



**CITY OF YPSILANTI**  
**CITY COUNCIL REGULAR MEETING**  
**MAT 16, 2023 @ 6:00 PM**  
**COUNCIL CHAMBERS - CITY HALL**  
**One South Huron, Ypsilanti, MI 48197**  
[VIRTUAL MEETING](#)  
Revised 5/15/2023

Page

**I. CALL TO ORDER**

**II. ROLL CALL**

**III. PLEDGE OF ALLEGIANCE**

- A. I pledge allegiance to the flag, of the United States of America, and to the Republic for which it stands, one nation, under God, indivisible, with liberty and justice for all.

**IV. AGENDA APPROVAL**

**V. PUBLIC COMMENT (3 MINUTES)**

**VI. PRESENTATIONS**

- A. Washtenaw Regional Resource Management Authority - Bob Davis
- 4 B. Proclamation declaring May as Mental Health Awareness Month - Mayor Brown  
[Proclamation](#)

**VII. CONSENT AGENDA**

- 5 A. Resolution No. 2023-089, approving the Consent Agenda.  
[2023-089 - Pdf](#)
- 6 - 14 B. Resolution No. 2023-090, approving the minutes of the May 2, 2023 City Council Meeting  
[2023-090 - Pdf](#)
- 15 - 17 C. Resolution No. 2023-091, approving Ordinance No. 1413 - An Ordinance entitled, "An ordinance to impose a moratorium on issuance of new marihuana permits for sale or dispensing of marihuana in the City of Ypsilanti for 180 days". **(Second Reading)**  
[2023-091 - Pdf](#)

**VIII. RESOLUTIONS/MOTIONS/DISCUSSIONS**

- 18 - 42 A. Resolution No. 2023-092, approving a State Revolving Fund Contract and Notice with the Ypsilanti Community Utility Authority.

[2023-092 - Pdf](#)

- 43 - 50**
- B. Discussion regarding An Ordinance to Amend Budget Appropriations by Department and major Organizational Unit for FY 2022-2023 & FY 2023-2024.
- 51 - 58**
- C. Resolution No. 2023-093, authorizing the submission of the Protecting MI Pension Grant Application.  
[2023-093 - Pdf](#)
- 59 - 72**
- D. Resolution No. 2023-094, approving the proposal for Construction Engineering for the Huron River Drive Reconstruction.  
[2023-094 - Pdf](#)
- 73 - 74**
- E. Resolution No. 2023-095, approving a three-year contract with Clark, Schaefer, Hackett's for Professional Auditing Services.  
[2023-095 - Pdf](#)
- 75 - 76**
- F. Resolution No. 2023-096, recognizing the Juneteenth Holiday in the City of Ypsilanti.  
[2023-096 - Pdf](#)
- 77 - 83**
- G. Resolution No. 2023-097, recognizing PRIDE Month in the City of Ypsilanti.  
[2023-097 - Pdf](#)
- H. Resolution No. 2023-098, approving appointments to boards and commissions.  
[2023-098 - Pdf](#)

## **IX. BOARD AND COMMISSION - LIAISON REPORTS**

1. Police Advisory Commission.
2. Human Relations Commission.
3. Arts Commission.
4. Parks and Recreation Commission.
5. Sustainability Commission.
6. Historic District Commission.
7. Planning Commission.
8. Zoning Board of Appeals

## **X. LIAISON REPORTS**

1. SEMCOG Update
2. Washtenaw Area Transportation Study
3. Urban County
4. Ypsilanti Downtown Development Authority
5. Friends of Rutherford Pool
6. Bicentennial Committee

## **XI. COUNCIL PROPOSED BUSINESS**

**XII. COMMUNICATIONS FROM THE MAYOR**

**XIII. COMMUNICATIONS FROM THE CITY MANAGER**

**XIV. COMMUNICATIONS**

1. Final Budget Session - 2nd Reading, June 6, 2023 at 6:00 PM
2. Chapter 7 Work Session - June 20, 2023 at 6:00 PM

**XV. PUBLIC COMMENT (3 MINUTES)**

**XVI. REMARKS FROM THE MAYOR**

**XVII. CLOSED SESSION**

- A. Closed Session - MCL 15.268 (e) to discuss pending litigation City of Ypsilanti v Greenlee (added)

**XVIII. ADJOURNMENT**

**84**

- A. Resolution No. 2023-099, adjourning the City Council Meeting.  
[2023-099 - 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.

**PROCLAMATION**

***Mental Health Month***

**WHEREAS**, mental illness is thought to be caused by various genetic and environmental factors; and

**WHEREAS**, mental health includes our emotional, psychological, and social well-being; it affects how we think, feel, and act; it also affects how we handle stress, relate to others, and make choices; and

**WHEREAS**, mental health is foundational to our wellness, allows us to care for ourselves and others, and make valuable contributions to Michigan's communities; and

**WHEREAS**, according to Mayo Clinic, mental illness is common. About 1 in 5 adults has mental illness in any given year. Mental illness can begin at any age, but most cases begin earlier in life; and

**WHEREAS**, mental illness can be long lasting or temporary; and

**WHEREAS**, mental illness is known to be a leading cause of disability. If left untreated, it can potentially cause severe emotional, behavior and physical health problems; and

**WHEREAS**, in Michigan, nearly 4.5% of adults live with serious mental health conditions such as schizophrenia, bipolar disorder, and major depression, but only 43.6% of adults with mental illness receive any form of treatment from either a public system or private provider; and

**WHEREAS**, approximately, one in five Michigan youths have at least one mental health condition. In 2017, 13 percent reported having a depressive episode. Fewer than half have been able to access care; and

**WHEREAS**, there's no sure way to prevent mental illness. However, taking the necessary steps to control stress, pay attention to warning signs, get routine medical care, get help when need it, take good care of yourself may help keep your symptoms under control; and

**WHEREAS**, good mental health is critical to the well-being of our families, communities, schools, and businesses; and

**WHEREAS**, greater public awareness about mental illnesses can change negative attitudes and behaviors toward people with mental illnesses

**NOW, THEREFORE, I, NICOLE BROWN, MAYOR** of the City of Ypsilanti hereby proclaim May 2023 as Mental Health Awareness Month in the City of Ypsilanti.

Given under my hand and seal of the  
City of Ypsilanti May 16, 2023.  
Nicole Brown, Mayor



Resolution No. 2023-089  
May 16, 2023

RESOLVED BY THE COUNCIL OF THE CITY OF YPSILANTI:

**That the following items be approved:**

1. **Resolution No. 2023-090, approving the minutes of the May 16, 2023 City Council Meeting.**
2. **Resolution No. 2023-091, approving Ordinance No. 1413 - An Ordinance entitled, "An ordinance to impose a moratorium on issuance of new marihuana permits for sale or dispensing of marihuana in the City of Ypsilanti for 180 days". (Second 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 16 day of May 2023

#Resolution No. 2023-089



**Resolution No. 2023-090**  
**May 16, 2023**

**RESOLVED BY THE COUNCIL OF THE CITY OF YPSILANTI:**

**THAT the minutes of May 2, 2023 City Council Meeting 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  
16 day of May 2023

#Resolution No. 2023-090



# MINUTES REGULAR COUNCIL Meeting

6:00 PM - Tuesday, May 2, 2023  
Council Chambers

The REGULAR COUNCIL of the City of Ypsilanti was called to order on Tuesday, May 2, 2023, at 6:00 PM, in the Council Chambers, with the following members present:

**PRESENT:** Council Member Jennifer Symanns, Mayor Pro-Tem Steven Wilcoxon, Mayor Nicole Brown, Council Member Desirae Simmons, Council Member Evan Sweet, and Council Member Michelle King

**ABSENT:** Council Member Roland Tooson

## I CALL TO ORDER

The meeting was called to order at 6:03 pm.

## II ROLL CALL

Council Member Symanns moved, seconded by Council Member Sweet, to excuse the absence of Council Member Tooson.  
On a voice vote, the motion carried.

## III PLEDGE OF ALLEGIANCE

- a) I pledge allegiance to the flag, of the United States of America, and to the Republic for which it stands, one nation, under God, indivisible, with liberty and justice for all.

## IV AGENDA APPROVAL

The agenda was approved as submitted.

## V PUBLIC COMMENT (3 MINUTES)

Two members of the public spoke.

## VI PRESENTATIONS

- a) Management Proposed Budget for Amended Budget FY 22-23 & FY 23-24 - City Manager Frances McMullan, Finance Director/Treasurer Rheagan Basabica, DPS Director Bonnie Wessler, & John Kaczor, Municipal Analytics

## VII ORDINANCES FIRST READING

- a) Ordinance 1411, An Ordinance entitled, "2023-2024 Tax Levy Ordinance"  
1. Resolution No. 2023-079, determination

2. Public Hearing
3. Resolution No. 2023-080, closing the public hearing

**Council Member Evan Sweet moved, seconded by Council Member Jennifer Symanns, to approve Resolution No. 2023-079**

**That the proposed ordinance entitled “2023-24 Tax Levy Ordinance”, be approved on First Reading.**

|                  |                                                                                                 |
|------------------|-------------------------------------------------------------------------------------------------|
| <b>RESULT:</b>   | <b>CARRIED.</b>                                                                                 |
| <b>MOVER:</b>    | Council Member Evan Sweet                                                                       |
| <b>SECONDER:</b> | Council Member Jennifer Symanns                                                                 |
| <b>AYES:</b>     | Jennifer Symanns, Steven Wilcoxon, Nicole Brown, Desirae Simmons, Evan Sweet, and Michelle King |
| <b>ABSENT:</b>   | Roland Tooson                                                                                   |

**Council Member Evan Sweet moved, seconded by Mayor Pro-Tem Steven Wilcoxon, to approve Resolution No. 2023-080**

**That the public hearing on the proposed ordinance entitled “2023-24 Tax Levy Ordinance”, be officially closed.**

|                  |                                                                                                 |
|------------------|-------------------------------------------------------------------------------------------------|
| <b>RESULT:</b>   | <b>CARRIED.</b>                                                                                 |
| <b>MOVER:</b>    | Council Member Evan Sweet                                                                       |
| <b>SECONDER:</b> | Mayor Pro-Tem Steven Wilcoxon                                                                   |
| <b>AYES:</b>     | Jennifer Symanns, Steven Wilcoxon, Nicole Brown, Desirae Simmons, Evan Sweet, and Michelle King |
| <b>ABSENT:</b>   | Roland Tooson                                                                                   |

- b** Ordinance 1412, An Ordinance entitled, "An Ordinance to Amend Budget  
**)** Appropriations by Department and major Organizational Unit for FY 2022-2023 & FY 2023-2024"  
  1. Resolution No. 2023-081, determination
  2. Public Hearing
  3. Resolution No. 2023-082, close the public hearing

[Amended Budget FY 22-23](#)

**Mayor Pro-Tem Steven Wilcoxon moved, seconded by Council Member Jennifer Symanns, to approve Resolution No. 2023-081**

**That an ordinance entitled, “An Ordinance to Amend Budget Appropriations by Department and Major Organizational Unit for the Fiscal Year 2022-23 and 2023-24, be approved on First Reading.**

| FUND        | FUND NAME                      | FUND BALANCE BEG | FY 2022-23    |                 | FY 2023-24    |                 | FUND BALANCE END |
|-------------|--------------------------------|------------------|---------------|-----------------|---------------|-----------------|------------------|
|             |                                |                  | REVENUE       | EXPENDITURE     | REVENUE       | EXPENDITURE     |                  |
| 101         | General Fund                   | 10,040,450       | 19,130,814.00 | (17,757,378.00) | 16,198,634.00 | (18,073,200.00) | 9,539,320        |
| 202         | Major Street                   | 3,924,761        | 2,332,622.00  | (3,426,930.00)  | 1,904,983.00  | (2,314,066.00)  | 2,421,370        |
| 203         | Local Street                   | 1,702,819        | 642,960.00    | (757,859.00)    | 653,835.00    | (767,792.00)    | 1,473,963        |
| 205         | Public Safety                  | 216,173          | 430,000.00    | (430,000.00)    | 430,000.00    | (430,000.00)    | 216,173          |
| 226         | Garbage and Rubbish Collection | 1,180            | 1,674,814.00  | (1,669,263.00)  | 1,381,157.00  | (1,377,048.00)  | 10,840           |
| 248         | West Cross                     | 100,834          | 144,328.00    | (87,353.00)     | 148,321.00    | (87,053.00)     | 219,077          |
| 265         | Police Special Revenue         | 64,874           | 903.00        | (11,265.00)     | 813.00        | (11,265.00)     | 44,060           |
| 275         | Depot Town Development         | 307,738          | 129,729.00    | (88,168.00)     | 133,178.00    | (88,852.00)     | 393,625          |
| 304         | 2016 GOLT Bonds                | 429              | 893,580.00    | (893,580.00)    | 900,895.00    | (900,895.00)    | 429              |
| 342         | 2012 UTGO Refunding Bonds      | 9,963            | 32.00         | 0.00            | 29.00         | 0.00            | 10,024           |
| 364         | 2002B W&S Debt \$485 DWRP      | 0                | -             | 0.00            | -             | 0.00            | 0                |
| 413         | Down Town Authority            | 338,109          | 445,087.00    | (456,377.00)    | 421,108.00    | (309,987.00)    | 437,940          |
| 414         | Capital Improvement            | 475,460          | 1,159,552.00  | (1,274,432.00)  | 1,190,590.00  | (1,186,014.00)  | 365,156          |
| 415         | Economic Development Authority | 33,173           | 36,533.00     | 0.00            | 37,567.00     | 0.00            | 107,273          |
| 469         | 2003D W&S \$3.5M DWRP          | 0                | 337,313.00    | (337,313.00)    | 334,125.00    | (334,125.00)    | 0                |
| 471         | 2003C W&S \$785K DWRP          | 0                | 51,875.00     | (51,875.00)     | 50,625.00     | (50,625.00)     | 0                |
| 473         | 2004 A Series DDA Cons \$995K  | 0                | 162,090.00    | (87,360.00)     | 83,680.00     | (83,680.00)     | 74,730           |
| 474         | 2004B W&S Sew \$6.3M DWRP      | 0                | 390,081.00    | (390,081.00)    | 387,166.00    | (387,166.00)    | 0                |
| 479         | 2007 W&W Rev DWRP \$375K       | 0                | 17,044.00     | (17,044.00)     | 21,672.00     | (21,672.00)     | 0                |
| 480         | 2008 W&S Disp. Rev \$435K      | 0                | 29,044.00     | (29,044.00)     | 28,419.00     | (28,419.00)     | 0                |
| 481         | 2009 W&S Bonds 7249-01         | 0                | 11,601.00     | (11,601.00)     | 11,351.00     | (11,351.00)     | 0                |
| 482         | 2012 W&S Factory Pump          | 824,706          | 186,000.00    | (186,000.00)    | 182,500.00    | (182,500.00)    | 824,706          |
| 483         | 2013 Rev Refunding Bond        | 1,625,141        | 342,650.00    | (342,650.00)    | 335,750.00    | (335,750.00)    | 1,625,141        |
| 485         | Water Main DWRP 7320-01        | 0                | 26,116.00     | (26,116.00)     | 25,616.00     | (25,616.00)     | 0                |
| 486         | 2016 W&S Rev Refunding Bonds   | 0                | 1,262,700.00  | (1,262,700.00)  | 1,275,200.00  | (1,275,200.00)  | 0                |
| 495         | Sidewalk Improvement           | 153,615          | 117,623.00    | (147,417.00)    | 117,361.00    | (147,889.00)    | 93,293           |
| 514         | Parking Fund                   | 34,683           | 398,403.00    | (349,169.00)    | 360,032.00    | (291,858.00)    | 152,091          |
| 588         | Public Transit                 | 7,152            | 322,863.00    | (322,863.00)    | 332,548.00    | (332,548.00)    | 7,152            |
| 641         | Motorpool                      | 1,014,315        | 1,295,220.00  | (686,533.00)    | 1,296,773.00  | (1,280,740.00)  | 1,639,035        |
| 677         | Worker's Compensation Fund     | 338,058          | 144,656.00    | (233,313.00)    | 148,408.00    | (244,965.00)    | 152,844          |
| 732         | Fire and Police Pension        | 24,328,857       | 5,034,440.00  | (4,632,820.00)  | 5,036,218.00  | (4,632,820.00)  | 25,133,875       |
| 736         | Retiree Benefits               | 9,147,424        | 1,245,725.00  | (1,331,187.00)  | 1,238,147.00  | (1,331,187.00)  | 8,968,922        |
| 477         | 2006 GO LTD                    | 1,150,450        |               |                 |               |                 | 1,150,450        |
| Grand Total |                                | 55,840,365       | 38,396,398    | (37,297,691)    | 34,666,701    | (36,544,283)    | 55,061,490       |

**Further, that in accordance with Section 19(2) of Public Act 621 of 1978, also known as the Uniform Budgeting and Accounting Act, parameters are hereby given to allow the City Managers' authority to approve budget transfers between programs within the same fund, and only Council may authorize transfers between funds. Department Heads may transfer funds between accounts within a specific program under their direction with the exception of personnel and capital expenditures, which must be approved by the City Manager.**

|                  |                                                                                                 |
|------------------|-------------------------------------------------------------------------------------------------|
| <b>RESULT:</b>   | <b>CARRIED.</b>                                                                                 |
| <b>MOVER:</b>    | Mayor Pro-Tem Steven Wilcoxon                                                                   |
| <b>SECONDER:</b> | Council Member Jennifer Symanns                                                                 |
| <b>AYES:</b>     | Jennifer Symanns, Steven Wilcoxon, Nicole Brown, Desirae Simmons, Evan Sweet, and Michelle King |
| <b>ABSENT:</b>   | Roland Tooson                                                                                   |

**Mayor Pro-Tem Steven Wilcoxon moved, seconded by Council Member Jennifer Symanns, to approve Resolution No. 2023-082**

**The Public Hearing for "An Ordinance to Amend Budget Appropriations by Department and Major Organizational Unit for the Fiscal Year 2022-23 and 2023-24, be officially closed.**

|                  |                                                                                                 |
|------------------|-------------------------------------------------------------------------------------------------|
| <b>RESULT:</b>   | <b>CARRIED.</b>                                                                                 |
| <b>MOVER:</b>    | Mayor Pro-Tem Steven Wilcoxon                                                                   |
| <b>SECONDER:</b> | Council Member Jennifer Symanns                                                                 |
| <b>AYES:</b>     | Jennifer Symanns, Steven Wilcoxon, Nicole Brown, Desirae Simmons, Evan Sweet, and Michelle King |
| <b>ABSENT:</b>   | Roland Tooson                                                                                   |

- c) Ordinance No. 1413 - An Ordinance entitled, "An ordinance to impose a moratorium on issuance of new marihuana permits for sale or dispensing of marihuana in the City of Ypsilanti for 180 days".
1. Resolution No. 2023-083, determination.
  2. Open Public Hearing
  3. Resolution No. 2023-084, close the public hearing

**Council Member Jennifer Symanns moved, seconded by Mayor Pro-Tem Steven Wilcoxon, to approve Resolution No. 2023-083**

**That an ordinance entitled "An ordinance to impose a moratorium on issuance of marihuana permits for sale or dispensing of marihuana in the City of Ypsilanti for 180 days" be approved on first reading.**

|                  |                                                                                                 |
|------------------|-------------------------------------------------------------------------------------------------|
| <b>RESULT:</b>   | <b>CARRIED.</b>                                                                                 |
| <b>MOVER:</b>    | Council Member Jennifer Symanns                                                                 |
| <b>SECONDER:</b> | Mayor Pro-Tem Steven Wilcoxon                                                                   |
| <b>AYES:</b>     | Jennifer Symanns, Steven Wilcoxon, Nicole Brown, Desirae Simmons, Evan Sweet, and Michelle King |
| <b>ABSENT:</b>   | Roland Tooson                                                                                   |

**Council Member Jennifer Symanns moved, seconded by Mayor Pro-Tem Steven Wilcoxon, to approve Resolution No. 2023-084**

**That the public hearing for an ordinance entitled "An ordinance to impose a moratorium on issuance of marihuana permits for sale or dispensing of marihuana in the City of Ypsilanti for 180 days" be officially closed.**

|                  |                                                                                                 |
|------------------|-------------------------------------------------------------------------------------------------|
| <b>RESULT:</b>   | <b>CARRIED.</b>                                                                                 |
| <b>MOVER:</b>    | Council Member Jennifer Symanns                                                                 |
| <b>SECONDER:</b> | Mayor Pro-Tem Steven Wilcoxon                                                                   |
| <b>AYES:</b>     | Jennifer Symanns, Steven Wilcoxon, Nicole Brown, Desirae Simmons, Evan Sweet, and Michelle King |
| <b>ABSENT:</b>   | Roland Tooson                                                                                   |

## **VIII RESOLUTIONS/MOTIONS/DISCUSSIONS**

- a) Resolution No. 2023-085, approving the minutes of April 18, 2023.

