti ran by SOS Community Services, as well as Rapid Rehousing. We know this is not enough to meet the need. The shelters only serve 1 family at a time (a total of 20 families with 70 children per year). "

"At SOS we have noticed a great need for drop-in services like showers and laundry, which I think would be an awesome asset to Ypsi."

"The other thing is that Meals on Wheels has launched an "Aging in place" Home Repair program recently. I would love to see the city support this venture, rather than do their own thing."

"The senior population is ever growing. Affordable senior housing needs priority attention too."

"I advocate for the city to include in their master plan that housing is a human right! Rent control! CLTs! Co-op Conversion! These are so important."

"Right of first refusal and co-op conversions are excellent, but are best accompanied by a means to guarantee financing for any tenants or employees who want to purchase the property and establish a co-op. Right of first refusal is only as good as your ability to buy."

"My strategy: Lower property taxes in City of Ypsilanti."

"There are a *lot more* types of disabilities than just being in a wheelchair!!! The only way you're defining accessibility is through wheelchair access, which is important, but accessibility is greater than that for sure."



CITY MANAGER EVALUATION POLICY AND PROCEDURE

YPSILANTI CITY COUNCIL POLICY 001 OF 2015 (YCCP-001-2015)

POLICY:

In accordance to Sec. 17 (a) of the City Manager's employment agreement, the Mayor and City Council will conduct an annual review of the City Manager's performance. The evaluation will focus on areas of good performance as well as identify areas for improvement. The evaluation will be the basis for compensation and contract duration decisions implemented by City Council.

The performance evaluation process will include a form and evaluation criteria developed by the City Council Evaluation Committee. The evaluation shall take place within the month of September each year and shall cover the time frame of July 1 to June 30 of the previous year.

The City Council Evaluation Committee shall consist of one representative from each Ward. The structure of the committee shall be reviewed at the first regularly scheduled meeting in July.

PROCESS:

The process shall give the City Council and City Manager the opportunity to:

- a) Prepare written evaluations,
- b) Present a summary of the evaluation, and
- c) Meet and discuss the final evaluation in a Closed Session (if requested by the City Manager)

PROCEDURE:

1. At the first regularly scheduled City Council meeting in the month of July, the City Manager will formally be requested to provide a list of accomplishments and

any supporting documentation he / she feels is pertinent to the evaluation process.

2. The City Manager will provide said list of accomplishments and any supporting documentation to City Council at the first regularly scheduled City Council meeting in the month of August.
3. The City Council Evaluation Committee will distribute evaluation forms to the entire Council at the first regularly scheduled City Council meeting in the month of August. Evaluation forms will be distributed in electronic form with hard copies available upon request.
4. The City Council members will individually evaluate the City Manager's performance.
5. Evaluation forms must be returned to the City Council Evaluation Committee by August 31st in order to be considered.
6. The City Council Evaluation Committee will schedule a meeting with the City Manager in order to have a preliminary review of the results. The City Council Evaluation Committee will provide the City Manager with a summary of the results as well as packet containing copies of each individual evaluation form.
7. At the end of the second regularly scheduled City Council meeting in the month of September, City Council will Meet and discuss the final evaluation in a Closed Session (if requested by the City Manager). Any official action agreed upon during the evaluation session will take place immediately after the review.



CITY CLERK EVALUATION POLICY AND PROCEDURE

YPSILANTI CITY COUNCIL POLICY 002 OF 2015 (YCCP-002-2015)

POLICY:

The Mayor and City Council will conduct an annual review of the City Clerk's performance. The evaluation will focus on areas of good performance as well as identify areas for improvement. The evaluation will be the basis for compensation and contract duration decisions implemented by City Council.

The performance evaluation process will include a form and evaluation criteria developed by the City Council Evaluation Committee. The evaluation shall take place within the month of September each year and shall cover the time frame of July 1 to June 30 of the previous year.

The City Council Evaluation Committee shall consist of one representative from each Ward. The structure of the committee shall be reviewed at the first regularly scheduled meeting in July.

PROCESS:

The process shall give the City Council and City Clerk the opportunity to:

- a) Prepare written evaluations,
- b) Present a summary of the evaluation, and
- c) Meet and discuss the final evaluation in a Closed Session (if requested by the City Clerk)

PROCEDURE:

1. At the first regularly scheduled City Council meeting in the month of July, the City Clerk will formally be requested to provide a list of accomplishments and any supporting documentation he / she feels is pertinent to the evaluation process.
2. The City Clerk will provide said list of accomplishments and any supporting documentation to City Council at the first regularly scheduled City Council meeting in the month of August.
3. The City Council Evaluation Committee will distribute evaluation forms to the entire Council at the first regularly scheduled City Council meeting in the month of August. Evaluation forms will be distributed in electronic form with hard copies available upon request.
4. The City Council members will individually evaluate the City Clerk's performance.
5. Evaluation forms must be returned to the City Council Evaluation Committee by August 31st in order to be considered.
6. The City Council Evaluation Committee will schedule a meeting with the City Clerk in order to have a preliminary review of the results. The City Council Evaluation Committee will provide the City Clerk with a summary of the results as well as packet containing copies of each individual evaluation form.
7. At the end of the second regularly scheduled City Council meeting in the month of September, City Council will Meet and discuss the final evaluation in a Closed Session (if requested by the City Clerk). Any official action agreed upon during the evaluation session will take place immediately after the review.



