



**CITY OF YPSILANTI
REGULAR COUNCIL MEETING
Tuesday, February 4, 2025 @ 7:00 PM
Council Chambers
One South Huron, Ypsilanti, MI 48197**
[Launch Meeting - Zoom](#)

I. CALL TO ORDER

II. ROLL CALL

III. A MOMENT TO CENTER AND FOCUS

IV. AGENDA APPROVAL

V. PUBLIC COMMENT - 45 MINUTES TOTAL (3 MINUTES/EACH SPEAKER)

VI. PRESENTATIONS

- A. Proclaiming the month of February as Black History Month.
- B. Human Relations Commission 2024 Annual Report, presented by Kat Layton, Chairperson.
- C. Police Advisory Commision 2024 Annual Report, presented by Gail Wolkoff, member and past Chairperson.

VII. RESOLUTIONS/MOTIONS/DISCUSSIONS

- A. Resolution No. 2025-016 Approving the minutes of the meeting of January 21, 2025.
- B. Resolution No. 2025-017 Adopting the Ypsilanti City Council 2024-2025 Goal-Setting Report as the city council's budget priorities for FY 2025-2026 and directing the City Manager to consider these adopted priorities during the preparation of the FY 2025-2026 budget, in accordance with Section 5.02 of the Ypsilanti city charter.
- C. Resolution No. 2025-018 Authorizing to dissolve the lease agreement between DTE, the City, and the Highland Cemetery and to allow all revenue produced by the lease to be allocated to the Highland Cemetery.
- D. Resolution No. 2025-019 Adopting a new schedule for Agenda Item Due Dates and Deadlines.
- E. Resolution No. 2025-020 acknowledging the City Manager's Authority to sign the Pen Dam Removal grant agreement for the City of Ypsilanti with the National Fish and Wildlife Foundation.

- F. Resolution No. 2025-021 Approving a mini grant to Trades Program for Youth and Adults in the amount of \$5,000 to support programs assisting community youth through their efforts.
- G. Resolution No. 2025-022 Approving a mini grant to All About Speed Track Club in the amount of \$5,000 to support programs assisting community youth through their efforts.
- H. Resolution No. 2025-023, supporting the City of Ypsilanti joining the DTE City Smart pilot program.
- I. Discussion regarding Water Street Fence Repair and Tree Removal.
- J. Discussion regarding Boards & Commissions Policy & Procedure

VIII. BOARD AND COMMISSION - LIAISON REPORTS

- A. Police Advisory Commission
- B. Human Relations Commission
- C. Parks and Arts Commission
- D. Sustainability Commission
- E. Historic District Commission
- F. Planning Commission
- G. Zoning Board of Appeals

IX. LIAISON REPORTS

- A. SEMCOG Update
- B. Washtenaw Area Transportation Study
- C. Urban County
- D. Ypsilanti Downtown Development Authority
- E. Friends of Rutherford Pool

X. COUNCIL PROPOSED BUSINESS

XI. COMMUNICATIONS FROM THE MAYOR

XII. COMMUNICATIONS FROM THE CITY MANAGER

- A. Information regarding nationwide search for Police Chief.

XIII. COMMUNICATIONS

- A. Planning Commission 2024 Annual Report

XIV. PUBLIC COMMENT - CONTINUED (3 MINUTES/EACH SPEAKER)

XV. REMARKS FROM THE MAYOR

XVI. ADJOURNMENT

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

National Black History Month 2025

WHEREAS, Black History Month is a national effort to accord official recognition to the heritage of African Americans and the many contributions made to the development of America and the American way of life; and

WHEREAS, in 1915 Dr. Carter Godwin Woodson along with four others founded the Association for the Study of Negro Life and History; and

WHEREAS, Woodson desired greater impact through the Association, which led him to start a National Negro Week in February 1926; and

WHEREAS, February 2025, marks the 49th anniversary of the observation in the United States of Black History Month. Every President, since Gerald Ford, has officially designated the month of February as Black History Month; and

WHEREAS, President Gerald R. Ford officially recognized Black History Month in 1976, calling upon the public to “seize the opportunity to honor the too-often neglected accomplishments of Black Americans in every area of endeavor throughout our history”; and

WHEREAS, Black History Month, or National African American History Month, is an annual celebration of achievements by Black Americans and a time for recognizing the central role of African Americans in U.S. history; and

WHEREAS, other countries around the world, including Canada and the United Kingdom, also devote a month to celebrating Black History; and

WHEREAS, the theme of Black History Month 2025 is “African Americans and Labor” focusing on the various and profound ways that work and working of all kinds – free and unfree, skilled, and unskilled, vocational and voluntary – intersect with the collective experiences of Black people; and

WHEREAS, Black Lives Matter began in 2013 with the goal of rallying around important issues in the African American community and seeks to promote justice and freedom for all.