**Council Member Desirae Simmons moved, seconded by Mayor Pro-Tem Steven Wilcoxon, to approve Resolution No. 2023-085**

**THAT the minutes of April 18, 2023 City Council Meeting be approved.**

|                  |                                                                                                 |
|------------------|-------------------------------------------------------------------------------------------------|
| <b>RESULT:</b>   | <b>CARRIED.</b>                                                                                 |
| <b>MOVER:</b>    | Council Member Desirae Simmons                                                                  |
| <b>SECONDER:</b> | Mayor Pro-Tem Steven Wilcoxon                                                                   |
| <b>AYES:</b>     | Jennifer Symanns, Steven Wilcoxon, Nicole Brown, Desirae Simmons, Evan Sweet, and Michelle King |
| <b>ABSENT:</b>   | Roland Tooson                                                                                   |

- b) Resolution No. 2023-086, approving the sponsorship of the Juneteenth Celebration in the amount of \$2,500.

**Council Member Michelle King moved, seconded by Council Member Evan Sweet, to approve Resolution No. 2023-086**

**Whereas, the Ypsilanti's Annual Juneteenth Celebration will occur on June 17th and 18th located at 107 Ferris; and**

**Whereas, the Planning Committee has made a request of sponsorship in the amount of \$2,500 for entertainment; and**

**Now therefore be it resolved that the Ypsilanti City Council approves the request to be a sponsor of the 2023 Juneteenth Celebration in the amount of \$2,500.**

|                  |                                                                                                 |
|------------------|-------------------------------------------------------------------------------------------------|
| <b>RESULT:</b>   | <b>CARRIED.</b>                                                                                 |
| <b>MOVER:</b>    | Council Member Michelle King                                                                    |
| <b>SECONDER:</b> | Council Member Evan Sweet                                                                       |
| <b>AYES:</b>     | Jennifer Symanns, Steven Wilcoxon, Nicole Brown, Desirae Simmons, Evan Sweet, and Michelle King |
| <b>ABSENT:</b>   | Roland Tooson                                                                                   |

- c) Resolution No. 2023-087, designating "No Mow May" in the City of Ypsilanti and suspending enforcement on grass and weeds for the duration of the month of May.

**Council Member Desirae Simmons moved, seconded by Council Member Michelle King, to approve Resolution No. 2023-087**

**Whereas, The City Council of the City of Ypsilanti recognizes that bees and other pollinators are integral to pollination of a wide diversity of native vegetation and food crops;**

**Whereas, Pollinator populations and water resources are threatened due to habitat loss, pathogens, parasites, and widespread use of pesticides, including neonicotinoids and other toxic chemicals;**

**Whereas, Research suggests that bees and other pollinators make use of less-intensively maintained lawn spaces;**

**Whereas, Reduced frequency of mowing has been shown to have direct and indirect benefits to pollinator species, including: availability of more floral resources, less production of emissions from fossil fuel powered equipment, reduced noise from powered equipment, reduced compaction of soil, and associated improved stormwater infiltration;**

**Whereas, Research suggests that pollinators and other invertebrates rely on fallen leaves and on hollow stems of native plants for cover and insulation from the elements during winter months;**

**Whereas, Pollinators and floral resources have a positive relationship, in which an increase in pollinator populations can increase the amount of flora and food, and vice versa; and**

**RESOLVED, That City Council of the City of Ypsilanti directs the City Administrator to encourage property owners to reduce mowing frequency and to maintain lawn heights between 6 and 12 inches on their properties during the month of May;**

**RESOLVED, That City Council directs the City Administrator to encourage property owners to reduce raking and clean-up of leaves on their properties during the fall months, while preventing leaf build-up in roadways; and**

**RESOLVED, That City Council directs the City Administrator to encourage property owners to increase diverse native plantings on their properties;**

**RESOLVED, City Council directs the City Administrator to prepare a communication plan to disseminate via the city's website and social media platforms, to provide information in support of pollinator habitat. And encourage residents to participate in "No Mow May; and**

**BE IT FURTHER RESOLVED; That the City Council of the City of Ypsilanti direct the City Manager not to enforce Chapter 110. Article IV, Section 110-81 (b) during the month of May.**

|                  |                                                                               |
|------------------|-------------------------------------------------------------------------------|
| <b>RESULT:</b>   | <b>CARRIED.</b>                                                               |
| <b>MOVER:</b>    | Council Member Desirae Simmons                                                |
| <b>SECONDER:</b> | Council Member Michelle King                                                  |
| <b>AYES:</b>     | Steven Wilcoxon, Nicole Brown, Desirae Simmons, Evan Sweet, and Michelle King |
| <b>ABSENT:</b>   | Jennifer Symanns and Roland Tooson                                            |

## **IX BOARD AND COMMISSION - LIAISON REPORTS**

1. **Police Advisory Commission** - Chief Moore reported in Council Member Tooson's absence. The Commission reexamined their purpose in their original ordinance. The police department and the human resources department discussed adding members of the commission to the hiring process for future police personnel, and Chief Moore wants the commission to head up a "report card" for the police based on community feedback gathered by the commission.
2. **Human Relations Commission** - No update.
3. **Arts Commission** - No update.
4. **Parks and Recreation Commission** - No update.
5. **Sustainability Commission** - Meeting was cancelled.
6. **Historic District Commission** - No update.
7. **Planning Commission** - A towing company on S Mansfield (south of Michigan Ave) needs a water runoff plan since water empties into state storm sewers and ultimately into the Huron River. The company provided a minimal plan to prevent debris but not liquid hazards (gasoline, antifreeze, etc...) from entering the drains. Mayor Pro Tem Wilcoxon brought up concerns regarding state environmental regulations and giving the business more time to come up with a better plan.
8. **Zoning Board of Appeals** - No update.

## **X LIAISON REPORTS**

1. **SEMCOG Update** - No update.
2. **Washtenaw Area Transportation Study** - Meeting occurred, no update.
3. **Urban County** - No update other than the next meeting is next week.
4. **Ypsilanti Downtown Development Authority** - All 15 submissions for assistance from local businesses were approved in small amounts. Funds were allocated upfront as part of the YDDA's effort to be proactive.
5. **Friends of Rutherford Pool** - No update other than the next meeting is tomorrow.
6. **Bicentennial Committee** - The Ypsi 200 history books are being printed. The committee plans to gather community feedback regarding the contents of a time capsule to be reburied. There will likely be funding requests for an August 19th event.

## **XI COUNCIL PROPOSED BUSINESS**

1. **Council Member D. Simmons** -
  - The Michigan Alliance for Justice in Climate, a statewide part of the Green New Deal Network, has a relaunch meeting on Thursday May 4th. Their campaign this year focuses on utility justice, including such topics as water, energy, and housing.
  - There will be a community conversation regarding reparations on May 13th from 1-2:30 at the Ypsilanti Library (downtown location). This will be hosted by REDY (Rising for Economic Democracy in Ypsi) and include presentations from Survivors Speak, time for community discussion, and preparing the city for county-level work around reparations.
  - REDY will be hosting a discussion regarding the Community Benefits Ordinance on Sunday June 4th from 12-1:30 at Riverside Park.
2. **Council Member Sweet** -
  - Looking forward to new recycling bins being issued next week.
  - Public thanks to Detective Annette Coppock for her nearly 30 years of service.
3. **Council Member J. Symanns** -
  - Public thanks to Detective Annette Coppock for her nearly 30 years of service.
  - Excited for the new recycling bins and hopes for something similar for trash in the future.
  - Circulate anti-speeding signs in specific neighborhoods.

## **XII COMMUNICATIONS FROM THE MAYOR**

- Parkridge Park cleanup this Saturday 12-4 featuring music and food, hosted by Supreme Felons and Heritage Park Neighborhood Association.
- Thanks to all who attended the City EMU event last week.
- Congratulations to EMU's recent graduates, especially local youth. Honored to be the commencement speaker.
- Community Violence Intervention Summit happened yesterday at WCC with over 275 in attendance. Would like Council to adopt at least one point from the 14-point plan.
- Attending a community conversation with the Detroit Pistons tomorrow, invited Chief Moore. The topic is mental health and law enforcement. There is a lot of

overlap between Detroit, Inkster, and Ypsilanti down the Michigan Avenue corridor.

### **XIII COMMUNICATIONS FROM THE CITY MANAGER**

- Inquired with Head of Public Services Bonnie Wessler when speed bumps will be installed.
- There will be a presentation at the May 16th meeting regarding solid waste contracts.
- There will be a work session update regarding Water Street cleanup on June 6th starting at 6 PM.
- May is Mental Health Awareness Month.
- Congratulations to the mayor for being the EMU commencement speaker and for receiving an honorary doctorate degree.
- Encourage council members to examine the budget and come up with questions.

### **XIV COMMUNICATIONS**

1. 2nd Budget Session - May 16, 2023 at 6:00 PM
2. Final Budget Session - 2nd Reading, June 6, 2023 at 6:00 PM
3. Chapter 7 Work Session - June 20, 2023 at 6:00 PM

### **XV PUBLIC COMMENT (3 MINUTES)**

None

### **XVI REMARKS FROM THE MAYOR**

### **XVII ADJOURNMENT**

- a) Resolution No. 2023-088, adjourning the City Council Meeting.

That the City Council Meeting be adjourned, on call, by the Mayor or three (3) members of Council.

**The meeting adjourned at 8:37 pm**

- 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. 2023-091  
May 16, 2023

RESOLVED BY THE COUNCIL OF THE CITY OF YPSILANTI:

**That an ordinance entitled "An ordinance to impose a moratorium on issuance of marihuana permits for sale or dispensing of marihuana in the City of Ypsilanti for 180 days" 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  
16 day of May 2023

#Resolution No. 2023-091



**CITY OF YPSILANTI  
NOTICE OF ADOPTED ORDINANCE  
Ordinance No. 1413**

An ordinance to impose a moratorium on issuance of new marihuana permits for sale or dispensing of marihuana in the City of Ypsilanti for 180 days.

**1. THE CITY OF YPSILANTI HEREBY ORDAINS** that

Whereas pursuant to state law the City of Ypsilanti has issued permits for the sale and dispensing of marihuana in the City and concerns have arisen on number and location of future permits, and

Whereas City staff requires additional time to study the issues to ensure the preservation of public peace, health, safety and welfare and has requested a moratorium to study the issues, and

Whereas City Council finds it in the best interest of the City of Ypsilanti for additional staff study on the issues and that a moratorium is required for the public peace, health, safety and welfare for 180 days,

Now therefore, a moratorium is ordered and ordained on the issuance of new permits for the sale and dispensing of marihuana in the City of Ypsilanti for 180 days.

**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 \_\_\_\_\_, 2023.

\_\_\_\_\_  
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 \_\_\_\_\_, 2023.

\_\_\_\_\_  
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 \_\_\_\_\_, 2023.

\_\_\_\_\_  
Andrew Hellenga, City Clerk

Notice Published: \_\_\_\_\_

First Reading: \_\_\_\_\_

Second Reading: \_\_\_\_\_

Published: \_\_\_\_\_

Effective Date: \_\_\_\_\_



Resolution No. 2023-092  
May 16, 2023

**RESOLVED BY THE COUNCIL OF THE CITY OF YPSILANTI:**

**WHEREAS**, it is necessary to acquire and construct certain improvements to the wastewater treatment plant, including improvements to the plant's ultraviolet disinfection system, headworks odor control system and influent well, together with all necessary appurtenances and attachments thereto (the "Project"), to serve the City and the Charter Township of Ypsilanti (the "Township"); and

**WHEREAS**, a contract (the "Contract") has been prepared among the City, the Township and the Ypsilanti Community Utilities Authority (the "Authority") whereby the Authority will issue its bonds (the "Bonds") on behalf of the City and the Township to provide for the financing of costs of the Project; and

**WHEREAS**, this Governing Body has carefully reviewed the Contract and finds that it provides the best means for accomplishing the Project and for providing the needed services.

**NOW, THEREFORE, BE IT RESOLVED, THAT:**

1. The Contract is hereby approved and the Mayor and the City Clerk of the City are hereby authorized and directed to execute and deliver the Contract for and on behalf of the City; provided, however, that Contract shall not become effective until the expiration of forty-five (45) days after the publication of the attached notice as a display advertisement of at least ¼ page in size in the *Washtenaw Legal News*, a newspaper of general circulation within the City, which manner of publication is deemed by the Governing Body to be the most effective manner of informing the taxpayers and electors of the City of the details of the proposed Contract and the rights of referendum thereunder.
2. The City Clerk is directed to publish the attached notice in the newspaper above designated as soon as possible after the adoption hereof.
3. All resolutions and parts of resolutions in conflict with this resolution be, and the same hereby are repealed.

OFFERED BY: \_\_\_\_\_

SECONDED BY: \_\_\_\_\_

YES:

NO:

ABSENT:

VOTE:

#Resolution No. 2023-092

This resolution is adopted by the Council of the City of Ypsilanti and approved by the Mayor this  
16 day of May 2023

#Resolution No. 2023-092

NOTICE OF INTENT TO EXECUTE  
TAX-SUPPORTED CONTRACT AND OF RIGHT TO  
PETITION FOR REFERENDUM THEREON

TO THE TAXPAYERS AND ELECTORS OF  
THE CITY OF YPSILANTI,  
WASHTENAW COUNTY, MICHIGAN:

PLEASE TAKE NOTICE, the City of Ypsilanti (the "City") has approved by resolution the execution of a contract (the "Contract") with the Ypsilanti Community Utilities Authority (the "Authority") and the Charter Township of Ypsilanti (the "Township") pursuant to Act No. 233, Public Acts of Michigan, 1955, as amended, which Contract provides, among other things, that the Authority will acquire, construct and install certain improvements to the wastewater treatment plant, including improvements to the plant's ultraviolet disinfection system, headworks odor control system and influent well, together with all necessary appurtenances and attachments thereto to service the City and the Township and will issue its bonds in the principal amount not to exceed \$11,500,000 to finance the cost of the acquisition and construction of such wastewater improvements for the City and the Township AND THE CITY WILL PAY TO THE AUTHORITY PURSUANT TO THE CONTRACT THE SUMS NECESSARY TO RETIRE ITS PERCENTAGE SHARE OF THE PRINCIPAL OF AND INTEREST ON SAID BONDS.