July 21, 2020

The Honorable Elaine L. Chao, Secretary
United States Department of Transportation
1200 New Jersey Avenue S.E.
Washington, D.C. 20590

RE: United States Department of Transportation State of Good Repair Program (SOGR) Grant
Application Letter of Support: Ypsilanti – Jackson Curve Modification Project on the Michigan
Line

Dear Secretary Chao:

Please accept this letter of support for the Michigan Department of Transportation's (MDOT) application for federal funding through the United States Department of Transportation State of Good Repair Program (SOGR) grant application for the Ypsilanti – Jackson Curve Modification Project on the Michigan Line. The project includes work in Southeast Michigan communities including Ypsilanti, Ann Arbor, Dexter, and Chelsea as well as Grass Lake and Jackson.

SEMCOG, the Southeast Michigan Council of Governments, supports local planning through its technical, data, and intergovernmental resources. Southeast Michigan's transportation system provides the foundation upon which communities and the economy depend. This complex system of highways, rail, transit, ports, trails, and airports knit the region together, connecting people to jobs, businesses, services, and amenities. The work SEMCOG does with its partner agencies makes the transportation system safer and more efficient, revitalizes communities, and spurs economic development.

The SOGR grant funding will help MDOT complete the final piece necessary to achieve the grand vision of operating intercity passenger trains at up to 110 mph for a total distance of 233 miles between Dearborn, MI and Porter, IN. This project culminates decades of effort by MDOT, railroad partners, local communities, and SEMCOG to move people more efficiently on the Amtrak Wolverine Corridor between Chicago and Detroit/Pontiac. The Project includes the modification of 42 horizontal curves, safety improvements to 16 public at-grade crossings, and installation of new steel rail between Ypsilanti, MI and Jackson, MI. Amtrak's operating speeds are limited by the existing horizontal curvature of the track, and this project modifies the curve geometry allowing for higher operating speeds. Higher operating speeds reduce travel time for Amtrak's Wolverine service between Chicago and Detroit. The Project will benefit the public through travel time savings, reduction in vehicle miles travelled, reduction in highway congestion, travel cost savings, reduced car accidents, reduced emissions, and roadway maintenance savings.

SEMCOG develops and implements a [Congestion Management Process \(CMP\)](#) to improve mobility in the region. The CMP information helps SEMCOG and its regional partners develop

1001 Woodward, Suite 1400 • Detroit, Michigan 48226 • (313) 961-4266 • Fax (313) 961-4869 • semcog.org

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Secretary,
Macomb ISD

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President,
Detroit City Council

Chris Barnett
Vice Chairperson
Supervisor,
Orion Township

Mandy Grewal
Vice Chairperson
Supervisor,
Pittsfield Township

Pauline Repp
Vice Chairperson
Mayor,
City of Port Huron

Eric Sabree
Vice Chairperson
Treasurer,
Wayne County

Phil Weipert
Immediate Past Chair
Commissioner,
Oakland County

Kathleen Lomako
Executive Director

policies for managing congestion and projects that mitigate congestion. In addition, improving transportation safety is a primary concern for SEMCOG, as outlined in the [Southeast Michigan Traffic Safety Plan](#). The infrastructure and mobility improvements included in this project are critical to enhancing the reliability, connectivity, and safety for all users of the transportation network throughout the corridor.

SEMCOG supports MDOT's SOGR grant application and asks for your consideration. If you have any additional questions, please contact me at (313) 324-3302.

Sincerely,

A handwritten signature in cursive script that reads "Kathleen Lomako".

Kathleen Lomako, AICP, CAE
Executive Director

July 28, 2020

Michigan Municipal League Annual Meeting Notice

(Please present at the next Council, Commission or Board Meeting)

Dear Official:

The Michigan Municipal League Annual Convention will be held as an online virtual conference September 29 - October 2, 2020. The League's "Annual Meeting" is scheduled for 3:00 pm on Tuesday, September 29. The meeting will be held for the following purposes:

1. Election of Trustees. To elect six members of the Board of Trustees for terms of three years each (see #1 on page 2).
2. Policy. A) To vote on the Core Legislative Principles document.

In regard to the proposed League Core Legislative Principles, the document is available on the League website at <http://www.mml.org/delegate>. If you would like to receive a copy of the proposed principles by fax, please call Monica Drukis at the League at 800-653-2483.

B) If the League Board of Trustees has presented any resolutions to the membership, they also will be voted on. (See #2 on page 2.)

In regard to resolutions, member municipalities planning on submitting resolutions for consideration by the League Trustees are reminded that under the Bylaws, they must be submitted to the Trustees for their review by August 28, 2020.