NOW, THEREFORE, I, NICOLE BROWN, MAYOR, of the City of Ypsilanti on behalf of City Council do hereby proclaim the month of February 2025 as

"National Black History Month"

in the City of Ypsilanti, Michigan, and I urge all citizens to join me in extending recognition and honor during this month and throughout the year to African Americans for outstanding achievements and contributions to our nation.

Given under my hand and seal of the
City of Ypsilanti, February 4, 2025.

Nicole Brown
Mayor



ASSOCIATION FOR THE STUDY OF AFRICAN AMERICAN LIFE AND HISTORY®

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2025 BLACK HISTORY THEME EXECUTIVE SUMMARY AFRICAN AMERICANS AND LABOR

The 2025 Black History Month theme, African Americans, and Labor, focuses on the various and profound ways that work and working of all kinds – free and unfree, skilled, and unskilled, vocational and voluntary – intersect with the collective experiences of Black people. Indeed, work is at the very center of much of Black history and culture. Be it the traditional agricultural labor of enslaved Africans that fed Low Country colonies, debates among Black educators on the importance of vocational training, self-help strategies and entrepreneurship in Black communities, or organized labor's role in fighting both economic and social injustice, Black people's work has been transformational throughout the U.S., Africa, and the Diaspora. The 2025 Black History Month theme, "African Americans and Labor," sets out to highlight and celebrate the potent impact of this work.

Considering Black people's work through the widest perspectives provides versatile and insightful platforms for examining Black life and culture through time and space. In this instance, the notion of work constitutes compensated labor in factories, the military, government agencies, office buildings, public service, and private homes. But it also includes the community building of social justice activists, voluntary workers serving others, and institution building in churches, community groups, and social clubs and organizations. In each of these instances, the work Black people do and have done have been instrumental in shaping the lives, cultures, and histories of Black people and the societies in which they live. Understanding Black labor and its impact in all these multivariate settings is integral to understanding Black people and their histories, lives, and cultures.

Africans were brought to the Americas to be enslaved for their knowledge and serve as a workforce, which was superexploited by several European countries and then by the United States government. During enslavement, Black people labored for others, although some Black people were quasi-free and labored for themselves, but operated within a country that did not value Black life. After fighting for their freedom in the Civil War and in the country's transition from an agricultural based economy to an industrial one, African Americans became sharecroppers, farm laborers, landowners, and then wage earners. Additionally, African Americans' contributions to the built landscape can be found in every part of the nation as they constructed and designed some of the most iconic examples of architectural heritage in the country, specifically in the South.

Over the years to combat the superexploitation of Black labor, wage discrepancies, and employment discrimination based on race, sex, and gender, Black professionals (teachers, nurses, musicians, and lawyers, etc.) occupations (steel workers, washerwomen, dock workers, sex workers, sports, arts and sciences, etc.) organized for better working conditions and compensation. Black women such as Addie Wyatt also joined ranks of union work and leadership to advocate for job security, reproductive rights, and wage increases.

2025 marks the 100-year anniversary of the creation of Brotherhood of Sleeping Car Porters and Maids by labor organizer and civil rights activist A. Philip Randolph, which was the first Black union to receive a charter in the American Federation of Labor. Martin Luther King, Jr incorporated issues outlined by Randolph's March on Washington Movement such as economic justice into the Poor People's Campaign, which he established in 1967. For King, it was a priority for Black people to be considered full citizens.

The theme, "African Americans and Labor," intends to encourage broad reflections on intersections between Black people's work and their workplaces in all their iterations and key moments, themes, and events in Black history and culture across time and space and throughout the U.S., Africa, and the Diaspora. Like religion, social justice movements, and education, studying African Americans' labor and labor struggles are important organizing foci for new interpretations and reinterpretations of the Black past, present, and future. Such new considerations and reconsiderations are even more significant as the historical forces of racial oppression gather new and renewed strength in the 21st century.

ASALH MISSION

To promote, research, preserve, interpret and disseminate information about Black life, history and culture to the global community.



City of Ypsilanti

Office of the City Clerk

MEMORANDUM

To: Members of Ypsilanti City Council

From: Kat Layton, Chairperson
Human Relations Commission

Subject: Human Relations Commission 2024 Annual Report

Date: December 30, 2024

As required by the Human Relations Ordinance, the Human Relations Commission (HRC) is required to submit an annual report on its activities for the year.

This report will cover the activities for the period of 2024. The 2024 HRC Annual Report includes summary information on the work pertaining to the Human Relations Commission and support needed in the future to continue working toward the mission of the commission.