CITY'S CONTRACT OBLIGATIONS

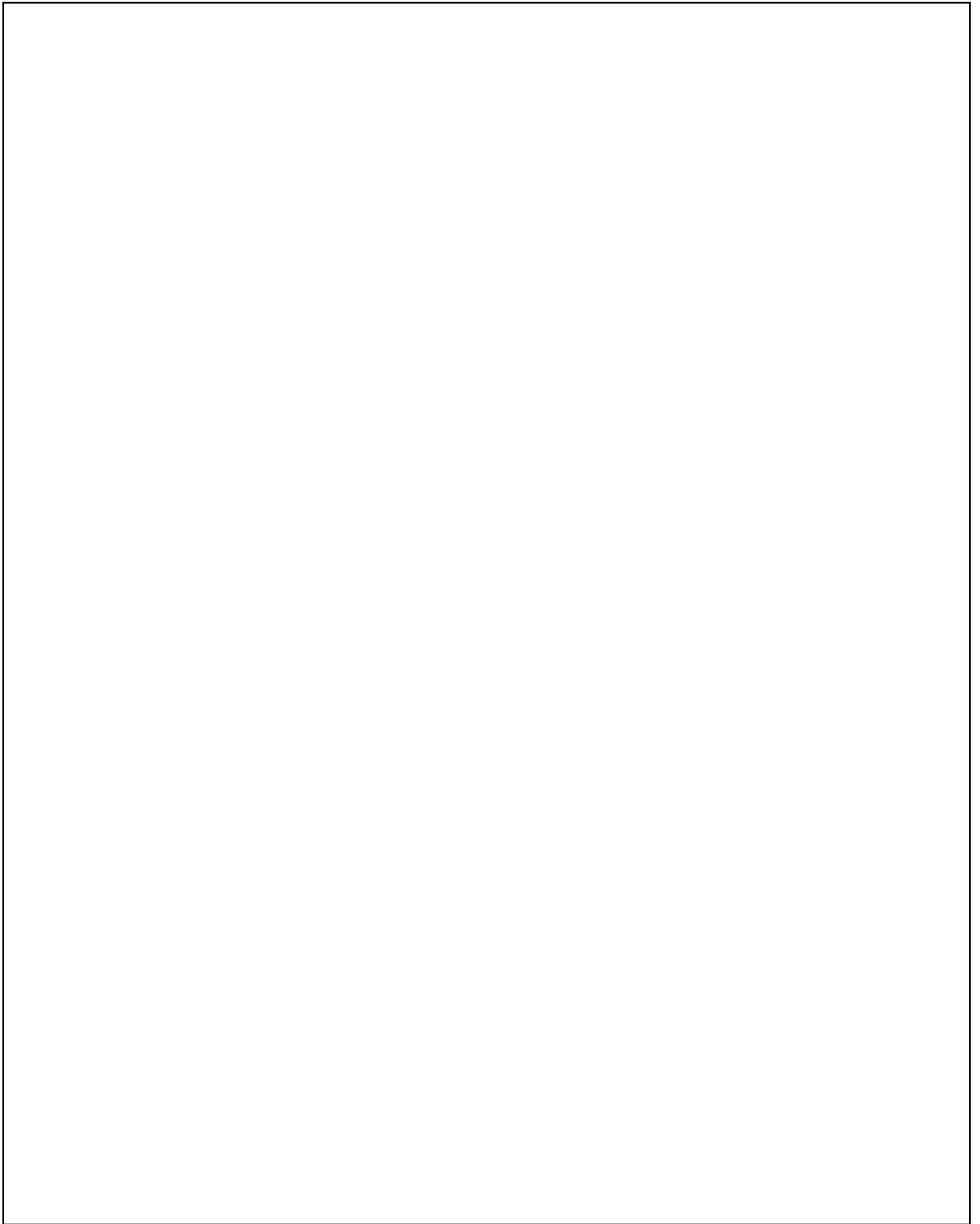
It is presently contemplated that the bonds will be in the principal amount of not to exceed \$11,500,000, of which the City's "Local Unit Share" (as that term is defined in the Contract and is based on the City's annual usage of the wastewater system) is initially 24.23%, subject to adjustment annually, will mature serially over a period of not to exceed thirty-five (35) years, and will bear interest at the rate or rates to be determined at the time of sale to the Michigan Finance Authority but in no event to exceed two and one-eighths percent (2.125%) per annum on the balance of the bonds from time to time remaining unpaid. The Contract includes the City's pledge of its limited tax full faith and credit for the prompt and timely payment of the City's obligations as expressed in the Contract. THE CITY WILL BE REQUIRED TO LEVY AD VALOREM TAXES WITHIN APPLICABLE CONSTITUTIONAL, STATUTORY AND CHARTER TAX LIMITATIONS ON ALL TAXABLE PROPERTY WITHIN THE CITY TO THE EXTENT NECESSARY TO MAKE THE PAYMENTS REQUIRED TO PAY ITS SHARE OF THE PRINCIPAL OF AND INTEREST ON THE BONDS IF OTHER FUNDS FOR THAT PURPOSE ARE NOT AVAILABLE. IT IS THE PRESENT INTENT OF THE CITY TO USE THE REVENUES FROM THE CITY DIVISION OF THE AUTHORITY'S SYSTEM TO MAKE THE PAYMENTS REQUIRED TO PAY PRINCIPAL OF AND INTEREST ON THE BONDS.

RIGHT OF REFERENDUM

The Contract will become effective and binding upon the City without vote of the electors as permitted by law unless a petition requesting an election on the question of the City entering into the Contract, signed by not less than 10% of the registered electors of the City, is filed with the City Clerk within forty-five (45) days after publication of this notice. If such petition is filed, the Contract cannot become effective without an approving vote of a majority of electors of the City qualified to vote and voting on the question. The Contract is on file at the office of the City Clerk.

This notice is given pursuant to the requirements of Section 8 of Act No. 233, Public Acts of Michigan, 1955, as amended. Further information concerning the details of the Contract and the matters set out in this notice may be secured from the City Clerk's office.

Andrew Hellenga  
Clerk, City of Ypsilanti





Dedicated to Providing Top Quality, Cost Effective, and  
Environmentally Safe Water and Wastewater Services to Our Customers

YPSILANTI COMMUNITY UTILITIES AUTHORITY

2777 STATE ROAD  
YPSILANTI, MICHIGAN 48198-9112  
TELEPHONE: 734-484-4600  
WEBSITE: [www.ycua.org](http://www.ycua.org)

May 8, 2023

**VIA EMAIL**

CITY OF YPSILANTI  
City Council  
One South Huron Street  
Ypsilanti, Michigan 48197-5400

CHARTER TOWNSHIP of YPSILANTI  
Board of Trustees  
7200 South Huron Street  
Ypsilanti, Michigan 48198

**Re: Wastewater Treatment Plant Improvements Bond Sale**

Dear City Council Members and Township Trustees:

This document is to provide background for two upcoming capital improvement projects at the Ypsilanti Community Utilities Authority's (YCUA) Wastewater Treatment Plant (WWTP). The projects are eligible for funding through the Clean Water State Revolving Fund (CWSRF) loan program administered by the Michigan Department of Environment, Great Lakes, and Energy (EGLE). The CWSRF program is a subsidized low-interest loan with interest rates typically 1.5% to 2% below corresponding open-market interest rates. The loan is used to purchase bonds issued by YCUA for the benefit of the communities. In addition to the CWSRF loan, these projects are also eligible for a \$799,500 American Rescue Plan Grant through EGLE.

One of the projects will consist of improvements to the existing odor control system as well as rehabilitation of the influent well at the headworks of the WWTP. Nuisance odors at the headworks of the YCUA WWTP are collected and treated in a system that was added to the facility during the late 1990s. The system consists mainly of fiberglass ducts to transport the foul air from various treatment process equipment areas to the Headworks Odor Control Building where a two-stage wet scrubber system removes nuisance odors and discharges scrubbed air to the atmosphere. The system has functioned well, but many parts of the system are nearing the end of their useful life and require rehabilitation and/or replacement. As for the influent well, it experiences extremely high concentrations of corrosive gases on a regular basis which has resulted in significant deterioration of the interior concrete surfaces which requires repair. YCUA has commissioned CDM Smith Michigan Inc. to provide design and construction

CITY OF YPSILANTI  
City Council  
CHARTER TOWNSHIP of YPSILANTI  
Board of Trustees  
May 8, 2023  
Page 2

engineering services for this project. Please find enclosed an excerpt from CDM Smith's Preliminary Design Report which provides a more detailed overview of the project. The current opinion of the probable cost for this project is \$8,447,800.00.

The second project will include improvements to the existing ultraviolet (UV) disinfection system at the downstream end of the WWTP. The system uses UV irradiation to disinfect the final effluent from the WWTP before it is pumped to the Lower Rouge River. The proposed work will replace obsolete equipment in the original three (3) UV disinfection treatment channels. Replacement of the original equipment is necessary to ensure that YCUA will be able to properly disinfect the final effluent before it leaves the WWTP and satisfy the requirements of our discharge permit. YCUA has commissioned Tetra Tech of Michigan, P.C. to provide design and construction engineering services for this project. Please find enclosed a description of our CWSRF Plan which provides an overview and design criteria for the project. The current opinion of probable cost for this project is \$2,037,000.00.

The total combined cost for the two improvements is estimated to be \$10,484,800. For these two projects combined, the current CWSRF interest rate of 1.875% will save approximately \$145,000 per year on bond payments or \$2,900,000 over the 20-year duration of the loan compared to a similar bond issue on the open market with an interest rate of 4.125%.

Please note under a separate correspondence, YCUA will be requesting consideration for a Bond Authorizing Resolution in the not to exceed amount of \$11,500,000 along with an Authorizing Notice. YCUA will be requesting consideration of these items at the respective Board of Trustees and City Council Meetings on May 16, 2023.

Please contact me at 734-484-4600 Ext. 116 or by email at [lblackburn@ycua.org](mailto:lblackburn@ycua.org) with any questions or concerns regarding this matter.

Sincerely,

LUTHER BLACKBURN, Executive Director  
Ypsilanti Community Utilities Authority

LB  
Enclosures  
cc w/encl.:

YCUA Board of Commissioners  
Ms. Lisa Stanfield, Township of Ypsilanti

CITY OF YPSILANTI  
City Council  
CHARTER TOWNSHIP of YPSILANTI  
Board of Trustees  
May 8, 2023  
Page 3

Ms. Frances McMullan, City of Ypsilanti  
Mr. Rheagan Basabica, City of Ypsilanti  
Mr. Andrew Hellenga, City of Ypsilanti  
Mr. Paul Stauder, PFM Financial Advisors, L.L.C.  
Mr. Tom D. Colis, Miller, Canfield, Paddock, and Stone, P.L.C.  
Mr. Matt Jane, Pear Sperling Eggan & Daniels, P.C.  
Mr. Dwayne Harrigan, YCUA  
Ms. Gail Thomas, YCUA  
Mr. Scott D. Westover, YCUA

## Section 1

### Introduction

#### 1.1 Introduction

The Ypsilanti Community Utilities Authority (YCUA) Regional Wastewater Treatment Plant (WWTP) is a 51.2 million gallon per day (mgd) advanced wastewater treatment plant that serves approximately 250,000 people and has an average daily flow of approximately 22.3 mgd. The plant is located at 2777 State Street, Ypsilanti, MI 48198. The principal wastewater treatment processes include flow equalization, aerated grit removal, screening, primary settling, activated sludge treatment using fine-bubble aeration, secondary settling, tertiary filtration, and post-filtration disinfection using ultraviolet radiation prior to surface water discharge. Primary settling tank sludge, primary scum, waste activated sludge, and secondary scum are sent to dewatering equipment and subsequently to an onsite fluidized bed incineration system.

The WWTP includes an odor control system to collect and treat odorous foul air collected from various preliminary treatment sources. The system was installed in 1999 and has functioned well but is nearing the end of its service life, and YCUA intends to update and replace the system. Additionally, the Odor Control Building has significant corrosion related issues that will be addressed by relocating equipment and updating/improving HVAC design and equipment.

The surface water discharge is covered under Permit No. MI0042676 with the State of Michigan Department of Environment, Great Lakes and Energy (EGLE). This permit was effective on October 1, 2022 and expires at midnight on October 1, 2026.

#### 1.2 Project Overview

The odor control system collects and conveys foul air from the following sources for treatment by a chemical scrubber system:

- Influent Well (upstream of mechanical screens)
- Mechanical Screen Channels
- Grit Chambers
- Grit and Screen Building
- Grit Effluent Channel
- Retention Basin
- Primary Influent Flow Splitters

The system originally collected foul air from the effluent launders of four primary clarifiers, but YCUA keeps the dampers on the connected ductwork closed. Foul air is combined to one duct entering the Odor Control Building and treated via a two-stage chemical scrubbing system.

The project includes the following items of work:

- Full replacement of the two-stage chemical scrubber system, including vessels, fans, ductwork, recirculation pumps
- Full replacement of the scrubber chemical storage tanks and feed system
- Full replacement and relocation of the Odor Control Building electrical gear and control panels
- Repair and rehabilitation of the Influent Well that is severely corroded

YCUA and CDM Smith completed a structural inspection of the Influent Well in January of 2023. The results of this inspection, as well as the presentation of repair alternative is addressed via a separate technical memorandum that will be appended to the final version of this Preliminary Design Report for record purposes.

### 1.3 Report Organization

The report is organized into the following sections:

- Section 1 – Introduction
- Section 2 – Process Design Criteria
- Section 3 – Architectural Design Criteria
- Section 4 – Structural Design Criteria
- Section 5 – Building Mechanical Design Criteria
- Section 6 – Electrical Design Criteria
- Section 7 – Instrumentation & Control Design Criteria
- Section 8 – Influent Well Inspection and Rehabilitation
- Section 9 – Opinion of Probable Construction Costs and Implementation Plan

## WWTP UV Disinfection Improvements

The Authority wastewater treatment plant (WWTP) uses ultraviolet (UV) irradiation to disinfect the final effluent before it is pumped to the Lower Rouge River. The UV disinfection equipment consists of low-intensity, high-pressure, vertical-bulb open channel modules. The system was constructed during the early 2000s and has been in operation since 2003.

### 1. Relevant Design Parameters

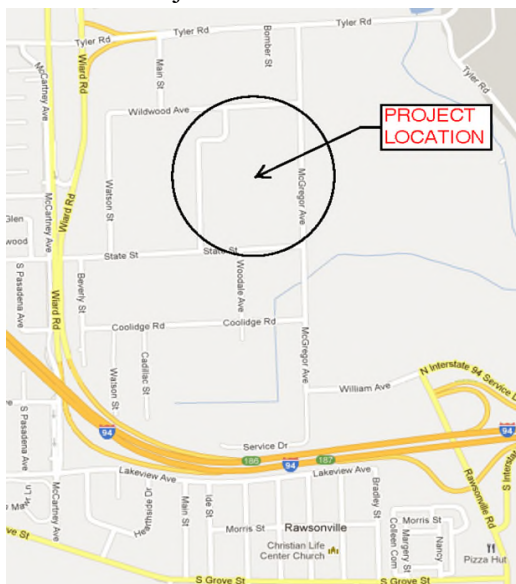
- The UV disinfection system was constructed with 4 treatment channels, 3 of which were outfitted with equipment during the original project. The 3 channels are capable of treating 63 million gallons per day (MGD) of flow.
- Equipment for the fourth channel will be installed during 2021 as part of a project independent of the SRF loan program. Once the fourth channel is operational, the UV system will be capable of treating 77 MGD.
- The equipment slated for installation in the fourth channel is the next generation of the existing equipment and will include a new programmable logic controller (PLC) and software.
- Construction is scheduled in accordance with a 2<sup>nd</sup> quarter SRF loan during the 2022-2023 fiscal year.

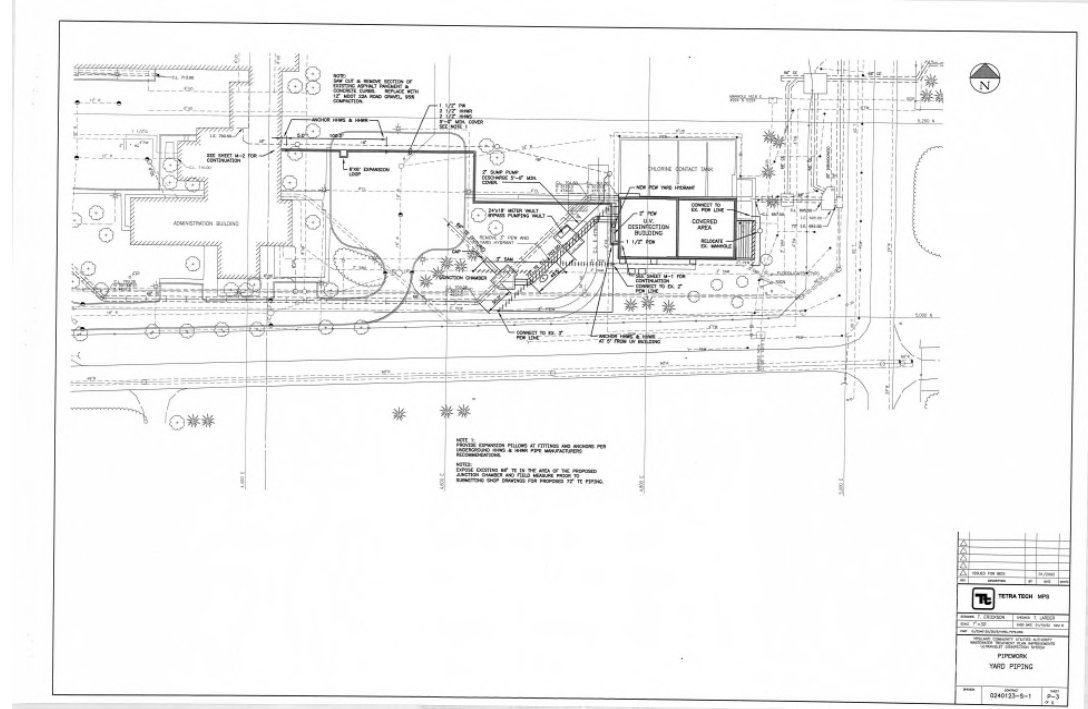
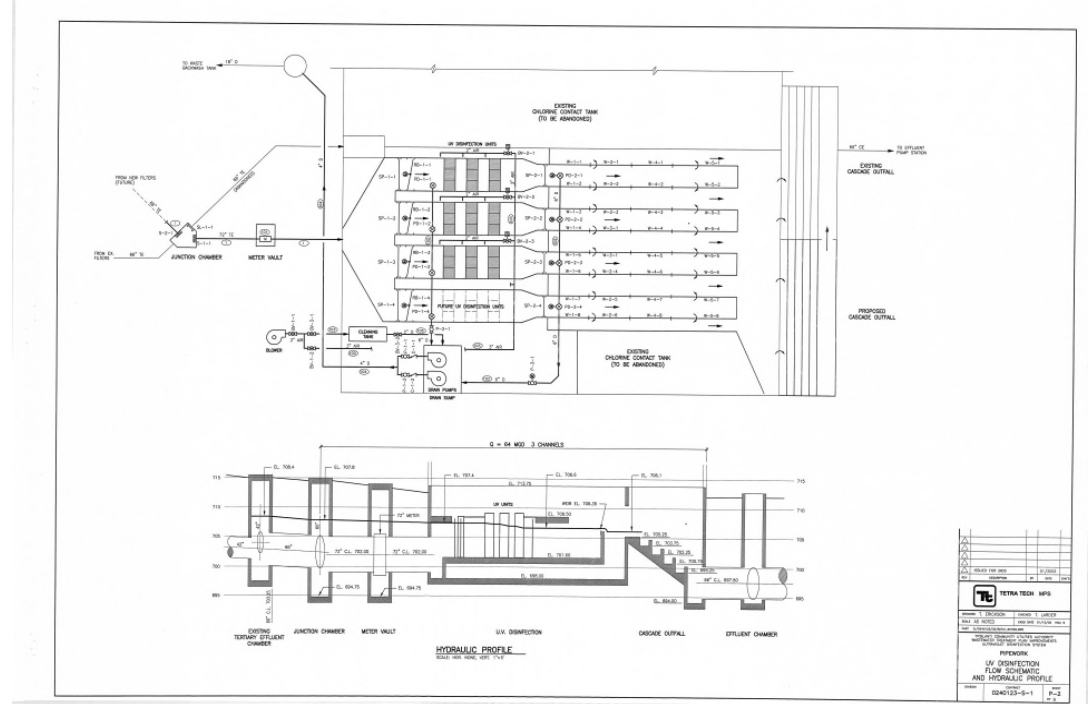
### 2. Controlling Factors

- The equipment and PLC for the original 3 channels is obsolete and will no longer be supported by the manufacturer.
- Replacing the equipment in the original 3 channels is necessary to ensure the Authority will be able to properly disinfect the final effluent before it leaves the WWTP and satisfy the requirements of the discharge permit.