3. Other Business. To transact such other business as may properly come before the meeting.

Designation of Voting Delegates

Pursuant to the provisions of the League Bylaws, you are requested to designate by action of your governing body one of your officials who will be in attendance at the Convention as your official representative to cast the vote of the municipality at the Annual Meeting, and, if possible, to designate one other official to serve as alternate. Please submit this information through the League website by visiting <http://www.mml.org/delegate> no later than August 28, 2020.

Voting Delegates must have access to a computer with reliable internet connection and a smartphone. Delegates will be sent login information and instructions the week of Convention.

We love where you live.



Regarding the designation of an official representative of the member to the annual meeting, please note the following section of the League Bylaws:

“Section 4.4 - Votes of Members. Each member shall be equally privileged with all other members in its voice and vote in the election of officers and upon any proposition presented for discussion or decision at any meeting of the members. Honorary members shall be entitled to participate in the discussion of any question, but such members shall not be entitled to vote. The vote of each member shall be cast by its official representative attending the meeting at which an election of officers or a decision on any proposition shall take place. Each member shall, by action of its governing body prior to the annual meeting or any special meeting, appoint one official of such member as its principal official representative to cast the vote of the member at such meeting, and may appoint one official as its alternate official representative to serve in the absence or inability to act of the principal representative.”

1. Election of Trustees

Regarding election of Trustees, under Section 5.3 of the League Bylaws, six members of the Board of Trustees will be elected at the annual meeting for a term of three years. The regulations of the Board of Trustees require the Nominations Committee to complete its recommendations and post the names of the nominees for the Board of Trustees at least four hours before the hour of the business meeting.

2. Statements of Policy and Resolutions

Regarding consideration of resolutions and statements of policy, under Section 4.5 of the League Bylaws, the Board of Trustees acts as the Resolutions Committee, and “no resolution or motion, except procedural and incidental matters having to do with business properly before the annual meeting or pertaining to the conduct of the meeting, shall be considered at the annual meeting unless it is either (1) submitted to the meeting by the Board of Trustees, or (2) submitted in writing to the Board of Trustees by resolution of the governing body of a member at least thirty (30) days preceding the date of the annual meeting.” Thus the deadline this year for the League to receive resolutions is **August 28, 2020**. Please submit resolutions to the attention of Daniel P. Gilmartin, Executive Director/CEO at 1675 Green Rd., Ann Arbor, MI 48105. Any resolution submitted by a member municipality will go to the League Board of Trustees, serving as the resolutions committee under the Bylaws, which may present it to the membership at the Annual Meeting or refer it to the appropriate policy committee for additional action.

Further, “Every proposed resolution submitted by a member shall be stated in clear and concise language and shall be accompanied by a statement setting forth the reasons for recommending the proposed resolution. The Board shall consider the proposal at a Board meeting prior to the next annual meeting and, after consideration, shall make a recommendation as to the advisability of adopting each such resolution or modification thereof.”



3. Posting of Proposed Resolutions and Core Legislative Principles

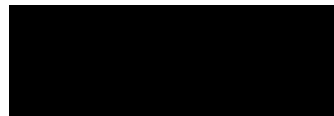
The proposed Michigan Municipal League Core Legislative Principles and any new proposed Resolutions recommended by the Board of Trustees for adoption by the membership will be available on the League website to permit governing bodies of member communities to have an opportunity to review such proposals and delegate to their voting representative the responsibility for expressing the official point of view of the member at the Annual Meeting.

The Board of Trustees will meet on Tuesday, September 29 for the purpose of considering such other matters as may be requested by the membership, in addition to other agenda items.

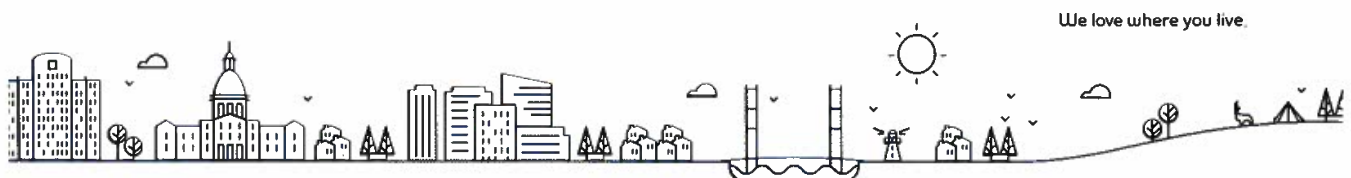
Sincerely,



Brenda F. Moore
President
Mayor Pro Tem, City of Saginaw



Daniel P. Gilmartin
Executive Director & CEO





Resolution No. 2020-174
August 18, 2020

RESOLVED BY THE COUNCIL OF THE CITY OF YPSILANTI:

That the City Council Meeting be adjourned, on call, by the Mayor or three (3) members of Council.

OFFERED BY: _____

SECONDED BY: _____

YES: NO: ABSENT: VOTE:

This resolution is adopted by the Council of the City of Ypsilanti and approved by the Mayor this
18 day of August 2020

#Resolution No. 2020-174