In addition to the annual report, our regularly scheduled meetings for 2025 will be:

- Thursday, January 16th, 6:00 pm
- Thursday, February 20th, 6:00 pm
- Thursday, March 20th, 6:00 pm
- Thursday, April 17th, 6:00 pm
- Thursday, May 15th, 6:00 pm
- Thursday, June 12th, 6:00 pm
- Thursday, July 17th, 6:00 pm
- Thursday, August 21st, 6:00 pm
- Thursday, September 18th, 6:00 pm
- Thursday, October 16th, 6:00 pm
- Thursday, November 20th, 6:00 pm

Human Relations Commission
2024 Annual Report
City of Ypsilanti

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Background of Commission

The Human Relations Commission supports efforts to enhance mutual understanding among the City's culturally diverse residents.

The city council finds that prejudice and the practice of discrimination because of race, color, religion, national origin, immigration status, sex, sexual orientation, gender identity, gender expression, age, marital status, disability status, familial status, educational association, source of income, height or weight, felony or misdemeanor conviction (unless there is a direct relationship between the conviction offense and the housing, the job, the opportunity or unless hiring or accepting the person would create an unreasonable risk to property or safety) menaces peace and public welfare; that to eliminate such prejudice and discrimination an instrumentality of the city should be established to help the citizens of this city ameliorate practices of discrimination to keep peace and good order, and to encourage citizens to promote tolerance and goodwill toward all people (Sec. 58-31).

Sec. 58-35 states the general purposes and functions of the human relations commission shall be:

1. To serve as an advisory body to the city council and the city manager.
2. To study problems in the city relating to prejudice and discrimination and to make recommendations to the city council and city manager for the elimination of prejudice and discrimination within the community.
3. To invite and enlist the cooperation of all racial, religious, national origin, sexual, sexual orientation and ethnic groups as well as all persons representing various economic, educational, and social groups including groups concerned with age and/or disability in all areas of the city and to act as a coordinating agency among these and other groups in the community in the establishment and maintenance of educational programs in the community designed to bring about better human relations.
4. To cooperate with interested citizens and all state, federal and local agencies whenever such cooperation is appropriate in furtherance with the purpose of this article.
5. To promote mutual understanding and foster equality and respect among all racial, religious, sexual, national and ethnic groups, among persons of all economic and educational status, and generally throughout the entire city so as to prevent discrimination and discriminatory practices.
6. To issue publications, studies, or reports to effectuate the purposes of this article and to promote good will in the community as a whole. Such reports shall not include names of parties or other facts which might clearly identify parties without their consent.
7. To conduct public forums, town meetings, educational and other programs to promote the equal rights and opportunities of all persons.
8. To accept grants and donations on behalf of the city from foundations and others for the purpose of carrying out the purposes of this article, subject to the approval of the city council.

9. To study problems which may result in patterns of tension, discrimination or prejudice within the city, and offer assistance and attempt conciliation or mediation.
10. Any citizen of the city may propose a matter for inquiry and study by the human relations commission concerning matters that result in patterns of tensions, discrimination or prejudice. The human relations commission shall not receive or deal with complaints between individuals, but may refer persons with complaints concerning individuals to appropriate agencies.

In addition to the general purposes and functions specified above, the human relations commission is charged with the responsibility of advising the city council and the city manager on all matters relating to anti-discrimination. The human relations commission is specifically charged with the responsibility of attempting to resolve problems caused by patterns of action or nonaction causing tensions, discrimination or prejudice by means of conciliation and mediation. The human relations commission shall make recommendations to the city manager and to the city council for amendments, either in substance or procedure, as may be found necessary in connection with city ordinances (Sec. 58-36).

2024 Commission Makeup and Attendance

Sec. 58-32 states the creation and composition of the Human Relations Commission below:

- a. There is hereby created a "human relations commission" to be appointed by the mayor with the approval of the city council. The human relations commission shall be composed of nine members, all city residents, one of whom shall be designated as chair to be selected by the mayor to serve until a new chair is elected by a majority of the human relations commission. Term of chair shall be one year. The term of members shall be three years. The first members shall be appointed in groups of three for terms of one, two and three years, and thereafter the terms of three members shall expire each year. Two additional, youth non-voting-members may also be appointed, in addition to the nine regular voting members. The terms of the youth non-voting-members shall be one year.
- b. A quorum for conduct of the lawful business of the human relations commission shall be a majority of the current members.
- c. Except as otherwise stated in this article, all actions and decisions of the human relations commission shall be by simple majority vote of those members present at a lawful meeting of the human relations commission.
- d. The human relations commission shall in so far as possible reflect the diversity of the community.