### 3 Maps and Sketches

#### a. Project Location





[illegible]

4. Sensitive Features

No environmentally-sensitive features will be affected by the proposed work.

5. Mitigation of Environmental Impacts

The contract documents will include the necessary details and language to control dust, noise, and soil erosion and sedimentation. Mitigative measures for impacts other than those related to construction operations are not anticipated to be necessary.

6. Schedule for Design and Construction

|                                         |                    |
|-----------------------------------------|--------------------|
| Initiate Design Engineering Phase       | August 25, 2022    |
| Draft Plans and Specifications Complete | September 23, 2022 |
| Final Plans and Specifications Complete | November 4, 2022   |
| Submit Permit Applications to Agencies  | October 31, 2022   |
| Issuance of Construction Permits        | December 2, 2022   |
| Publication of Bid Advertisement        | December 6, 2022   |
| Opening of Bids                         | January 10, 2023   |
| Notice to Proceed                       | April 7, 2023      |
| Construction Start                      | June 5, 2023       |
| Construction Complete                   | June 7, 2024       |

7. Preliminary Opinion of Probable Project Cost

| <u>Item</u>                                                   | <u>Quantity</u> | <u>Unit</u> | <u>Unit Price</u> | <u>Cost</u>    |
|---------------------------------------------------------------|-----------------|-------------|-------------------|----------------|
| Mobilization                                                  | 1               | l.sum       | \$50,000.00       | \$50,000.00    |
| Aquaray 40 HO Gen2 Modules - Furnish                          | 27              | each        | \$42,777.78       | \$1,155,000.00 |
| Installation                                                  | 1               | l.sum       | \$250,000.00      | \$250,000.00   |
| Construction Total                                            |                 |             |                   | \$1,455,000.00 |
| 25% Engineering, Inspection, Administration and Contingencies |                 |             |                   | \$363,750.00   |
| Total                                                         |                 |             |                   | \$1,818,750.00 |

Notes:

G:\YCUAproj\2021 - SRF Project Plan\Project Descriptions\WWTP UV Disinfection Rehabilitation.docx

### **SRF CONTRACT**

THIS SRF CONTRACT, dated as of May 24, 2023, by and among the YPSILANTI COMMUNITY UTILITIES AUTHORITY, a municipal authority and public body corporate of the State of Michigan (hereinafter referred to as the “Authority”), the CHARTER TOWNSHIP OF YPSILANTI (the “Township”) and the CITY OF YPSILANTI (the “City,” together with the Township referred to as the “Local Units”) both located in the County of Washtenaw, Michigan,

#### **WITNESSETH:**

WHEREAS, the Authority has been incorporated under the provisions of Act No. 233, Public Acts of Michigan, 1955, as amended (hereinafter referred to as “Act 233”), for the purposes set forth in Act 233 and the Local Units being constituent members of the Authority; and

WHEREAS, it is immediately necessary and imperative for the public health and welfare of the present and future residents of the Local Units to acquire and construct certain improvements to the wastewater treatment plant, including improvements to the plant’s ultraviolet disinfection system, headworks odor control system and influent well, together with all necessary appurtenances and attachments thereto be acquired and constructed to service the Local Units (the “Project”); and

WHEREAS, plans and an estimate of cost of said improvements have been prepared by the Authority’s consulting engineers (the “Consulting Engineers”), which said estimate of cost totals not to exceed \$11,500,000; and

WHEREAS, each of the Local Units is desirous of having the Authority arrange for the acquisition of said improvements, in order to furnish the residents of each of the Local Units with improved wastewater system services and facilities; and

WHEREAS, the parties hereto have determined that said improvements are essential to the general health, safety and welfare of each of the Local Units; and

WHEREAS, the Authority and the Local Units are each agreeable to the execution of this Contract, by and among themselves, to provide, among other things, for the financing of the cost of the Project; and

WHEREAS, each of the Local Units has approved and authorized the execution of this Contract by resolution of its governing body; and

WHEREAS, this Contract will become effective for each of the Local Units upon expiration of a period of forty-five days following publication by each of the Local Units of its respective notice of intention without filing of a petition for referendum on the question of its entering into this Contract, or if such referendum election be required, then upon approval by the qualified electors of the respective Local Unit;

Miller, Canfield, Paddock and Stone, P.L.C.

NOW, THEREFORE, in consideration of the premises and the covenants made herein, THE PARTIES HERETO AGREE AS FOLLOWS:

SECTION 1. The Authority and the Local Units each have previously approved and again approve the establishment of wastewater system improvements in the Local Units under the provisions of Act 233, together with all necessary appurtenances, attachments and rights in land adequate and sufficient to furnish such service to the area of each of the Local Units, as set forth in the plans prepared by the Consulting Engineers.

SECTION 2. The system referred to in Section 1 above is designated as YPSILANTI COMMUNITY UTILITIES AUTHORITY WASTEWATER SYSTEM (City of Ypsilanti and Charter Township of Ypsilanti) (hereinafter sometimes referred to in this Contract as the "System").

SECTION 3. Each of the Local Units hereby consents to the use by the Authority and any parties contracting with the Authority of the public streets, alleys, lands and rights-of-way in each Local Unit for the purpose of performing the Project.

SECTION 4. The System is designed to serve areas in each of the Local Units as described in the plans prepared by the Consulting Engineers and is immediately necessary to protect and preserve the public health; and each Local Unit does, by these presents, consent to the furnishing of such service through the System pursuant to Section 8 hereof, to the individual users in each Local Unit.

SECTION 5. The Authority and each of the Local Units hereby approve and confirm the plans for the System prepared by the Consulting Engineers and the total estimated cost thereof of not to exceed the sum of \$11,500,000 and the Local Units' combined share thereof (100%) of \$11,500,000. Said cost estimate includes all surveys, plans, specifications, acquisition of property for rights-of-way, physical construction necessary to acquire and construct the System, the acquisition of all materials, machinery and necessary equipment, and all engineering, engineering supervision, administrative, legal and financing expenses necessary in connection with the acquisition and construction of the System and the financing thereof.

SECTION 6. The Authority will take bids for the construction of the Project and the Authority shall in no event agree to any contract price or prices as will cause the actual cost thereof to exceed the estimated cost as approved in Section 5 of this Contract unless each of the Local Units, by resolution of its legislative body, (a) approves said increased total cost, and (b) agrees to pay such prorated excess over the estimated cost, either in cash or by specifically authorizing the maximum principal amount of bonds to be issued, as provided in Sections 10 and 16 of this Contract, to be increased to an amount which will provide sufficient funds to meet said increased cost, and approves a similar increase in the installment obligations of each Local Unit, if any, pledged under the terms of this Contract to the payment of such bonds.

SECTION 7. The Project shall be constructed by the Authority substantially in accordance with the plans and specifications therefor approved by this Contract. All matters relating to engineering plans and specifications, together with the making and letting of final construction contracts, the approval of work and materials thereunder, and construction

Miller, Canfield, Paddock and Stone, P.L.C.

supervision, shall be in the control of the Authority. All acquisition of sites and rights-of-way shall be done by the Authority. Each Local Unit's share of the costs of such acquisition shall be paid from bond proceeds and, in addition, any costs incurred by any Local Units in connection with the acquisition or construction of the System, including engineering expenses, shall be promptly reimbursed to the Local Unit by the Authority from the proceeds of Authority Bonds.

SECTION 8. The System shall be retained, maintained and operated by the Authority. The parties hereto agree that the System shall be improved upon, operated, administered and maintained for the sole use and benefit of the Local Units and their respective users, including contract customers.

SECTION 9. To provide for the construction and financing of the Project in accordance with the provisions of Act 233, the Authority shall take the following steps:

(a) Immediately after execution hereof, the Authority will promptly take steps to adopt a resolution providing for the issuance of its bonds, in one or more series, in the aggregate principal amount of not to exceed \$11,500,000 (except as otherwise authorized pursuant to Section 16 of this Contract) to finance each of the Local Units' share of the cost of the System. Said bonds shall mature serially, as authorized by law, and shall be secured by the contractual obligations of each Local Unit in this Contract. After due adoption of the resolution, the Authority will take all necessary legal procedures and steps necessary to effectuate the sale and delivery of said bonds to the Michigan Finance Authority.

(b) The Authority shall take all steps necessary to take bids for and enter into and execute final acquisition and construction contracts for the construction of the Project as specified and approved hereinbefore in this Contract, in accordance with the plans and specifications therefor based on the plans as approved by this Contract. Said contracts shall specify a completion date agreeable to each Local Unit and the Authority.

(c) The Authority will require and procure from the contractor or contractors undertaking the actual construction of the Project necessary and proper bonds to guarantee the performance of the contract or contracts and such labor and material bonds as may be required by law.

(d) The Authority, upon receipt of the proceeds of sale of the bonds, will comply with all provisions and requirements provided for in the resolution authorizing the issuance of the bonds and this Contract relative to the disposition and use of the proceeds of sale of the bonds.

(e) The Authority may temporarily invest any bond proceeds or other funds held by it for the benefit of each Local Unit as permitted by law and investment income shall accrue to and follow the fund producing such income. The Authority shall not, however, invest, reinvest or accumulate any moneys deemed to be proceeds of the bonds pursuant to §148 of the Internal Revenue Code of 1986, as amended, and the applicable regulations thereunder (the "Code"), in such a manner as to cause the bonds to be "arbitrage bonds" within the meaning of Code § 103(b)(2) and §148.

Miller, Canfield, Paddock and Stone, P.L.C.

SECTION 10. The cost of the System shall be charged to and paid by each Local Unit to the Authority in the manner and at the times herein set forth.

The cost of the Project to be financed with the issuance of one or more series of bonds of the Authority (\$11,500,000) shall be paid by the Local Units to the Authority in annual installments (corresponding to principal payments on each series of the bonds on the next April 1st of each year) on March 15 of each year, as follows:

|      |           |      |           |
|------|-----------|------|-----------|
| 2025 | \$280,000 | 2040 | \$380,000 |
| 2026 | 285,000   | 2041 | 390,000   |
| 2027 | 290,000   | 2042 | 400,000   |
| 2028 | 295,000   | 2043 | 405,000   |
| 2029 | 300,000   | 2044 | 415,000   |
| 2030 | 310,000   | 2045 | 425,000   |
| 2031 | 315,000   | 2046 | 430,000   |
| 2032 | 320,000   | 2047 | 440,000   |
| 2033 | 330,000   | 2048 | 450,000   |
| 2034 | 335,000   | 2049 | 460,000   |
| 2035 | 345,000   | 2050 | 470,000   |
| 2036 | 350,000   | 2051 | 480,000   |
| 2037 | 360,000   | 2052 | 490,000   |
| 2038 | 365,000   | 2053 | 500,000   |
| 2039 | 375,000   | 2054 | 510,000   |

Each Local Unit shall pay its Local Unit Share (as hereinafter defined) of each payment required to be made by the Local Units to the Authority pursuant to this Section 10 of the Contract. "Local Unit Share" means initially for each Local Unit, the percentage of each payment as follows:

|                               |        |
|-------------------------------|--------|
| Charter Township of Ypsilanti | 75.77% |
| City of Ypsilanti             | 24.23% |

The Local Unit Share is subject to adjustment on an annual basis based upon existing agreements between the Local Units.

It is understood and agreed that the bonds of the Authority hereinbefore referred to will be issued in anticipation of the above contractual obligation, with principal installments on April 1 of each year, commencing with the year 2025, corresponding to the principal amount of the above installments, and each Local Unit shall also pay to the Authority in addition to said principal installments, on March 15 and September 15 of each year, commencing on March 15, 2024 as accrued interest on the principal amount remaining unpaid, an amount sufficient to pay all interest, not to exceed two and one-eighths percent (2.125%) per annum, due on the next succeeding interest payment date (April 1 and October 1, respectively), on the installment portions of said bonds of the Authority from time to time outstanding. From time to time as other costs and expenses accrue to the Authority from handling of the payments made by each

Miller, Canfield, Paddock and Stone, P.L.C.

Local Unit, or from other actions taken in connection with the System, the Authority shall notify each Local Unit of the amount of such fees and other costs and expenses, and each Local Unit shall, within thirty (30) days from such notification, remit to the Authority sufficient funds to meet such fees and other costs and expenses. The principal payment date may be adjusted to October 1 at the time the bonds are sold to the Michigan Finance Authority but shall be payable in not more than thirty annual installments.

Should cash payment be required from each Local Unit in addition to the amounts specified in the preceding paragraph to meet additional costs of constructing the System, each Local Unit shall, upon written request by the Authority, furnish to the Authority written evidence of their agreement and ability to make such additional cash payments, and the Authority may elect not to proceed with the acquisition or financing of the System until such written evidence, satisfactory to the Authority, has been received by it. Each Local Unit shall pay to the Authority such additional cash payments within thirty (30) days after written request for such payment has been delivered by the Authority to such Local Unit.

The Authority shall, within thirty (30) days after the delivery of the bonds of the Authority hereinbefore referred to, furnish each Local Unit with a complete schedule of installments of principal and interest thereon, and the Authority shall also (a) at least sixty (60) days prior to January 1 of each year, commencing in 2024, advise each Local Unit, in writing, of the exact amount of interest installment due on the Authority bonds on the next succeeding April 1, and payable by each Local Unit on March 15, as hereinbefore provided, and the exact amount of principal and interest installments due on the bonds of the Authority on the next succeeding October 1, and payable by each Local Unit on September 15, as hereinbefore provided.

If any principal installment or interest installment is not paid when due, the amount not so paid shall be subject to a penalty, in addition to interest, of one percent (1%) thereof for each month or fraction thereof that the same remains unpaid after the due date.

SECTION 11. Each Local Unit, pursuant to the authorization contained in Act 233, hereby irrevocably pledges its limited tax full faith and credit for the prompt and timely payment of its respective obligations pledged for bond payments as expressed in this Contract, and shall each year, commencing with the fiscal year commencing January 1, 2024 for the Township and July 1, 2023 for the City set aside sufficient general fund moneys to make the payments, and, if necessary, levy an ad valorem tax on all the taxable property in the Local Unit, subject to applicable constitutional, statutory and charter tax rate limitations, in an amount which, taking into consideration estimated delinquencies in tax collections, will be sufficient to pay such obligations under this Contract becoming due before the time of the following year's tax collections. Nothing herein contained shall be construed to prevent the Local Unit from using any, or any combination of, means and methods provided in Section 7 of Act 233, as now or hereafter amended, including revenues derived from user charges or special assessments, for the purpose of providing funds to meet its obligations under this Contract, and if at the time of making the annual tax levy there shall be other funds on hand earmarked and set aside for the payment of the contractual obligations due prior to the next tax collection period, then such annual tax levy may be reduced by such amount.

SECTION 12. Each Local Unit may pay in advance any of the payments required to be

Miller, Canfield, Paddock and Stone, P.L.C.

made by this Contract, in which event the Authority shall credit the respective Local Unit with such advance payment on future due payments to the extent of such advance payment.

SECTION 13. Each Local Unit may pay additional moneys over and above any of the payments specified in this Contract, with the written request that such additional funds be used to prepay installments, in which event the Authority shall be obligated to apply and use said moneys for such purpose to the fullest extent possible. Such moneys shall not then be credited as advance payments under the provisions of Section 12 of this Contract.

SECTION 14. In the event a Local Unit shall fail for any reason to pay to the Authority at the times specified the amounts required to be paid by the provisions of this Contract, the Authority shall immediately give notice of such default and the amount thereof, in writing, to the Treasurer of such Local Unit, the Treasurer of the County of Washtenaw, the Treasurer of the State of Michigan, and such other officials charged with disbursement to such Local Unit of funds returned by the State and now or hereafter under Act 233 available for pledge, as provided in this paragraph and in Section 12a of Act 233, and if such default is not corrected within ten (10) days after such notification, the State Treasurer, or other appropriate official charged with disbursement to such Local Unit of the aforesaid funds, is, by these presents, specifically authorized by the Local Unit, to the extent permitted by law, to withhold from the aforesaid funds the maximum amount necessary to cure said deficit and to pay said sums so withheld to the Authority, to apply on the obligations of such Local Unit as herein set forth. Any such moneys so withheld and paid shall be considered to have been paid to the Local Unit within the meaning of the Michigan Constitution and statutes, the purpose of this provision being voluntarily to pledge and authorize the use of said funds owing to such Local Unit to meet any past-due obligations of such Local Unit due under the provisions of this Contract. In addition to the foregoing, the Authority shall have all other rights and remedies provided by law to enforce the obligations of each Local Unit to make its respective payments in the manner and at the times required by this Contract, including the right of the Authority to direct each Local Unit to make a tax levy to reimburse the Authority for any funds advanced.

SECTION 15. It is specifically recognized by each Local Unit that the debt service payments required to be made by each pursuant to the terms of Section 10 of this Contract are to be pledged for and used to pay the principal installments of and interest on with respect to the bonds to be issued by the Authority as provided by this Contract and authorized by law, and each Local Unit covenants and agrees that it will make all required payments to the Authority promptly and at the times herein specified without regard to whether the System is actually completed or placed in operation.

SECTION 16. If the proceeds of the sale of the bonds to be issued by the Authority are for any reason insufficient to complete each Local Unit's share of the cost of the System, the Authority shall automatically be authorized to issue additional bonds in an aggregate principal amount sufficient to pay the respective Local Unit's share of completing the System and to increase the annual payments required to be made by each Local Unit in an amount so that the total payments required to be made as increased will be sufficient to meet the annual principal and interest requirements on the bonds herein authorized plus the additional bonds to be issued. It is expressly agreed between the parties hereto that the Authority shall issue bonds pursuant to this Contract and each Local Unit shall be committed to retire such amount of bonds as may be

Miller, Canfield, Paddock and Stone, P.L.C.

necessary to pay each Local Unit's share of the costs of the System whether or not in excess of those presently estimated herein. Any such additional bonds shall comply with the requirements of Act 233 and any increase in the annual payments shall be made in the manner and at the times specified in this Contract. In lieu of such additional bonds, each Local Unit may pay over to the Authority, in cash, sufficient moneys to complete each Local Unit's share of the System.

SECTION 17. After completion of the System and payment of all costs thereof, any surplus remaining from the proceeds of sale of bonds shall be used by the Authority for either of the following purposes, at the sole option of and upon request made by resolution of any Local Unit, to wit: (a) for additional improvements to the System or for other projects of the Authority undertaken on behalf of said Local Units; subject to approval of the Authority; or (b) credited by the Authority toward the next payments due the Authority by said Local Units hereunder.

SECTION 18. The obligations and undertakings of each of the parties to this Contract shall be conditioned on the successful issuance and sale of the bonds pursuant to Act 233, and if for any reason whatsoever said bonds are not issued and sold within two (2) years from the date of this Contract, this Contract, except for payment of preliminary expenses and ownership of engineering data, shall be considered void and of no force and effect.

SECTION 19. The Authority and Local Units each recognize that the owners of the bonds issued by the Authority under the provisions of Act 233 to finance the cost of the System will have contractual rights in this Contract, and it is, therefore, covenanted and agreed by the Authority and each Local Unit that so long as any of said bonds shall remain outstanding and unpaid, the provisions of this Contract shall not be subject to any alteration or revision which would in any manner materially affect either the security of the bonds or the prompt payment of principal or interest thereon. The Local Units and the Authority each further covenant and agree that each will comply with its respective duties and obligations under the terms of this Contract promptly at the times and in the manner herein set forth, and will not suffer to be done any act which would in any way impair the said bonds, the security therefor, or the prompt payment of principal and interest thereon. It is hereby declared that the terms of this Contract insofar as they pertain to the security of any such bonds shall be deemed to be for the benefit of the owners of said bonds.

SECTION 20. This Contract shall remain in full force and effect from the effective date hereof (as provided in Section 23) until the bonds issued by the Authority are paid in full, but in any event not to exceed a period of thirty-five (35) years. At such time within said 35-year term as all of said bonds are paid, this Contract shall be terminated. In any event, the obligation of each Local Unit to make payments required by this Contract shall be terminated at such time as all of said bonds are paid in full, together with any deficiency or penalty thereon.

SECTION 21. The parties hereto hereby expressly agree that the Authority shall not be liable for and each Local Unit shall, to the extent legally available, pay, indemnify and save the Authority harmless of, from and against all liability of any nature whatever regardless of the nature in which such liability may arise, for any and all claims, actions, demands, expenses, damages and losses of every conceivable kind whatsoever (including, but not limited to, liability for injuries to or death of persons and damages to or loss of property) asserted by or on behalf of any person, firm, corporation or governmental authority arising out of, resulting from, or in any

Miller, Canfield, Paddock and Stone, P.L.C.

way connected with the Project; the ownership, acquisition, construction, operation, maintenance and repair of the System; this Contract; or the issuance, sale and delivery of the bonds herein described. It is the intent of the parties that the Authority be held harmless by each Local Unit from liability for such claims, actions, demands, expenses, damages and losses, however caused or however arising, including, but not limited to, to the extent not prohibited by law, such claims, actions, demands, expenses, damages and losses even though caused, occasioned or contributed to by the negligence, sole or concurrent, of the Authority or by negligence for which the Authority may be held liable. In any action or proceeding brought about by reason of any such claim or demand, each Local Unit, to the extent legally available, will also pay, indemnify and save the Authority harmless from and against all costs, reasonable attorneys' fees and disbursements of any kind or nature incidental to or incurred in said defense, and will likewise pay all sums required to be paid by reason of said claims, demands, or any of them, in the event it is determined that there is any liability on the part of the Authority. Upon the entry of any final judgment by a court of competent jurisdiction or a final award by an arbitration panel against the Authority on any claim, action, demand, expense, damage or loss contemplated by this Section and notwithstanding that the Authority has not paid the same, each Local Unit shall be obligated to pay to the Authority, upon written demand therefor, the amount thereof not more than sixty (60) days after such demand is made. In the event that any action or proceeding is brought against the Authority by reason of any such claims or demands, whether said claims or demands are groundless or not, each Local Unit shall, upon written notice and demand from the Authority, but not without written consent of the Authority, settle any such action in the proceeding. Notwithstanding the foregoing, nothing contained in this Section shall be construed to indemnify or release the Authority against or from any liability which it would otherwise have arising from the wrongful or negligent actions or failure to act on the part of the Authority's employees, agents or representatives with respect to matters not related to the ownership, acquisition, construction, operation, maintenance or repair of the System, this Contract or the issuance, sale or delivery of the bonds herein described.

SECTION 22. This Contract shall inure to the benefit of and be binding upon the respective parties hereto, their successors and assigns.

SECTION 23. This Contract shall become effective upon (i) approval by each legislative body of the Local Unit, (ii) approval by the Board of the Authority, (iii) expiration of the forty-five day period following publication by each Local Unit of its notice of intention without filing of a petition for referendum on the question of its entering into this Contract, or if such referendum election be required, then upon approval by the qualified electors of such Local Unit, and (iv) due execution by the Supervisor and Township Clerk of the Township, the Mayor and City Clerk of the City and by the Chair and Secretary of the Authority.

SECTION 24. In the event construction bids are received by the Authority pursuant to Section 9 hereof and such bids are below the Consulting Engineers' estimates thus necessitating a smaller amount of Bonds for each Local Unit's share to be issued than \$11,500,000, the Authority shall be automatically authorized to reduce the amount of Bonds sold and the annual principal installments specified in Section 10 of this Contract shall be automatically revised according to the new debt service schedule for the Bonds, without the necessity of publication of notice of such revision.

Miller, Canfield, Paddock and Stone, P.L.C.

SECTION 25. This Contract may be executed in several counterparts.

Miller, Canfield, Paddock and Stone, P.L.C.

IN WITNESS WHEREOF, the parties hereto have caused this instrument to be executed as of the day and year first above written.

In the presence of:

YPSILANTI COMMUNITY UTILITIES  
AUTHORITY

\_\_\_\_\_

By: \_\_\_\_\_  
Chair

\_\_\_\_\_

By: \_\_\_\_\_  
Secretary

In the presence of:

CHARTER TOWNSHIP OF  
YPSILANTI

\_\_\_\_\_

By: \_\_\_\_\_  
Supervisor

\_\_\_\_\_

By: \_\_\_\_\_  
Township Clerk

In the presence of:

CITY OF YPSILANTI

\_\_\_\_\_

By: \_\_\_\_\_  
Mayor

\_\_\_\_\_

By: \_\_\_\_\_  
City Clerk

40633872.4/099369.00049

Miller, Canfield, Paddock and Stone, P.L.C.

RESOLUTION APPROVING CONTRACT

Ypsilanti Community Utilities Authority  
County of Washtenaw, Michigan

Minutes of a regular meeting of the Board of Commissioners of the Ypsilanti Community Utilities Authority, County of Washtenaw, Michigan, held in the Authority, on the 24th day of May, 2023, at 3:00 p.m., prevailing Eastern Time.

PRESENT: Commissioners \_\_\_\_\_

ABSENT: Commissioners \_\_\_\_\_

The following preamble and resolution were offered by Commissioner \_\_\_\_\_ and supported by Commissioner \_\_\_\_\_:

WHEREAS, the Board of Commissioners of the Ypsilanti Community Utilities Authority, County of Washtenaw, Michigan, intends to authorize the issuance and sale of its Wastewater System Bonds (City of Ypsilanti and Charter Township of Ypsilanti) pursuant to Act 233, Public Acts of Michigan, 1955, as amended, in an amount not to exceed Eleven Million Five Hundred Thousand Dollars (\$11,500,000), for the purpose of defraying the cost of acquiring and constructing improvements to the wastewater treatment plant, including improvements to the plant's ultraviolet disinfection system, headworks odor control system and influent well, together with all necessary appurtenances and attachments thereto, to serve the Charter Township of Ypsilanti (the "Township") and the City of Ypsilanti (the "City"); and

WHEREAS, a SRF Contract has been prepared among the Authority, the Township and the City to provide for the financing of the cost of acquiring and constructing said improvements, which Contract has been reviewed by the Board of Commissioners.

NOW, THEREFORE, BE IT RESOLVED THAT:

1. The SRF Contract dated as of May 24, 2023, among the Authority, Township and the City is hereby approved and the Chair and Secretary are each authorized to sign the same on behalf of the Authority.

Miller, Canfield, Paddock and Stone, P.L.C.

2. All resolutions and parts of resolutions insofar as they conflict with the provisions of this resolution are hereby rescinded.

AYES: Commissioners \_\_\_\_\_

\_\_\_\_\_

NAYS: Commissioners \_\_\_\_\_

RESOLUTION DECLARED ADOPTED.

\_\_\_\_\_  
Secretary

I hereby certify that the attached is a true and complete copy of a resolution adopted by the Board of Commissioners of the Ypsilanti Community Utilities Authority, County of Washtenaw, State of Michigan, at a regular meeting held on the 24th day of May, 2023, and that public notice of said meeting was given pursuant to and in full compliance with the Open Meetings Act, being Act No. 267, Public Acts of Michigan, 1976, as amended, and that minutes of the meeting were kept and will be or have been made available as required by said Act.

\_\_\_\_\_  
Secretary

40633845.2/099369.00049

Miller, Canfield, Paddock and Stone, P.L.C.



## REQUEST FOR LEGISLATION

---

**TO:** Mayor and City Council  
**FROM:** John Barr  
**DATE:** May 16, 2023  
**SUBJECT:** 2023-093 Pension

---

**DESCRIPTION:**  
2023-093 Pension

**SUMMARY:**

The Protecting MI Pension Program was created to help Michigan's underfunded municipal pension systems. Under the [Fiscal Year 2022-23 budget](#), the Michigan Department of Treasury (Treasury) was appropriated \$750 million to establish and operate a local unit municipal pension principal payment grant program for qualified retirement systems with a funded ratio below 60%, as defined in the Protecting Local Government Retirement and Benefits Act, [Public Act 202 of 2017](#).

Key to understanding the Protecting MI Pension: Michigan Local Pension Grant Program is the definition of "qualified retirement system", "qualified unit", and "contractual benefit enhancement".

(a) "Qualified retirement system" means a retirement pension benefit within a retirement system, as defined in section 3 of the protecting local government retirement and benefits act, [2017 PA 202, MCL 38.2803](#), of a qualified unit, with a funded ratio below 60 based on the last report filed as required by section 5 of the protecting local government retirement and benefits act, [2017 PA 202, MCL 38.2805](#), as of December 31, 2021.

(b) "Qualified unit" means a city, county, township, village, or road commission that operates a qualified retirement system.

(c) "Contractual benefit enhancement" means any change to the current benefit policy for active members in a qualified retirement system that increases the actuarially

determined contribution rate or decreases the funded ratio of the system. This does not include wage and salary increases.

The City of Ypsilanti Fire and Police Pension System created under act 345 of 1937 is on the Michigan Treasury list of qualified cities eligible to receive grant funds. City Manager McMullan and Finance Director Basabica have requested Council legislation to allow application for grant funds. The application requires a "Copy of approved local governing body resolution authorizing the chief administrative officer to file a claim for a grant payment for the Protecting MI Pension Grant Program."

Accordingly, a proposed resolution is attached, and the Council is requested to pass the resolution to allow application for grant funds.

ATTACHMENTS: Proposed Resolution to apply for grant funds

RECOMMENDED ACTION: Adoption of the Resolution to apply for grant funds

---

CITY MANAGER APPROVAL: \_\_\_\_\_ COUNCIL AGENDA DATE: \_\_\_\_\_

CITY MANAGER COMMENTS: \_\_\_\_\_

FISCAL SERVICES DIRECTOR APPROVAL: \_\_\_\_\_



Resolution No. 2023-093  
May 16, 2023

RESOLVED BY THE COUNCIL OF THE CITY OF YPSILANTI:

**Whereas, the City of Ypsilanti is a “qualified unit” and operates the Ypsilanti Fire and Police Pension System, created under act 345 of 1937, and**

**Whereas, the Ypsilanti Fire and Police Pension System has a funded ratio below 60%, and**

**Whereas, The Protecting MI Pension Program was created to help Michigan’s underfunded municipal pension systems. Under the Fiscal Year 2022-23 budget, the Michigan Department of Treasury (Treasury) was appropriated \$750 million to establish and operate a local unit municipal pension principal payment grant program for qualified retirement systems with a funded ratio below 60%, as defined in the Protecting Local Government Retirement and Benefits Act, Public Act 202 of 2017, and**

**Whereas, the grant application requires a governing body resolution authorizing the chief administrative officer to file a claim,**

**Now Therefore Be it Resolved, the City Council of the City of Ypsilanti does hereby authorize and direct Frances McMullan, Ypsilanti City Manager, to file a claim for a grant payment under the MI Pension Grant Program.**

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 16 day of May 2023

#Resolution No. 2023-093

## Protecting MI Pension Grant Application

Pursuant to Section 979(a) (2) of Public Act 166 of 2022, the Protecting MI Pension: Michigan Local Pension Grant Program was created to help Michigan's most underfunded municipal pension systems provide enrolled local government employees retirement benefits. Under the Fiscal Year 2022-23 budget, the Michigan Department of Treasury (Treasury) was appropriated \$750 million to establish and operate a local unit municipal pension principal payment grant program for qualified retirement systems with a funded ratio below 60%, as defined in the Protecting Local Government Retirement and Benefits Act, Public Act 202 of 2017, Section 3, MCL 38.2803.

### PART 1: REQUESTING LOCAL GOVERNMENT INFORMATION

|                                      |                                   |           |          |
|--------------------------------------|-----------------------------------|-----------|----------|
| Requesting Local Unit Name           | Requesting Local Unit County Name |           |          |
| Requesting Local Unit Municipal Code | Requesting Local Unit Type        |           |          |
| Contact Name                         | Contact Email Address             |           |          |
| Mailing Address                      | City                              | State     | ZIP Code |
| Contact Title                        | Contact Telephone Number          | Extension |          |

### PART 2: PENSION SYSTEM DISCREPANCY REPORTING

Eligibility for the Protecting MI Pension Program: Michigan Local Pension Grant Program will be determined by using the unfunded ratio reported to Treasury as of December 31, 2021, pursuant to Public Act 202 of 2017, MCL 38.2805.

Are you a city, village, township, county or road commission with a qualified retirement system with a funded ratio less than 60% based upon the last report filed as of December 31, 2021, pursuant to requirements listed in Public Act 202 of 2017?

☐

**YES:** The requesting local government certifies that it meets the eligibility criteria listed in Protecting MI Pension: Michigan Local Pension Grant Program.

☐

**NO:** The requesting local government certifies that it does not meet the eligibility criteria listed in Protecting MI Pension: Michigan Local Pension Grant Program.

If you answered "Yes" to this question, complete Part 3.

### PART 3: PENSION SYSTEM GRANT AWARD REQUESTED AMOUNT(S)

Indicate below the requested qualified retirement pension system(s) data. Qualified local governments should provide the name and type of each qualified pension system for which a grant is being requested, the funded ratio of each qualified pension system based on the last report filed as required by section 5 of Public Act 202 of 2017 as of December 31, 2021, and the requested grant award amount for each system (see [www.michigan.gov/MIPensionGrant](http://www.michigan.gov/MIPensionGrant) for qualified local governments, qualified pension systems, qualified pension system funded ratios, and maximum grant award amounts). Qualified units for the Michigan Local Pension Grant Program may request a grant award amount not to exceed an amount equal to the amount necessary to achieve a funded ratio of 60% or the grant award cap of \$170 million, whichever is less, as reported on their most recently submitted financial statement audit as of December 31, 2021.

| Qualified Pension System Name | Pension System Account Number of Identifier | Is this a Single-Employer/ Self-Managed Pension System? (Yes or No) | Funded Ratio of Qualified Pension System | Estimated Grant Award Amount for Qualified Pension System (\$) |
|-------------------------------|---------------------------------------------|---------------------------------------------------------------------|------------------------------------------|----------------------------------------------------------------|
|                               |                                             |                                                                     |                                          |                                                                |
|                               |                                             |                                                                     |                                          |                                                                |
|                               |                                             |                                                                     |                                          |                                                                |

**PART 4: QUALIFICATIONS TO RECEIVE GRANT AWARD**

To qualify for a grant award under this section, a qualified unit must certify and attest via an affidavit that it shall implement all of the following practices upon the receipt of a grant award as stated in Section 979.a (2) (a-f).

Does your qualified retirement system(s) meet the qualifications to receive a grant award pursuant to Section 979(a) (2) of Public Act 166 of 2022.

- ☐ Yes, the requesting local government certifies that it meets the qualifications to receive a grant award.
- ☐ No, the requesting local government certifies that it does not meet the qualifications to receive a grant award.

If you answered "Yes" to this question, complete Part 5.

**PART 5: REQUIRED SUPPORTING DOCUMENTATION**

Qualified units with a qualified retirement system will be required to provide the documents below as part of the Protecting MI Pension Grant Application. Qualified units can file a claim for the Michigan Local Pension Grant Program beginning April 15, 2023, but no later than June 15, 2023.

- Copy of approved local government governing body resolution authorizing the chief administrative officer to file a claim for a grant payment for the Protecting MI Pension Grant Program (Required)
- Copy of certified Protecting MI Pension: Michigan Local Pension Grant Affidavit (Form 5887) that the qualified unit shall implement all the practices as stated in Section 979.a (2) (a-f) (Required)
- Copy of actuarial valuation(s) utilized in audited financial statements used to complete the most recent Form 5572 submitted as of 12/31/2021 for all qualified retirement systems that are requesting grant awards (Required)
- Copy of most recent actuarial valuation as of 12/31/2022 for all qualified retirement systems that are requesting grant awards (Required)
- Copy of court ordered judgement levying a millage to cover local government pension costs (If Applicable)

**PART 6: CERTIFICATION**

I hereby certify to the best of my knowledge that the information provided in this application is true and that I am authorized to submit a claim on behalf of the qualified unit as the Chief Administrative Officer, to receive funds for the Protecting MI Pension Grant Program pursuant to Public Act 166 of 2022, Section 979.a (2) (a-f).

|                                                                     |                                                                           |
|---------------------------------------------------------------------|---------------------------------------------------------------------------|
| Chief Administrative Officer Signature (as defined in MCL 141.422b) | Printed Name of Chief Administrative Officer (as defined in MCL 141.422b) |
| Title                                                               | Date                                                                      |

Disclaimer: This form is subject to audit by the Michigan Department of Treasury. All supporting documentation regarding eligibility and monitoring requirements for the Michigan Local Pension Grant Program must be retained by the local government for 7 years.