<u>Member</u>	<u>Term Length</u>	<u>Attendance</u>
Kat Layton, Chairperson	01/21/2024 – 07/01/2027	Attended 11 of 12 meetings
Juanita House, Vice-chairperson	09/05/2023 – 07/01/2026	Attended 9 of 12 meetings
Britney Doulos	06/07/2022 – 07/01/2025	Attended 11 of 12 meetings
Justin Harper	01/11/2022 – 07/01/2025	Attended 11 of 12 meetings

Jennifer St. John	05/14/2024 – 07/01/2027	Attended 6 of 9 meetings
Daniel Jackson	05/14/2024 – 07/01/2027	Attended 8 of 9 meetings
Jane Munro	09/03/2024 – 07/01/2027	Attended 2 of 3 meetings
John Paul Myers	09/03/2024 – 07/01/2027	Attended 2 of 3 meetings
<i>Adult Member Vacancy</i>		
<i>Youth Member Vacancy</i>		
<i>Youth Member Vacancy</i>		

Overview of 2024 Commission Meetings

As required by the Human Relations Ordinance, the commission meets on a quarterly basis or more as needed. The meetings are usually on the third Thursday of the month of each quarter. The meetings meet all the requirements of the State of Michigan Open Meetings Act. Minutes of each meeting are taken and approved at the following meetings. These minutes are available through the City Clerk’s Office and publicly online the city’s website.

Meeting dates and type in 2024:

- January 31st Regular HRC Meeting
- February 28th Regular HRC Meeting
- April 18th Regular HRC Meeting
- May 16th Special Joint HRC and Police Advisory Commission Meeting
- June 27th Special HRC Meeting
- June 27th Special Joint HRC and Police Advisory Commission Meeting
- July 10th Special Joint HRC and Police Advisory Commission Meeting
- July 18th Regular HRC Meeting
- August 15th Special HRC Meeting
- September 19th Regular HRC Meeting
- October 17th Regular HRC Meeting (*NO QUORUM*)
- November 14th Regular HRC Meeting

2024 Commission Meetings Key Summaries

January 31, 2024, Regular HRC Meeting

- Commission held first meeting since 2021.
- Commission discussed a joint town hall with the Ypsilanti Police Advisory Commission (YPAC) to discuss mental health, housing, and public safety; voted to request a joint meeting with YPAC.
- Commission members decided to postpone electing a chair and vice-chair.
- Commission members discussed **City Ordinance Chapter 58**, regarding definitions of “direct relationship” and “unreasonable risk” as it relates to the Non-Discrimination Ordinance, which finds felony and misdemeanor convictions as protected classes “*unless there is a direct relationship between the conviction offense and the housing, the job, the opportunity or unless hiring or accepting the person would create an unreasonable risk to property or safety*” (emphasis added).

- Commission members discussed **City Ordinance Chapter 78**, regarding public parks and public spaces, to think about ways discrimination can be mitigated in these areas too for individuals who are more vulnerable.
- Commission members discussed a potential complaint process to file a discrimination complaint formally in the City.

(Source: 1/31/24 HRC Meeting Minutes)

February 28, 2024, Regular HRC Meeting

- Commission voted to make member **Kat Layton** represent the HRC to connect with YPAC for a joint special meeting with the two commissions.
- Commission voted to have **Nation Outside** present to the HRC at another meeting with “with more information on the definitions of felony and misdemeanor language used in the city ordinance at the March meeting.”
- Commission requested information from **City Attorney John Barr** on how many complaints for discrimination have been filed since 2018 in the City of Ypsilanti.
- Commission members discussed **City Ordinance Chapter 78**, as it relates to the city’s unhoused population, where it is lawful for people to camp intents or their cars in public spaces, and whether parks could be a space for them.
- Commission discussed the complaint form or process again, with attention to possibly amending how the process works and make recommendations for changes.
- 2024 HRC meeting schedule was approved.

(Source: 2/28/24 HRC Meeting Minutes)

April 18, 2024, Regular HRC Meeting

- **Nation Outside** presented to the Commission about Fair Chance Access to Housing and provided information related to felony and misdemeanor conviction barriers to housing or other resources.
- Commission voted to amend **Ordinance No. 58-31** of the Human Relations Commission to remove everything after “conviction through welfare” as follows:
 - *“The city council finds that prejudice and the practice of discrimination because of race, color, religion, national origin, immigration status, sex, sexual orientation, gender identity, gender expression, age, marital status, disability status, familial status, educational association, source of income, height or weight, felony or misdemeanor conviction (~~unless there is a direct relationship between the conviction offense and the housing, the job, the opportunity or unless hiring or accepting the person would create an unreasonable risk to property or safety~~) menaces peace and public.... ”* (emphasis added).
- Commission voted to pass a motion to adopt a **Fair Chance Access to Housing Ordinance** to give previously incarcerated individuals or individuals with a criminal history the opportunity to compete for rental housing or reside with family members and others.
- Commission decided to still wait on determining a Chair and Vice-chair when more members join.