## Protecting MI Pension: Michigan Local Pension Grant Affidavit

| LOCAL GOVERNMENT INFORMATION |                              |                                    |
|------------------------------|------------------------------|------------------------------------|
| Local Unit Name              |                              | County                             |
| Six-Digit Municipal Code     | Chief Administrative Officer | Chief Administrative Officer Title |
| Telephone Number             |                              | Email Address                      |

| PART 1: PROTECTING MI PENSION GRANT AFFIDAVIT                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |
|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <p>Pursuant to Section 979(a) (2) of Public Act 166 of 2022, the Protecting MI Pension: Michigan Local Pension Grant Program, for purposes of complying with the reporting requirements of the corrective action plan monitoring process, a qualified unit must certify and attest via an affidavit that it shall implement all of the following practices upon the receipt of a grant award (Must check all to confirm required implementation):</p> <p><input type="checkbox"/> The qualified unit shall make, in full, all actuarially determined contributions. If a qualified unit's actual contribution is less than the actuarially determined contribution, the qualified unit shall remit an amount equal to the difference to the qualified retirement system within 12 months. If the qualified unit fails to remit this payment within 12 months, the department of treasury may intercept the qualified unit's revenue sharing payment. For a qualified unit that is a road commission, the department of transportation, in cooperation with the department of treasury, may intercept an available state revenue distribution.</p> <p><input type="checkbox"/> The qualified unit shall not provide contractual benefit enhancements unless the contractual benefit enhancement is 100% prefunded. Failure to meet the conditions of this subdivision requires repayment of the grant award that was received by the qualified unit. The qualified governmental unit shall notify the department of treasury in a form and manner prescribed of any contractual benefit enhancement under this subsection within 30 days.</p> <p><input type="checkbox"/> A qualified retirement system with a discount rate or assumed rate of return less than or equal to 7% must assume a discount rate or assumed rate of return of not more than the current rate. A qualified retirement system with a discount rate or assumed rate of return greater than 7% must lower its discount rate or assumed rate of a return to a rate at or below 7% within the immediately succeeding 5-year period.</p> <p><input type="checkbox"/> The qualified retirement system shall adopt, on the recommendation of the actuary and in accordance with all applicable actuarial standards of practice, the most current mortality tables that are most appropriate for the characteristics of the population, which may subsequently be adjusted based on an experience study of the qualified retirement system.</p> <p><input type="checkbox"/> The qualified unit shall be subject to corrective action plan monitoring by the municipal stability board for 5 years following receipt of any grant award.</p> <p>Before completing corrective action plan monitoring in a 5-year period, the qualified unit shall comply with the uniform actuarial assumptions of retirement systems, except for the discount rate and assumed rate of return assumptions, published as of December 31, 2021 by the state treasurer under the protecting local government retirement and benefits act, 2017 PA 202, MCL 38.2801 to 38.2812, for the qualified retirement system. A qualified unit, if that unit has, previous to the enactment of this bill, had an amortization schedule approved by an accredited actuary in accordance with all actuarial standards of practice, and if that amortization schedule has been reviewed and approved by the state treasurer, is not subject to the uniform actuarial assumptions of retirement systems' assumption on amortization and may maintain its current amortization schedule.</p> <p>The implementation of actuarial assumptions required under the Protecting MI Pension Grant Program by local units are to be used for reporting purposes only during corrective action plan monitoring by the Municipal Stability Board. These assumptions are not required to be used to determine a local units underfunded status under PA 202 of 2017 as reported in the audited financial statements of a local government, nor shall it be used to calculate the actuarially determined contribution in any way.</p> |

| PART 2: LOCAL GOVERNMENT'S ADMINISTRATIVE OFFICER CERTIFICATION OF ACCEPTANCE AND COMPLIANCE                                                                                                                                                                                                                                                                                                                                                                                                  |      |                      |
|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------|----------------------|
| <p>I _____, as the government's administrative officer _____<br/>(City/Township Manager, superintendent, Village President, Executive director, Mayor, etc.) certify the following:</p> <p><input type="checkbox"/> I agree to implement and comply with the requirements listed in section 1 of this form on behalf of _____&lt;insert local government name&gt; as a condition of accepting a grant award under the <i>Protecting MI Pension: Michigan Local Pension Grant Program</i>.</p> |      |                      |
| Signature                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     | Date | Notary Certification |

Initials \_\_\_\_\_

**AFFIDAVIT AND ATTESTATION TO IMPLEMENT AND COMPLY WITH REQUIRED PRACTICES**

As listed in Section 979(a) (2) of Public Act 166 of 2022: To qualify for a grant award under the Protecting MI Pension: Michigan Local Pension Grant Program, a qualified unit must certify and attest via an affidavit that it shall implement six required practices.

**INSTRUCTIONS:****1. CONFIRMATION OF IMPLEMENTATION OF REQUIRED PRACTICES**

Local governments that elect to receive grant awards under the Protecting MI Pension: Michigan Local Pension Grant Program for a qualified retirement system must certify that they understand and agree to implement the listed required practices

- Local governments must agree to and check the box for each of the listed requirements.
- It is recommended that these decisions be reviewed by legal counsel, your local government's governing body, pension system actuary(s), auditors, and other interested parties before certification
  - o A certified board resolution authorizing the chief administrative officer to file a claim for a grant award and submit with the Protecting MI Pension Grant Application (Form 5886) is required.

**2. LOCAL GOVERNMENT'S ADMINISTRATIVE OFFICER CERTIFICATION OF ACCEPTANCE AND COMPLIANCE**

Must be signed by the local government's chief administrative officer on behalf of the local government and notarized by a public notary.

- Enter name of Chief Administrative Officer
  - o MCL 141.422B defines CAO to mean any of the following:
    - The manager of a village or, if a village does not employ a manager, the president of the village.
    - The city manager of a city or, if a city does not employ a city manager, the mayor of the city.
    - The manager of a township or, if the township does not employ a manager, the supervisor of the township.
    - The elected county executive or appointed county manager of a county; or if the county has not adopted an optional unified form of county government, the controller of the county appointed pursuant to section 13b of 1851 PA 156, MCL 46.13b; or if the county has not appointed a controller, an individual designated by the county board of commissioners of the county.
    - The official granted general administrative control of an authority or organization of government established by law that may expend funds of the authority or organization.
- Enter title of Chief Administrative Officer
- Check box agreeing to implement and enter local government name
- Chief Administrative Officer must sign and date
- Notary Public must certify.

**VANOVERBEKE**  
**MICHAUD &**  
**TIMMONY, P.C.**

ATTORNEYS AND COUNSELORS

MICHAEL J. VANOVERBEKE  
THOMAS C. MICHAUD  
JACK TIMMONY  
FRANCIS E. JUDD  
AARON L. CASTLE  
ROBERT J. ABB

79 ALFRED STREET  
DETROIT, MICHIGAN 48201  
TEL: (313) 578-1200  
FAX: (313) 578-1201  
[WWW.VMTLAW.COM](http://WWW.VMTLAW.COM)

**M E M O R A N D U M**

**TO: MICHIGAN PUBLIC EMPLOYEE RETIREMENT SYSTEMS**

**FROM: VANOVERBEKE, MICHAUD & TIMMONY, P.C.**

**RE: PROTECTING MICHIGAN PENSION GRANT PROGRAM**

**DATE: MARCH 20, 2023**

---

As a follow-up to the legislative update regarding the Protecting Michigan Pension Grant Program (the "Grant Program") dated August 3, 2022, the Department of Treasury has recently released additional information regarding the Grant Program on its website at: <https://www.michigan.gov/treasury/local/grants/protecting-mi-pension-grant-program>. The website also includes a preliminary list of qualified local retirement systems: <https://www.michigan.gov/treasury/local/grants/protecting-mi-pension-grant-program/preliminary-list-of-qualified-local-retirement-systems>.<sup>1</sup>

Any grant award payment under the program must be in addition to a local unit's required actuarially determined contribution and must not be used to meet the local unit's actuarially determined contribution. In order to receive the grant award under the program the local unit must attest, via affidavit, that it will implement a number of practices upon receipt of a grant award, including, but not limited to the following: (1) ceasing contractual benefits enhancements (not including increases to wages or salary) for active members that would increase the local unit's actuarially determined contribution or decrease the funded ratio of the retirement system(s), unless the enhancement is 100% prefunded; (2) the retirement system(s)' discount rate/assumed rate of return must remain at or below 7% and the retirement system(s)' must adopt the most current mortality tables as recommended by the actuary; and (3) the local unit shall be subject to corrective action plan monitoring by the municipal stability board for 5 years, and must comply with the State Treasurer's uniform actuarial assumptions, except for the discount rate and assumed rate of return assumptions.

The Department of Treasury is required to publish the grant application no later than April 15, 2023. Applications will be accepted from April 15, 2023 until June 15, 2023, and the award notification period is early August, 2023. Funds from the Grant Program must be distributed no later than August 30, 2023.

As always, this office will continue to keep you updated regarding this Grant Program, please contact us if you have any questions or need any assistance.

---

<sup>1</sup> If a qualified unit believes that there is an issue with the reported numbers, it could file a Pension Date Discrepancy form with the Department of Treasury requesting that the local unit's data be reviewed. The form is available at: [https://www.michigan.gov/treasury/-/media/Project/Websites/treasury/BLGSS-CEFD-FOLDER/MIPensionGrant/Protecting-MI-Pension\\_Pension-Data-Discrepancy.pdf](https://www.michigan.gov/treasury/-/media/Project/Websites/treasury/BLGSS-CEFD-FOLDER/MIPensionGrant/Protecting-MI-Pension_Pension-Data-Discrepancy.pdf)



## REQUEST FOR LEGISLATION

---

**TO:** Mayor and City Council  
**FROM:** Bonnie Wessler  
**DATE:** May 16, 2023  
**SUBJECT:** Huron River Drive Reconstruction – Construction Engineering Services

---

**DESCRIPTION:**

Huron River Drive Reconstruction – Construction Engineering Services

**SUMMARY:**

The City of Ypsilanti is working with MDOT on a reconstruct of Huron River Drive, Cornell to LeForge, as an MDOT Local Area Project (LAP). MDOT administers the bidding and the contract, and pays a share of the construction via funds programmed in the TIP. We bear the full costs of both design engineering and construction engineering/oversight.

The City's contract engineer, OHM, has submitted a proposal to provide project management and construction engineering services, including materials testing not to exceed \$584,895. The scope of work in the proposal includes: contract administration, construction observation, construction engineering services, and geotechnical and materials services provided by subcontractor G2 Consulting. This is an increase from the budgeted CA/CE cost of \$500,000 over two years, and the budget adjustment(s) will be forthcoming in a separate document.

The City's anticipated share of the construction costs is \$1,422,452.71; the overall project cost was bid at \$4,527,198.43. CA/CE services as proposed as roughly 13% of the contracted construction amount. This aligns with and is slightly below the industry standard of 15%.

RECOMMENDED ACTION: Approval

ATTACHMENTS: Proposal

---

CITY MANAGER APPROVAL: \_\_\_\_\_ COUNCIL AGENDA DATE: \_\_\_\_\_

CITY MANAGER COMMENTS: \_\_\_\_\_

FISCAL SERVICES DIRECTOR APPROVAL: \_\_\_\_\_



Resolution No. 2023-094  
May 16, 2023

**RESOLVED BY THE COUNCIL OF THE CITY OF YPSILANTI:**

**WHEREAS, the City of Ypsilanti has been allocated funds by the Michigan Department of Transportation to perform a reconstruction of Huron River Drive, from Cornell to Leforge, inclusive; and,**

**WHEREAS, the City engineer OHM has prepared a proposal to provide construction engineering services for the project; and,**

**WHEREAS, construction engineering is necessary to begin the project in the 2023 construction season;**

**NOW THEREFORE BE IT RESOLVED THAT that the City of Ypsilanti approves the proposal from OHM for construction engineering services for an amount of \$584,895;**

**THAT the City Manager is authorized to sign this proposal and any change orders may be approved by the City Manager, to facilitate the completion of this work.**

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 16 day of May 2023

#Resolution No. 2023-094

ARCHITECTS. ENGINEERS. PLANNERS.



April 24, 2023

Bonnie Wessler, AICP  
Director of Public Services  
City of Ypsilanti  
14 W. Forest Ave.  
Ypsilanti, MI 48197

Subject: Proposal for Construction Phase Services  
Huron River Drive Road Reconstruction  
**Cornell Road to Leforge Road**

Dear Ms. Wessler:

OHM Advisors is pleased to submit a proposal for construction phase engineering, contract administration, material testing, and survey staking services for Huron River Drive Road Reconstruction project located in the City of Ypsilanti.

### PROJECT UNDERSTANDING

OHM understands that this project consists of road reconstruction, proposed sidewalk, traffic signals reconstruction and other improvements on Huron River Drive between Cornell Road and LeForge Road. Improvements will consist of full pavement reconstruction, drainage improvements, traffic signals reconstruction, and pedestrian facilities. This project is a joint effort between Michigan Department of Transportation (MDOT) and the City of Ypsilanti. The timeline of services is based on the Progress Clause with an estimated start of May 15, 2023, project substantial completion date of September 14, 2023, and project final completion date of June 1, 2024.

### SCOPE OF SERVICES

**Contract Administration Services** shall consist of the preparation of bi-weekly pay estimates based on quantities provided with the inspector daily reports to meet MDOT deadlines for payment purposes. MDOT's Field Manager software shall be used to track pay estimates and project pay quantities, materials used and testing results. Information tracked will be used in the resolution of claims and/or contract document interpretation along with reviews of project schedules to monitor compliance with deadlines. These services shall also include project closeout, consisting of final pay estimate preparation, obtaining closeout documents required from the contractor and a balancing change order reflecting all increases, decreases, credits and/or extras to the contract. The specific tasks included in construction administration include:

- ▶ Perform as the MDOT LAP Project Engineer for the Project consistent with the FHWA requirements and in accordance with the Specifications, Plans, Proposal, the Michigan Construction Manual, the Materials Sampling Guide, and other applicable references, guidelines, and/or procedures manuals.
- ▶ Provide an experienced certified office technician knowledgeable about all aspects of the Field Manager system, and procedures regarding project record documentation. Provide administrative support and computer equipment necessary to run Field Manager system. MDOT filing nomenclature and hierarchy must be followed.

**OHM Advisors**  
34000 PLYMOUTH ROAD  
LIVONIA, MICHIGAN 48150

T 734.522.6711  
F 734.522.6427

OHM-Advisors.com



- ▶ Arrange and conduct a preconstruction meeting and progress meetings required to carry out the services required by the City. Prepare and distribute minutes of all meetings.
- ▶ Attend (1) public meeting, if desired, and assist the City with providing notifications for the meeting. The meeting will include residents along impacted properties for the length of the project and immediate surrounding area.
- ▶ Provide appropriate coordination with local, state, and/or federal agencies, public, AAATA, utilities, local police, fire, emergency services, and the Public-School system(s), impacted by the Project.
- ▶ Notify the City immediately of any unanticipated conditions and any changes, extras, or adjustments to the contract before processing a Work Order and/or Recommendation.
- ▶ Resolve problems, issues, discrepancies, or other items brought to our attention by the Contractor or City. Provide written documentation of the resolution of such issues. Keep the City informed of all such issues.
- ▶ Represent the City as the Project Engineer on claims and time extensions of time requests filed on behalf of the Construction Contractor and/or Subcontractor on the Project against the City. OHM, in accordance with Section 104.10 of the 2020 Standard Specification, shall represent these claims for Construction and follow MDOT'S Written Claim Procedures in effect at the time the Construction Contractor files the claim.

**Survey Layout** during the construction phase shall consist of the required staking for line and elevation of specific contract items such as pavement replacement, curb and gutter replacement and storm sewer construction. Staking will be at a minimum of 50-foot intervals and includes the top of curb or edge of pavement grade only. Offset stakes will be discussed with the Contractor.

- ▶ Provide staking for line and grade of curb installation, sidewalk, and sidewalk ramp installation, paving and storm structures.

**Observation Services** shall consist of full-time observation of the work progress by the Contractor(s) on days when critical items of work are performed. Daily field reports (IDR's) will be prepared documenting pay item quantities and the general work progress for the day. OHM will answer residents' questions and attempt to resolve complaints on a daily basis during construction. OHM will also interact with the Contractor's supervisory personnel to notify them when work is unacceptable and in need of correction, or removal and replacement of specific work elements if the situation warrants. The specific tasks include:

- ▶ Perform observations for the Project consistent with the MDOT'S practice and in accordance with the Specifications, Plans, Proposal, the Michigan Construction Manual, the Materials Sampling Guide, and other applicable references, guidelines, and/or procedures manuals. OHM will assign technicians to this Project to perform the required services. Personnel performing inspection and testing on bituminous, portland cement, aggregate or for density will have the appropriate certification level for the inspection and testing that is being performed.
- ▶ Keep daily diaries, sketches, logs, and records consistent with City/MDOT practices as may be needed to record the Contractor's progress. Notify the Project Engineer of any anticipated Contractor's requests for extensions of time.



- ▶ Provide observation of all Contractor field construction work, provide quality control, and confirm substantial conformance with the Specifications, Plans, and Proposal. Arrange for non-compliant work to be made whole by the Contractor or to find the non-compliance work acceptable to the City.
- ▶ Complete a final inspection of all work, or such portions thereof eligible for acceptance, after notification by the Contractor that the work is completed or after OHM'S records show the work is completed. The final inspection shall include notifying the Contractor in writing of defects to be remedied if work is not acceptable.
- ▶ Confirm the work has been performed in accordance with the plans and specifications, or such modifications, and recommend acceptance of the Project. Invite the City and appropriate MDOT personnel to participate in the final walk-through.

**Construction Engineering Services** shall consist of the supervision of the construction inspection staff to provide appropriate project staffing and project documentation. The specific tasks include:

- ▶ Shop drawing review.
- ▶ Resolution of construction issues/problems which may arise, review and recommendations to the City regarding claims from the contractor(s) including preparation of change orders if required, complaint resolution, review of project progress for compliance with approved schedule and recommendations to the City for penalties and/or changes in the time of completion of projects.
- ▶ OHM shall coordinate the efforts of materials testing by G2 Consulting Group and review materials testing reports to check for compliance with contract documents and make appropriate recommendations (when needed) to the City.
- ▶ OHM will develop and coordinate with the City, draft letters to the area businesses and residents at the start of construction and, when needed, send out letters when there are changes in construction sequences or schedule. Letters shall be mailed by the City.
- ▶ Perform required Davis Bacon Wage Rate interviews (Form 1156).
- ▶ Coordination with MDOT as needed to comply with MDOT and Federal aid process.
- ▶ Provide input and support at the final MDOT audit of the construction file.
- ▶ Measure, compute quantities, and provide appropriate documentation of materials incorporated in work items. Maintain an item history using the most current version of Field Manager as required by MDOT.
- ▶ Track failed material tests and notify the Contractor on a bi-weekly basis.
- ▶ Prepare reports and records as required by the MDOT, such as:
  - i. Inspector's Daily Reports,
  - ii. Work Orders,
  - iii. Construction Item and Tested Material Records using Field Manager,
  - iv. Transfer of Tested Materials,
  - v. Monthly Report on Material Inspection,
  - vi. Moisture and Density Determination Reports (Form 582B & A),
  - vii. Inspector's Report of Concrete Placed (Form 1174R & S),



- viii. NPDES Storm water Operator Reports (Form 1126),
  - ix. Prevailing Wage using LCP Tracker,
  - x. Construction Estimate Bi-Weekly Report,
  - xi. Force Accounts,
  - xii. Contract Modifications (Recommendations and Authorizations),
  - xiii. Extension of Time and Liquidated Damages,
  - xiv. Contractor Performance Evaluations,
  - xv. Reduction in Reserve, and
  - xvi. Other records and/or reports as required for the individual Project by the City and/or as required by Specifications, Plans, Proposal, the Michigan Construction Manual, the Materials Sampling Guide, and any and all other applicable references, guidelines, and/or procedures manuals.
- ▶ Review, process, and/or approve construction Contractor submittal of records and reports required by the MDOT as applicable to the Project, which as a minimum include:
    - i. Working Drawings,
    - ii. Weekly Employment Reports and Certified Payrolls,
    - iii. Contractor's claims for additional compensation and extension(s) of time, and
    - iv. Other reports and records as required for the Project by the City.
  - ▶ Field measure applicable items of work. Prepare final summaries for applicable items of work.
  - ▶ Participate in and resolve items determined to be insufficient during MDOT'S review(s) of project records and/or during the Project Engineer Certification Process prior to submitting the Final Estimate. Within 45 calendar days of the actual project completion date, the project records shall be ready for the Final Records Review.
  - ▶ Prepare and submit the Final Estimate, Final Quantity Sheets, Final Marked As-Constructed Plans, and the Design/Construction Package Evaluation. The Final Estimate Package shall be submitted to the City within 30 days of the Final Records Review.

**Geotechnical and Materials Testing** is included and will be performed by G2 Consulting. Material testing will include testing of materials in accordance with MDOT requirements.

#### **FEE SCHEDULE**

OHM Advisors proposes to provide the above outlined professional services on an hourly – not to exceed basis, in accordance with our continuing services agreement between the City and OHM. Invoices will be sent monthly as work is performed:

| <u>Description</u>                       | <u>Fee</u>           |
|------------------------------------------|----------------------|
| Construction CE and CA Services .....    | \$537,645.00         |
| <u>Material Testing (G2).....</u>        | <u>\$ 47,250.00</u>  |
| <b>Total Construction Phase Services</b> | <b>\$ 584,895.00</b> |



### ADDITIONAL SERVICES

OHM will be pleased to provide any of the following additional services for this project on a time and material basis. A separate proposal would be provided for such services.

- Record Drawing Preparation
- Storm sewer GIS updates
- Additional geotechnical services
- Additional construction staking and layout
- Any other requested meetings or services not specifically described in this scope of work

### AUTHORIZATION

If you find this proposal acceptable, please provide us with authorization to proceed by signing the proposal below and returning it to us. We appreciate the opportunity to provide you with this proposal. Please feel free to contact us if you have any questions or need any additional information at (734) 522-6711.

Sincerely,

#### OHM Advisors

  
\_\_\_\_\_  
Richard R Hobgood, P.E.  
Project Manager

cc: Frances McMullan, City Manager  
Bonnie Wessler, AICP, Project Manager  
Kent Early, PE, OHM Advisors  
Rachel Jackson, PE, OHM Advisors  
file

#### Accepted for City of Ypsilanti Huron River Drive Construction Phase Services

\_\_\_\_\_  
(Signature)

\_\_\_\_\_  
(Printed Name)

\_\_\_\_\_  
(Title)

\_\_\_\_\_  
(Date)



## REQUEST FOR LEGISLATION

**TO:** Mayor and City Council  
**FROM:** Rheagan Basabica  
**DATE:** May 16, 2023  
**SUBJECT:** 2023-095 Audit

**DESCRIPTION:**  
 2023-095 Audit

**SUMMARY:**

The revised Ypsilanti City Code, under the Independent Annual Audit, Section 5.14 of the City Charter, requires a change in auditing firms after a five-year continuous audit service. Past practice has been to contract three years, with the option to extend the contract for an additional two years, at the discretion of the City.

Requests for Proposal were posted at [www.bidnetdirect.com/mitn](http://www.bidnetdirect.com/mitn). Six proposals were received on March 31, 2023, with the following results:

| ACFR PREPARATION AND AUDIT |            |            |            |            |            |                        |
|----------------------------|------------|------------|------------|------------|------------|------------------------|
|                            | Clark      | Gabridge   | Maner      | Yeo        | UHY        | Rehmann                |
| 6/30/2023                  |            |            |            |            |            | Not Eligible (5 years) |
| Financial Audit            | 25,000.00  | 50,040.00  | 31,500.00  | 45,300.00  | 45,000.00  | 39,000.00              |
| Single Audit               | 4,000.00   |            | 5,000.00   | 5,000.00   | 15,000.00  | 8,000.00               |
| Police and Fire Retirement | 12,000.00  |            | 14,500.00  | 15,000.00  | 13,500.00  |                        |
| ACFR                       | 12,000.00  | 4,000      | 2,000.00   |            | 7,500.00   | 6,000.00               |
| 6/30/2024                  |            |            |            |            |            |                        |
| Financial Audit            | 26,750.00  | 52,500.00  | 33,500.00  | 48,550.00  | 45,000.00  | 41,700.00              |
| Single Audit               | 4,100.00   |            | 5,300.00   | 5,300.00   | 15,000.00  | 8,400.00               |
| Police and Fire Retirement | 12,500.00  |            | 15,500.00  | 15,750.00  | 14,500.00  |                        |
| ACFR                       | 12,500.00  | 4,000      | 2,100.00   |            | 8,000.00   | 6,300.00               |
| 6/30/2025                  |            |            |            |            |            |                        |
| Financial Audit            | 27,500.00  | 54,000.00  | 35,700.00  | 51,900.00  | 47,000.00  | 43,900.00              |
| Single Audit               | 4,250.00   |            | 5,800.00   | 5,800.00   | 17,000.00  | 8,800.00               |
| Police and Fire Retirement | 12,750.00  |            | 16,500.00  | 16,500.00  | 15,500.00  |                        |
| ACFR                       | 12,750.00  | 4,000      | 2,200.00   |            | 8,500.00   | 6,600.00               |
| Total 3 years              | 367,100.00 | 168,540.00 | 169,400.00 | 208,900.00 | 250,500.00 | 168,700.00             |

We examined the qualifications of each bidder and did a background check on the lowest bidder's involvement in municipal activities, municipal experience and quality of staff included in the audit assignment, expertise in GASB 34, experience with the Government Finance Officers Association (GFOA) certificate of achievement award, knowledge of the current Statement of Auditing Standards, which will enable them to provide advice and assistance in preparing the City to meet new Auditing Standards with which we need to comply by June 30, 2023 and the years after. Reference checks were made regarding meeting deadlines as required by state and federal requirements, staff turnover, additional charges each time a call with a question is asked, staff knowledge in municipal accounting and auditing, principal or partner involvement with the audit and availability of secondary or back-up partners, and the overall assessment of the audit firm.

After summarizing our evaluations, I recommend awarding a three-year audit engagement to Clark, Schaefer, Hackett for the total cost of \$167,100. My recommendation was based upon their qualifications, their experience and expertise with municipalities, internal quality control procedures, their current and prior clients' stellar recommendations, and their proposed fee. The approval of the contract will be contingent upon the City Attorney's review as to form. The contract includes an annual Single Audit fee of \$4,000. This amount will be subtracted from the cost if there is no need for a single audit.

Please feel free to contact me at 734-482-9742 or by e-mail at rbasabica@cityofypsilanti.com if you have questions.

RECOMMENDED ACTION:                      Approval

ATTACHMENTS:                              Proposed Resolution

---

CITY MANAGER APPROVAL: \_\_\_\_\_ COUNCIL AGENDA DATE: \_\_\_\_\_

CITY MANAGER COMMENTS: \_\_\_\_\_

FISCAL SERVICES DIRECTOR APPROVAL: \_\_\_\_\_



Resolution No. 2023-095  
May 16, 2023

RESOLVED BY THE COUNCIL OF THE CITY OF YPSILANTI:

**WHEREAS, the City of Ypsilanti Council under the Ypsilanti City Code requires a change in auditing firm after a five-year continuous annual auditing of the City; and**

**WHEREAS, the City posted on January 10, 2023, a Requests for Proposals for Professional Services to conduct the annual audit for years ending on June 30, 2023 through June 30, 2027 was posted at [www.bidnetdirect.com/mitn](http://www.bidnetdirect.com/mitn); and**

**WHEREAS, six bids were received and after review and evaluation of proposals, reference checks, and audit fees, the bids submitted by Clark, Schaefer, Hackett are lowest qualified bid to serve and meet the City needs, and it meets the best interest of the City; and**

**WHEREAS, Clark, Schaefer, Hackett's three-year contract includes audit of the City's comprehensive annual financial report including primary government and component units, audit of the City of Ypsilanti Fire and Police Retirement System including issuance of separate report on the system. Also, if required, compliance audit of the City's federal program in accordance with the Federal Single Audit Act and the Uniform Guidance if needed, required communication with those charged with governance, and advice and assistance with the implementation of new accounting and auditing standards, as applicable to the City; and includes assistance in the preparation of Annual Comprehensive Financial Report submission to Government Finance Officers Association (GFOA) Certificate of Achievement for Excellence in Financial Reporting; and**

**NOW BE IT HEREBY RESOLVED that the Ypsilanti City Council approve a three-year contract with Clark, Schaefer, Hackett's in the amount of \$167,100 for Professional Auditing Services beginning with fiscal year ending June 30, 2023, through June 30, 2025**

OFFERED BY: \_\_\_\_\_

SECONDED BY: \_\_\_\_\_

#Resolution No. 2023-095

YES:

NO:

ABSENT:

VOTE:

This resolution is adopted by the Council of the City of Ypsilanti and approved by the Mayor this  
16 day of May 2023

#Resolution No. 2023-095

### Clark Schaeffer Hackett Bid Review Questions

1. Did this auditor cultivate a collaborative relationship with your team? Were they good communicators with your staff?

**Ypsilanti District Library:** They've had a long-term relationship with their current contact person, Luke, from smaller firm through merger with Clark Schaeffer Hackett. Feel there was some slight trouble with communication during transition period which overlapped with COVID, but that has since improved.

**Adrian:** Communications with the staff at CSH has never been an issue. They effectively communicate with members of our team on items they may need for the audit and are able to explain the purpose of their request. Each member of my team feels comfortable in communicating with anyone on the audit team at CSH.

**Sylvania:** We have had nothing but very positive relationships with Clark, Schaeffer and Hackett. They are great communicators.

2. Did they complete tasks and assignments given to them? How responsive were they to questions and requests?

**Ypsilanti District Library:** They're generally good with this, but on occasion a reminder is needed which usually gets addressed quickly.

**Adrian:** The responsiveness from the team at CSH is fantastic. They will answer your questions not just during the audit, but throughout the year. Whether its via email or phone, they always respond in a timely manner. I also appreciate that they check in periodically throughout the year to see how things are going and see if we have any questions.

**Sylvania:** Yes, very responsive.

1. Did they help you understand city risk? Did they suggest solution focused ideas to problem solve this risk?

**Ypsilanti District Library:** They are very good at addressing these kinds of issues even outside of typical audit window.

**Adrian:** The team at CSH is always willing and able to suggest ideas that may benefit the client in solving complex issues that we face, including risks.

**Sylvania:** Yes, they are very helpful in all aspects of the audit. I highly recommend them.

**Request for Proposal**

**CITY OF YPSILANTI**  
**(Washtenaw County, Michigan)**

**Professional Services to Conduct the  
Annual Audit of the City of Ypsilanti**

**Issued By**

**Finance Department**  
**Marilou T. Uy, Finance Director**  
[muy@cityofypsilanti.com](mailto:muy@cityofypsilanti.com)  
**734-483-1105**

**March 13, 2018**

**Proposal Due Date**

**3:00 p.m. EST**  
**April 3, 2018**

### **NOTICE OF PROPOSAL**

The City of Ypsilanti is requesting proposals from qualified firms of certified public accountants to audit the financial statements of the City. The annual engagement will include:

1. Audit of the City's comprehensive annual financial report including the primary government and component units.
2. Audit of the City of Ypsilanti Fire and Police Retirement System (including issuance of separate report on the System).
3. If required, compliance audit of the City's federal program in accordance with the Federal Single Audit Act and the Uniform Guidance.
4. Required communication with those charged with governance.
5. Advice and assistance with the implementation of new accounting and auditing standards, as applicable to the City.

The City's contact person for this RFP is Marilou T. Uy, Finance Director. Her contact information is on the front cover.

We are requesting one (1) original and four (4) copies of your proposal in a sealed envelope. The envelope should clearly indicate it is a proposal for audit services.

The audit periods under contract will be for the years ending June 30, 2018 through 2020 and may be extended at the discretion of the City for two (2) additional years. The City has a Charter provision that limits a firm serving as independent auditor to no more than five (5) consecutive years; this provision is strictly enforced.

### **AUDITING STANDARDS**

The auditor's examination will be conducted in accordance with the standards for financial audits contained in Audits of State and Local Governments (and if necessary, compliance audit standards contained in the *Government Auditing Standards*, issued by the U.S. General Accounting Office, the Federal Single Audit Act and the Uniform Guidance) and, accordingly, will include any other tests of the accounting records and such other auditing procedures the auditors consider necessary in the circumstances, including the requirements of Michigan Act #2, PA of 1968, as amended.

### **ASSISTANCE PROVIDED BY THE CITY**

The City will provide the auditor with balanced trial balances, general ledgers and supporting information/documents as normally provided by an auditee. It is expected that the auditor (or other firm engaged to assist with the CAFR preparation) will be primarily responsible for drafting and preparing the financial statements, including the footnotes, in compliance with generally accepted accounting principles and the State of Michigan's Uniform Reporting Format. The City will provide the statistical schedules, MD&A explanations and much of the information for the footnotes (such as the roll

forward schedules for the capital assets or debt), but the auditor/firm will need to take this information and insert it into the CAFR template, as described below.

The City will assist the auditors with clerical tasks including: the pulling and re-filing of invoices and other source documents, typing third party confirmation requests, and other related tasks as agreed to in advance.

The auditors will be provided with work space and reasonable access to the internet, telephones and copy machines, although the City's intent is to make extensive use of electronic media for the exchange of data/documents rather than paper.

#### **CAFR PREPARATION**

The City participates in the GFOA Certificate of Achievement for Excellence in Financial Reporting program and expects to continue to do so through the term of this audit contract and beyond. The City has been assisted in this process by Rehmann Robson when it was the City's auditor and under a separate contract the last five years when Abraham & Gaffney / Yeo & Yeo was the auditor.

Generally, the CAFR preparation assistance to be provided includes:

1. Provide a template for the CAFR (all sections of the report) that electronically links the trial balance to the financial statements (both government-wide and fund financial statements). The template currently (or heretofore) in use by the City is proprietary to Rehmann, so a bidder will need to provide its own CAFR template.
2. Prepare the various CAFR sections (including transmittal letter, management's discussion and analysis, notes to the financial statements, and statistical section) from information provided, in whole or in part, from the City. Where provided in part, the bidder will need to assist and/or direct the City in obtaining the information necessary to complete those items.
3. Assist with GASB 34 entries (including the related analysis, as necessary).
4. Assist with the implementation of new accounting standards and addressing any GFOA comments on the prior year CAFR.
5. Assist with the financial sections of the F-65 and with the GFOA application/response.

As a result of this RFP, the City will either: (a) award a single contract (meaning the auditor will need to provide the CAFR preparation assistance) or (b) award separate contracts (one of the audit and another for the CAFR preparation assistance).

#### **MANDATORY QUALIFICATION OF THE AUDITORS**

The following information must be affirmed in the proposal response:

1. The proposer is properly licensed for public practice as a certified public accountant.

2. The proposer meets the independence requirements of the *Governmental Auditing Standards* published by the U.S. General Accounting Office.
3. The proposer does not have a record of substandard audit work. Please disclose the controls your firm has in place to ensure quality standards have been met. Also, disclose whether your firm is subject to an external quality control review process and enclose a copy of your firm's most recent peer review report.
4. The proposer has experience in successfully assisting municipal clients in their application for and receipt of the GFOA Certificate of Achievement for Excellence in Financial Reporting.

#### **MONITORING AND PRESENTATIONS**

The City may request, from time to time, a report of the progress of the audit. In addition, prior to completion of the fieldwork, an audit exit conference will be held with management to discuss the results of the audit. The auditor will be expected to make a presentation to both the Police & Fire Retirement System Board and City Council.

#### **TIME REQUIREMENTS**

The City shall receive all proposal responses by 3:00 p.m. on March 15, 2018. Any proposals received after this time will not be considered. We anticipate the successful bidder will be notified no later than April 30, 2018. All conditions in the bid are binding for 60 days from the date of proposal submission.