- Commission voted to remove a member from the Commission who missed three consecutive meetings.
- Commission voted to invite YPAC to the next **May 16, 2024** HRC meeting.
- Commission received information from **Memo from City Attorney John Barr dated February 29, 2024 RE: Ypsilanti Human Relations Commission (see Attachment 1 for Memo from City Attorney on pages 16 - 19)** that the city does not have a complaint tracking system, so the number of complaints is unknown.
- Commission continued to discuss spaces where unhoused populations can camp and whether parks could be places where camping is allowed.
- Commission requested information on **Social Equity Funds** from marijuana recreational licenses, *but no information was provided back to the commission regarding this request.*

(Source: 4/18/24 HRC Meeting Minutes)

May 16, 2024, Special Joint HRC and Police Advisory Commission (YPAC) Meeting

- Joint commission meeting to discuss the concept of a **Community Forum Series** to discuss mental health, housing, and public safety.

(Source: 5/16/24 Joint HRC and YPAC Meeting Minutes)

June 27, 2024, Special HRC Meeting

- Commission voted to **table** the review and discussion of the **Memo from City Attorney John Barr**, since it was not included in the agenda packet for review prior to this meeting, and the Commission **requested** the **City Attorney** and **City Manager** attend a regularly scheduled meeting to discuss bureaucratic process.
- Commission nominated and elected **Kat Layton** as **Chairperson**.
- Commission nominated and elected **Juanita House** as **Vice-chairperson**.
- Commission discussed **Resolution 2024-150**, regarding support drug checking services as it relates to discrimination issues, which was discussed during **June 18, 2024 City Council** meeting (**see Attachment 2 for Resolution 2024-150 on pages 20 - 23**).
- Commission discussed facilitators for **Joint HRC/YPAC Community Forum Series**.

(Source: 6/27/24 HRC Meeting Minutes)

June 27, 2024, Special Joint HRC and YPAC Meeting

- Commissioners discussed the goals for the joint **Community Forum Series** to include mental health, housing, and public safety.
- Commissioners discussed other logistics pertaining to the joint **Community Forum Series**, including mediator/facilitator selection and format.

(Source: 6/27/24 Joint HRC and YPAC Meeting Minutes)

July 10, 2024, Special Joint HRC and YPAC Meeting

- Corn Williams with **LEAF Harm Reduction** presented to the Commissions about drug checking services in Ypsilanti and provided information related to barriers to lifesaving resources and access to treatment of all modalities.
- Commissions discussed three-part joint **Community Forum Series**, including logistics, budget, location, facilitators, and goals.

(Source: 7/10/24 Joint HRC and YPAC Meeting Minutes)

July 18, 2024, Regular HRC Meeting

- **City Attorney John Barr** and **City Manager Andrew Hellenga** presented to the Commission an Overview of Board and Commission Bureaucratic Process: From Idea to Action
 - Commission discussed **bylaws** after receiving information from City Staff indicating that the recent Chair election was not in accordance with the bylaws due to **Commissioner Kat Layton** not being a member for a year before election, as required in the bylaws.
 - Commission voted to suspend the bylaws for the election of the Chairperson for the 2024 year.
 - Commission voted to elect **Kat Layton** as the **Chairperson** of the Human Relations Commission for a second time.
 - Commission approved a special meeting for **August 15, 2024**.
 - Commission discussed **Ordinance No. 1433**, an ordinance to amend Article III Discrimination of Chapter 58 Human Relations, being Section 58-67, to enhance transparency, impartiality, and effectiveness in addressing complaints of discriminatory practices within the city.
 - **City Attorney Barr** reported to the commission on the legalities and potential issues with the ordinance changes brought to the city council (Ordinances 1433, 1434, and 1435).
 - **City Attorney Barr** indicated that he would coordinate with his staff to begin a tracking process for HRC complaints so that the commission can review the complaints and track how many occur. The commission will get the information if it is not prohibited by law, but no detailed information was provided back to the commission regarding this request.
 - Commission discussed **Ordinance No. 1434**, an ordinance to amend Article III Discrimination of Chapter 58 Human Relations, Section 58-61, to eliminate ambiguous language that inadvertently permits discrimination against individuals with felony and misdemeanor criminal records.
 - Commission voted on a motion requesting **City Attorney John Barr** define “direct relationship” and “unreasonable risk.”
 - Commission discussed **Ordinance No. 1435**, an ordinance to amend Article III Discrimination of Chapter 58 Human Relations, by adding a Fair Chance Housing section and discussed City Council feedback from **June 18** and **July 16, 2024**
- Regular Council Meetings.**
- **Chairperson Layton** informed commission of inviting the Fair Housing Center to **August 15, 2024** HRC meeting to obtain more information about

the **Fair Chance Access to Housing Ordinance**, including legalities, before it goes back to City Council.

- Commission discussed **Resolution No. 2024-150**, regarding the lowest law enforcement priority for the City of Ypsilanti and the specifics for investigation and arrest of persons in possession of a controlled substance.
 - Commission voted to move discussing this resolution to **August 15, 2024** HRC meeting.
- **Council Liaison for HRC, Councilmember Me’Chelle King**, reported the financial request process for boards and commissions, and she reported that City Council approved \$400 for the first **Joint Community Forum Series** event.

(Source: 7/18/24 HRC Meeting Minutes)

August 15, 2024, Special HRC Meeting

- **Fair Chance Housing** provided the commission information and support letters for a Fair Chance Access to Housing Ordinance
- Commission discussed the newly developed discrimination complaint tracking system for the City of Ypsilanti and the city attorney’s office (**note that Commissioners haven’t see the actual system or list of complaints**).
- Commission reviewed **Memo from City Attorney John Barr dated July 20, 2024 RE: Definitions (see Attachment 3 for Memo from City Attorney on pages 24 - 27)** regarding legal definition of “direct relationship” and “unreasonable risk.”
- Commission discussed **Resolution No. 2024-150**, which had failed at the **June 18, 2024**, City Council meeting, and voted to send a letter of support to Council in favor of **Resolution 2024-150**. The letter of support was sent on **August 16, 2024**, to the City Clerk’s Office to be given to City Council (**see Attachment 4 for Letter of Support from HRC on pages 28 – 29**).
- Commission voted to **table** discussing bylaws to next meeting.
- Commission voted to **table** discussing working subcommittees at next meeting.
- Commission voted to **cancel the first day** scheduled for Community Forum Series due to lack of logistics and support clearly established.
- Commissioners requested **body cam footage** of incident that occurred in Depot Town around the primary election night, which involved an alleged self-inflicted gun wound by the individual involved in the incident.

(Source: 8/15/24 HRC Meeting Minutes)

September 19, 2024, Regular HRC Meeting

- Commission discussed adding **agenda approval** and **parking lot** to the bylaws for agenda format
 - Commission voted to **table** the discussion on bylaws to the next meeting.
- Commission voted to approve **three working committees** for HRC (**see Attachment 5 for Working Committees for the Human Relations Commission on pages 30 – 31**):
 - (1) Policy and Systems Change Subcommittee,
 - (2) Community Engagement and Education Subcommittee, and

- (3) Equity and Access Subcommittee.
- Commission voted to move the **Fair Chance Access to Housing Ordinance (Ordinance No. 1435)** to the **Policy and Systems Change Subcommittee** for further workshopping and amendments.
- Commission voted to move the **Definitions for Non-Discrimination Ordinance (Ordinance No. 1434)** to the **Policy and Systems Change Subcommittee** for further workshopping and amendments after reviewing the Memo from **City Attorney John Barr** with suggested legal definitions.
- **City Attorney John Barr** reported that, as of the date of this HRC meeting, there have been **zero (0)** confirmed housing complaints made in the past 21 years, including since the inception of the new HRC tracking system by the City Attorney's office. The tracking system details include:
 - (1) Case number,
 - (2) File number,
 - (3) Subject matter,
 - (4) Year,
 - (5) Outcome, and
 - (6) Venue.
- Commission **tabled** the agenda item to solidify the scope of joint **HRC/YPAC Community Forum Series** until next meeting to allow time to review **Memo from City Attorney John Barr dated September 13, 2024 RE: Request to review resolutions of HRC (see Attachment 6 for Memo from City Attorney on pages 32 - 34).**
- Newly appointed **Commissioner John Paul Myers** inquired about the difference between **equality** and **equity** during a discussion, which was added to the next meeting agenda item for discussion.
- **Chair Layton** requested that the **Nation Outside presentation** be added to the **April 18, 2024 agenda packet** after citizen complaint that the presentation was not publicly available, despite commission being informed it was by staff.
 - Commissioners were informed via email on August 20, 2024 from Deputy Clerk Lorrie Thomas about a **Memo from City Attorney John Barr dated August 8, 2024 RE: Complaint against Ypsilanti Human Relations Commission Open Meetings Act and Robert's Rules of Order (see Attachment 7 for Memo from City Attorney on pages 35 - 38).**
 - Note that **Commissioners** were not informed of this citizen complaint prior to the **August 15, 2024** HRC meeting despite complaint being responded to on August 8, 2024.