#### **WORKING PAPERS**

The working papers shall be retained for at least five (5) years. The working papers will be available for examination by authorized representatives of the State of Michigan and, if required, the cognizant federal audit agency and/or the General Accounting Office. In addition, the firm shall respond to the reasonable inquiries of successor auditors and allow successor auditors to review working papers related to matters of continuing accounting significance.

#### **RIGHT TO REJECT**

The City reserves the right to reject any and all proposals submitted and to request additional information from all proposers. Any contract(s) awarded as a result of this RFP will be based on the City's evaluation of all responses, applying all criteria and oral interviews, if necessary, that is determined to be in the best interests of the City. The final contract will be subject to approval by the City of Ypsilanti City Attorney and by the City of Ypsilanti City Council.

#### **NUMBER OF COPIES OF AUDITOR'S REPORTS**

The auditor shall furnish the city with an electronic copy and 20 paper copies of all required reports.

**CONTRACTUAL ARRANGEMENTS**

Invoices for service will be processed when received. The total amount to be invoiced shall not exceed the amount of the bid unless other arrangements have been negotiated with the City, in advance. The cost of audits for subsequent years or services beyond this RFP will be negotiated each year or as needed. The City reserves the right to terminate the contract(s) at any time.

**CONTRACT PAYMENT SCHEDULE**

Payment for any contract entered into as a result of this RFP will be made within thirty (30) days of receipt of the firm's billing statement reflecting services which were provided. Progress billings should be submitted monthly. Final payment will be made after all required services have been completed to the satisfaction of the City and all required reports have been submitted.

**METHOD OF EVALUATING PROPOSALS**

Proposals will be evaluated with a strict emphasis on quality. Attributes which will be analyzed include:

1. Depth of governmental entities audited by CPA firm proposing.
2. Firm's governmental resources available.
3. Involvement in municipal activity and organizations.
4. Training of personnel in governmental (and federal grant) auditing.
5. Experience with clients receiving GFOA Certificate of Achievement for Excellence in Financial Reporting.
6. Demonstrated knowledge of new audit standards and assisting governmental units with implementation and maintenance of those standards.
7. Quality of staff included in assignment.
8. Reference responses.
9. Availability of secondary or backup partners, if needed.
10. Internal quality control procedures and external quality control review.

After technical qualities have been evaluated, cost and other considerations will be evaluated. Once all factors have been evaluated, the audit firm who is most qualified and reasonable in cost will be selected.

**FORMAT OF THE RFP RESPONSE**

Your proposal should be organized as follows:

Title Page

The response should identify the RFP subject and the name of the independent auditor, local address, telephone number, name and title of contact person and date of submission. The period for which the proposal is effective should be disclosed.

#### Table of Contents

The table of contents of the proposal should include a clear and complete identification of the materials submitted by section and page number.

#### Letter of Transmittal

The letter of transmittal should contain the following information:

1. A brief understanding of the audit service to be performed.
2. A positive commitment to perform the service timely.
3. The names of persons authorized to represent the respondent, their titles, addresses and telephone numbers. This may be important if different from the individual who signs the transmittal letter.

#### Mandatory Criteria

The proposers shall provide a positive statement that the following mandatory criteria are satisfied:

1. Affirmation that the proposer is properly licensed for practice as a certified public accountant.
2. Affirmation that the proposer meets the independence requirements of the *Government Accounting Standards*.
3. Affirmation that the proposer does not have a record of substandard work.
4. Affirmation that the proposer has experience with the GFOA Certificate program.
5. Affirmation that the proposer will comply with the City of Ypsilanti Living Wage Ordinance 892 (*see attached*).

#### Profile of the Independent Auditor

The respondents are requested to provide a profile of general background information. This should include:

1. The organization and size of the respondent, whether it is local, regional, national or international in operations.
2. The location of the office from which the work is to be done and the number of professional staff by position employed at that office.
3. A description of the range of activities performed by the firm such as auditing, accounting, tax service or management services.
4. A description of the firm's experience assisting clients in their application for and receipt of the GFOA Certificate of Achievement for Excellence in Financial Reporting.
5. A description of the firm's expertise regarding new audit standards including training, educational presentations, articles and a summary of how your firm has assisted its clients with the successful implementation of those standards.

6. A statement of the firm's staff capability to audit federal programs, including the number and classifications of personnel skilled in federal program auditing who will work in the audit, if required to.
7. The firm should also list and describe the firm's (or proposed subcontractors') professional relationships involving the City of Ypsilanti or any of its agencies or component units for the past five (5) years, together with a statement explaining why such relationships do not constitute a conflict of interest relative to performing the proposed audit.

#### Summary of Proposer's Qualification

The respondents shall:

1. Identify the audit managers and field supervisors and other staff who will work on the audit, including staff from other than the local office. Resumes including relevant experience and continuing education for auditor in-charge up to the individual with final responsibility for the engagement should be included. (The resumes may be included as an appendix)
2. Describe the recent local office's (i.e., the specific office from which the audit will be managed and staffed) auditing experience like the type of audit requested and provide the names and email addresses of client officials responsible for at least three of the audits listed as references.

#### Proposer's Approach to the Examination

Submit a work plan to accomplish the scope of the audit. The work plan should include time estimates for each significant segment of the work and the staff level to be assigned. Where possible, individual staff members should be named and their titles provided. The planned use of specialists should be specified.

The audit work plan should completely cover what audit work will be accomplished to allow the auditor to render:

1. A report on the study, evaluation, and report on internal control systems.
2. Reporting on the organization's control system to assure compliance and whether the organization has complied with laws and regulations that may have an effect on each major federal assistance program.

The audit work plan should demonstrate the auditor's understanding of the audit requirement of a single audit as specified in the Uniform Guidance and the audit tests and procedures to be applied in completing the audit plan.

#### Time Requirements

If not already adequately covered in the letter of transmittal, the response should detail information on when the audit firm plans to deliver the final reports.

Compensation

Using the Excel schedule provided with this RFP, propose your not-to-exceed price for each of the services being offered for each year of the engagement. Also, provide your proposed hourly rates by staff classification for additional services that may be requested by the City.

Additional Information

Provide any additional information the proposer feels may be helpful in the selection process.

The successful bidder must sign a professional service contract with the city, approved by the city attorney. The contract will include the attached addendum.

| ACFR PREPARATION AND AUDIT |                   |                   |                   |                   |                   |                        |
|----------------------------|-------------------|-------------------|-------------------|-------------------|-------------------|------------------------|
|                            | Clark             | Gabridge          | Maner             | Yeo               | UHY               | Rehmann                |
| 6/30/2023                  |                   |                   |                   |                   |                   | Not Eligible (5 years) |
| Financial Audit            | 26,000.00         | 50,040.00         | 31,500.00         | 45,300.00         | 43,000.00         | 39,000.00              |
| Single Audit               | 4,000.00          |                   | 5,000.00          | 5,000.00          | 15,000.00         | 8,000.00               |
| Police and Fire Retirement | 12,000.00         |                   | 14,500.00         | 15,000.00         | 13,500.00         |                        |
| ACFR                       | 12,000.00         | 4000              | 2,000.00          |                   | 7,500.00          | 6,000.00               |
| 6/30/2024                  |                   |                   |                   |                   |                   |                        |
| Financial Audit            | 26,750.00         | 52,500.00         | 33,500.00         | 48,550.00         | 45,000.00         | 41,700.00              |
| Single Audit               | 4,100.00          |                   | 5,300.00          | 5,300.00          | 16,000.00         | 8,400.00               |
| Police and Fire Retirement | 12,500.00         |                   | 15,500.00         | 15,750.00         | 14,500.00         |                        |
| ACFR                       | 12,500.00         | 4000              | 2,100.00          |                   | 8,000.00          | 6,300.00               |
| 6/30/2025                  |                   |                   |                   |                   |                   |                        |
| Financial Audit            | 27,500.00         | 54,000.00         | 35,700.00         | 51,900.00         | 47,000.00         | 43,900.00              |
| Single Audit               | 4,250.00          |                   | 5,600.00          | 5,600.00          | 17,000.00         | 8,800.00               |
| Police and Fire Retirement | 12,750.00         |                   | 16,500.00         | 16,500.00         | 15,500.00         |                        |
| ACFR                       | 12,750.00         | 4000              | 2,200.00          |                   | 8,500.00          | 6,600.00               |
| Total 3 years              | <b>167,100.00</b> | <b>168,540.00</b> | <b>169,400.00</b> | <b>208,900.00</b> | <b>250,500.00</b> | <b>168,700.00</b>      |



Resolution No. 2023-096  
May 16, 2023

**RESOLVED BY THE COUNCIL OF THE CITY OF YPSILANTI:**

**Whereas, Juneteenth was recognized as a City Holiday, by passage of Resolution No. 2021-068, on April 6, 2021; and**

**Whereas, Ypsilanti, Michigan has a proud record of fighting bigotry, slavery and racism, including, prior to the Civil War being a part of the underground railway to help slaves to freedom, and sending soldiers, black and white to fight and die for the Union in the Civil War to free the slaves, and passing ordinances to prohibit discrimination, and**

**Whereas, June 19, 1865 marks when the final group of Black Americans understood that they were free, when Union Army General Gordon Granger landed in Galveston, where he read General Order #3, stating that all slaves were free, and that former masters and slaves were absolutely equal in personal and property rights. And**

**Whereas, Juneteenth, June 19, 1865, acting as the date of emancipation, became a long-standing day of celebration, meant to honor Black Americans resilience and the end of slavery, and**

**Whereas, it is fitting and proper for the City of Ypsilanti to honor and celebrate June 19 of every year as Juneteenth; and**

**Whereas, we must work together to continue to build a just Ypsilanti, free from prejudice, bigotry and racism.**

**NOW THEREFORE, it is hereby RESOLVED BY THE YPSILANTI CITY COUNCIL, that June 19th be recognized by the City of Ypsilanti, and display the Juneteenth Flag from a window in Council Chambers viewable from Huron St., through the duration of the month.**

OFFERED BY: \_\_\_\_\_

SECONDED BY: \_\_\_\_\_

YES:

NO:

ABSENT:

VOTE:

#Resolution No. 2023-096

This resolution is adopted by the Council of the City of Ypsilanti and approved by the Mayor this  
16 day of May 2023

#Resolution No. 2023-096



Resolution No. 2023-097  
May 16, 2023

RESOLVED BY THE COUNCIL OF THE CITY OF YPSILANTI:

**WHEREAS, President Bill Clinton declared June "Gay and Lesbian Pride Month" in June of 2000 to commemorate the June 1969 Stonewall riots in Lower Manhattan; and**

**WHEREAS, President Barack Obama expanded the commemoration further by declaring June Lesbian, Gay, Bisexual, and Transgender Pride Month; and**

**WHEREAS, Pride Month is not only a time of celebration, it is also an opportunity to peacefully protest and raise political awareness of current issues facing the LGBTQ+ community, and**

**WHEREAS, much ground has been gained since the 1969 Stonewall Riots, however, injustice and negative attitudes remain that threaten the LGBTQ+ community; and**

**WHEREAS, The City of Ypsilanti has a proud place in the history of LGBTQ+ equality in the successful passing of our Inclusive Non-Discrimination Ordinance in 1998, a historic victory that received national attention and acclaim; and**

**WHEREAS, while the City of Ypsilanti has a long and proud tradition of being an inclusive community, it recognizes as long as injustice exists it threatens all that has been accomplished.**

**NOW THEREFORE BE IT RESOLVED THAT the Ypsilanti City Council of the City of Ypsilanti declare June as "Pride Month" and direct staff to fly the Pride Flag, from a window in Council Chambers viewable from Huron St., through the duration of the month.**

OFFERED BY: \_\_\_\_\_

SECONDED BY: \_\_\_\_\_

YES:

NO:

ABSENT:

VOTE:

#Resolution No. 2023-097

This resolution is adopted by the Council of the City of Ypsilanti and approved by the Mayor this  
16 day of May 2023

#Resolution No. 2023-097



Resolution No. 2023-098  
May 16, 2023

**RESOLVED BY THE COUNCIL OF THE CITY OF YPSILANTI:**

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

| <u>Name</u>                                                        | <u>Board</u>                           | <u>Expiration</u> |
|--------------------------------------------------------------------|----------------------------------------|-------------------|
| <b>Anne Baxter<br/>1227 Sherman<br/>Ypsilanti, MI 48197</b>        | <b>Art Commission</b>                  | <b>2/1/2026</b>   |
| <b>Cathy Thorburn<br/>1212 Sherman<br/>Ypsilanti, MI 48197</b>     | <b>Parks and Recreation Commission</b> | <b>7/1/2026</b>   |
| <b>Devin Shelton<br/>29 E Cross Apt 2A<br/>Ypsilanti, MI 48198</b> | <b>Sustainability Commission</b>       | <b>5/1/2026</b>   |

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 16 day of May 2023

#Resolution No. 2023-098

## Citizen Advisory Boards and Commissions Participation Resume

*The people of Ypsilanti are involved in their City government and are an important part of the community's achievements. Individuals interested in receiving more information in regards to serving on an advisory board or commission are invited to contact the City Clerk's Office at 734-483-1100. Alternatively, citizens who would like to participate can submit their information in the form below.*

### Qualifications

*Must be a resident/business owner in the city for at least two years. Or Council must determine your expertise is essential and not available in an applicant that meets the qualifications above. Must be eligible to vote in the state if not applying for youth membership.*

|                                                      |                 |
|------------------------------------------------------|-----------------|
| Name                                                 | Anne Baxter     |
| Email Address                                        |                 |
| Address                                              | 1227 Sherman    |
| City                                                 | Ypsilanti       |
| State                                                | Michigan        |
| Zip Code                                             | 48197           |
| Phone Number                                         |                 |
| Number of Years in the Community                     | 21              |
| Ward You Live In                                     | 1?              |
| Education                                            | Master's Degree |
| Occupation                                           | Teacher         |
| Employer                                             | Retired         |
| Are you applying for youth membership?               | No              |
| Are you registered to vote in the City of Ypsilanti? | Yes             |

I would like to be considered and could devote sufficient time to serve on the following board or commission:

Art Commission

---

Party Affiliation

*Field not completed.*

---

*Field not completed.*

---

Why are you interested in serving on these boards/commissions?

I love art and I miss the creative outlet that teaching was for me. I also love my city and would like to serve my community.

---

Work/volunteer experience related to the board or commission:

No specific experience in the art world but when I was a teacher art was a big part of my job.

---

I understand that appointment to a City of Ypsilanti board or commission requires regular attendance at board meetings.

Yes

---

I hereby certify that all of the information above is true.

Yes

---

Email not displaying correctly? [View it in your browser.](#)

## Board and Commission Application for Reappointment

|                                                                                                                             |                                                                                                                                                                                                                     |
|-----------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| First Name                                                                                                                  | Cathy                                                                                                                                                                                                               |
| Last Name                                                                                                                   | Thorburn                                                                                                                                                                                                            |
| Address                                                                                                                     | 1212 Sherman Street                                                                                                                                                                                                 |
| City                                                                                                                        | Ypsilanti                                                                                                                                                                                                           |
| State                                                                                                                       | MI                                                                                                                                                                                                                  |
| Zip Code                                                                                                                    | 48197                                                                                                                                                                                                               |
| Phone Number                                                                                                                |                                                                                                                                                                                                                     |
| Email Address                                                                                                               |                                                                                                                                                                                                                     |
| Board or Commission of Reappointment                                                                                        | Parks and Recreation Commission                                                                                                                                                                                     |
| Number of Terms Served                                                                                                      | 4 or Over                                                                                                                                                                                                           |
| Did you hold a Position of Leadership?                                                                                      | Yes                                                                                                                                                                                                                 |
| During your time, how did you assist your Board or Commission to achieve its purpose as stated in the enabling legislation? | I have served as secretary for many years (terms). I have assisted in events such as Ypsi Fall River Days and work on Master Park plans and reports. I report on the happenings of Rutherford Pool at the meetings. |
| How will you continue to assist your Board or Commission to achieve its purpose if reappointed?                             | I can continue to represent Rutherford Pool and serve as secretary if voted in. I will continue to listen to the needs of the residents of Ypsilanti.                                                               |
| Number of absences                                                                                                          | Maybe one a year                                                                                                                                                                                                    |
| If you had over 3 absences in a calendar year please explain? (this information will not be made available to the public)   | No                                                                                                                                                                                                                  |
| Electronic Signature Agreement                                                                                              | I agree.                                                                                                                                                                                                            |

Electronic Signature

Cathy A. Thorburn

---

Email not displaying correctly? [View it in your browser.](#)

## Citizen Advisory Boards and Commissions Participation Resume

*The people of Ypsilanti are involved in their City government and are an important part of the community's achievements. Individuals interested in receiving more information in regards to serving on an advisory board or commission are invited to contact the City Clerk's Office at 734-483-1100. Alternatively, citizens who would like to participate can submit their information in the form below.*

### Qualifications

*Must be a resident/business owner in the city for at least two years. Or Council must determine your expertise is essential and not available in an applicant that meets the qualifications above. Must be eligible to vote in the state if not applying for youth membership.*

|                                                      |                        |
|------------------------------------------------------|------------------------|
| Name                                                 | Devin                  |
| Email Address                                        |                        |
| Address                                              | 29 east cross ap 2A    |
| City                                                 | Ypsilanti              |
| State                                                | Mi                     |
| Zip Code                                             | 48298                  |
| Phone Number                                         |                        |
| Number of Years in the Community                     | 11                     |
| Ward You Live In                                     | 1                      |
| Education                                            | College student        |
| Occupation                                           | Restaurant/bar manager |
| Employer                                             | Maíz Mexican Cantina   |
| Are you applying for youth membership?               | No                     |
| Are you registered to vote in the City of Ypsilanti? | Yes                    |

I would like to be considered and could devote sufficient time to serve on the following board or commission:

Sustainability Commission

---

Party Affiliation

*Field not completed.*

---

*Field not completed.*

---

Why are you interested in serving on these boards/commissions?

I am very interested in learning more about my city and developing skills in my field of study. I also think that I have a good idea about what Ypsilanti wants/needs.

---

Work/volunteer experience related to the board or commission:

I am currently studying environmental science and sustainability at Washtenaw community college.

---

I understand that appointment to a City of Ypsilanti board or commission requires regular attendance at board meetings.

Yes

---

I hereby certify that all of the information above is true.

Yes

---

Email not displaying correctly? [View it in your browser.](#)



Resolution No. 2023-099  
May 16, 2023

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  
16 day of May 2023

#Resolution No. 2023-099