(Source: 9/19/24 HRC Meeting Minutes)

October 17, 2024, Regular HRC Meeting

- **CANCELED DUE TO LACK OF QUORUM**

(Source: 10/17/24 HRC Meeting Minutes)

November 14, 2024, Regular HRC Meeting

- Commission voted to **amend the meeting minutes** from **October 17, 2024, Regular HRC Meeting** to accurately depict attendance, marking **Vice-chair House** as the only commissioner at the meeting, both in-person and virtually.
- Commission voted to **amend the meeting minutes** from **October 17, 2024, Regular HRC Meeting** to remove the agenda item added by **Commissioner Jane Munro** titled “Equity: The Thief of Human Potential - by Thomas Sowell” for discussion, as the commission had not met to formally remove this agenda item from the agenda that meeting day, and it contradicts the mission and purpose of the HRC.
- Commission discussed discriminatory language in **Resolution 2024-229**, which was presented during **October 1, 2024 City Council** meeting and tabled indefinitely (see Attachment 8 for Resolution 2024-229 on pages 39 - 40).
- Commission **tabled** the discussion on the **discrimination complaint** the commission was informed via email on October 23, 2024 from Deputy Clerk Lorrie Thomas through a **Memo from City Attorney John Barr dated October 23, 2024 RE: Subject Discrimination Complaint, Our File No. 131 HRC, Discrimination Complaint No. 26** (see Attachment 9 for Memo from City Attorney on pages 41 – 44) in response to a discrimination complaint from a resident in response to **Resolution 2024-229** to next HRC meeting in **2025**.
- Commission voted to request updated information from **City Attorney John Barr** on how many total complaints for discrimination have been filed since 2021 in the City of Ypsilanti.
- Commission discussed the **2024 annual report** and **goals for next year** to include in the report, along with **requests from City Council**.

(Source: 11/14/24 HRC Meeting Video; MINUTES NOT YET POSTED AS OF 12/29/24)

2024 Commission Accomplishments

After being inactive for nearly three years, the **Human Relations Commission** accomplished significant milestones in its first year of operations. Key accomplishments include:

1. **Discrimination Complaint Tracking System:** The Commission voted to approve **Ordinance No. 1433** to establish a more effective tracking process for discrimination complaints. However, **City Attorney John Barr** informed the Commission that a new system would be created within the attorney’s office to track these complaints. This development addressed the underlying concerns of the proposed amendment, negating the need for further ordinance revisions at this time.
2. **Community Forum Series Collaboration with YPAC:** The Commission partnered with the **Ypsilanti Police Advisory Commission (YPAC)** to lay the groundwork for a **Community Forum Series** focused on mental health, housing, and public safety. After careful consideration and discussion, it is being determined that the series would be more effective if led by the **Human Relations Commission**

alone, with a focused discussion on discrimination and prejudice within these areas. Planning for the forum's logistics will continue in the **Community Engagement and Education Subcommittee in 2025**.

3. **Non-Discrimination Ordinance Amendment:** The Commission voted to strengthen the **Non-Discrimination Ordinance (Ordinance No. 1434)** by clarifying ambiguous language that could create barriers for individuals with criminal conviction histories to access housing, employment or other public benefits. This amendment aims to remove any unnecessary obstacles for those with conviction histories. Further discussions on the ordinance will take place in the **Policy and Systems Change Subcommittee in 2025**.
4. **Fair Chance Access to Housing Ordinance:** The Commission voted to create a **Fair Chance Access to Housing Ordinance (Ordinance No. 1435)**, aimed at providing individuals with criminal histories a fair opportunity to secure housing. The Commission plans to continue refining this ordinance and educating the public about its goals, while also addressing any misinformation regarding its background and housing process. These efforts will be continued in the **Policy and Systems Change Subcommittee in 2025**.
5. **Letter of Support for Resolution No. 2024-150:** The Commission provided a letter of support to the **Ypsilanti City Council** for **Resolution No. 2024-150**, which advocates for the **lowest law enforcement priority** in cases involving the possession of controlled substances, with specific guidelines for investigations and arrests.
6. **Creation of Working Subcommittees:** The Commission established three working subcommittees to support its initiative –
 - (1) **Policy and Systems Change Subcommittee,**
 - (2) **Community Engagement and Education Subcommittee, and**
 - (3) **Equity and Access Subcommittee.**

2025 Commission Goals and Projects

The Human Relations Commission voted and agreed upon the following goals and projects for 2025:

1. **Housing:** Advocate for resources and partnerships to support individuals who are unhoused or experiencing housing insecurities, including the sustainable establishment of warming and cooling centers in the city, as there are currently no emergency shelters with readily accessible options, especially during the winter season. Continue advancing the **Fair Chance Access to Housing Ordinance** to remove barriers for individuals with criminal histories in securing housing. Furthermore, work towards passing a resolution to support drug checking services, as a means of providing public health and safety while mitigating discrimination and prejudice.
2. **Mental Health and Public Safety:** Capitalize on the county's **Public Safety and Mental Health millage reimbursements** to the city to increase funding streams to mental health and public safety initiatives, specifically through a resolution to allocate funds designated for the millage (Public Safety Fund 205) towards

unarmed, non-police crisis response programs and other mental health-related services that address public safety needs.

3. **Community Forum Series:** Continue developing a **Community Forum Series** focused on mental health, housing and public safety within the **Community Engagement and Education Subcommittee**, ensuring meaningful public dialogue and action on these critical issues as they relate to discrimination, equity and accessibility.

2025 Commission Requests to City Council

The **Human Relations Commission** voted and agreed upon the following requests for **2025** to support its ongoing work and strengthen collaboration with **City Council**:

1. **Enhanced Support and Guidance:** Requesting additional support and guidance from **City Council** on the Commission's ongoing initiatives and overall direction, to ensure alignment with the city's goals.
2. **Commissioner Training and Development:** Seeking further training opportunities for Commissioners and staff to streamline operations, reduce duplicative efforts, and minimize delays in progressing key initiatives.
3. **Creation of a Community Resource Pool:** Requesting assistance from **City Council** in creating a centralized resource pool that compiles information on local community resources and ways to support organizations engaged in social service and anti-discriminatory work.
4. **Optimizing Commission's Role:** Requesting more effective utilization of the **Human Relations Commission** to actively support **City Council** in advancing its goals, particularly those related to equity, discrimination, and community development.

Attachments

**Attachment 1: Memo from City Attorney John Barr dated February 29, 2024 RE:
Ypsilanti Human Relations Commission**



**Barr,
Anhut &
Associates, P.C.**
ATTORNEYS AT LAW

105 Pearl Street
Ypsilanti, MI 48197
(734) 481-1234
Fax (734) 483-3871
www.barrlawfirm.com
e-mail: jbarr@barrlawfirm.com

John M. Barr

Jesse O'Jack ~ Of Counsel
Tobias J. Lipski ~ Of Counsel
Randolph T. Barkler ~ Of Counsel
Jennifer A. Merritt ~ Legal Assistant

MEMORANDUM

To: Michelle King, Ypsilanti City Councilmember
From: John M. Barr, Ypsilanti City Attorney
Date: February 29, 2024
Re: Ypsilanti Human Relations Commission

This memo is in response to your request from the Ypsilanti Human Relations Commission. The Commission asks: 1) How soon does the HRC get information referring to the complaints? 2) How many formal complaints have we received since 2018 for the protected classes?

The Human Relations Commission (HRC) was created pursuant to Section 9.02 of the City Charter of 1994.

"A Human Relations Commission consisting of nine members shall be established within six (6) months of the effective date of this Charter. The Commission as a whole shall be representative of the diversity of the entire community. The Commission shall endeavor to increase mutual understanding among the residents of the community and eliminate discrimination, and shall be assigned, by ordinance, such powers and responsibilities as will enable it to carry out these tasks. The City shall make an annual appropriation for the effective operation of the Commission, and the City Manager shall designate a staff person to assist the Commission."

Section 9.03 of the City Charter sets out the powers of City boards and commissions and limits the power to advisory functions.

"The Council may create or discontinue, by ordinance, boards and commissions as the Council deems necessary or of benefit to the City of Ypsilanti. Council will provide for the duties and functions of boards and commissions, subject to law. The boards and commissions shall not administer any activity, department, or agency of the City government unless specifically required to do so by State statute, but shall serve solely



**Barr,
Anhut &
Associates, P.C.**
ATTORNEYS AT LAW

105 Pearl Street
Ypsilanti, MI 48197
(734) 481-1234
Fax (734) 483-3871
www.barrlawfirm.com
e-mail: jbarr@barrlawfirm.com

John M. Barr

Jesse O'Jack ~ Of Counsel
Tobias J. Lipski ~ Of Counsel
Randolph T. Barkler ~ Of Counsel
Jennifer A. Merritt ~ Legal Assistant

in an advisory capacity or in the capacity of a quasi-judicial appeal board."¹ (emphasis supplied)

Chapter 58 of the Ypsilanti City Code creates the Human Relations Commission and sets out its powers. Section 58-35 provides in (10):²

"Any citizen of the city may propose a matter for inquiry and study by the human relations commission concerning matters that result in patterns of tensions, discrimination or prejudice. The human relations commission shall not receive or deal with complaints between individuals, but may refer persons with complaints concerning individuals to appropriate agencies." (Emphasis supplied)

Because the HRC was set up as an advisory body pursuant to the charter there was no original language for dealing with complaints. Later, section 58-67 was added to the City Code that provided the HRC would be available to mediate disputes.

All persons claiming to be aggrieved by a discriminatory or unfair practice may, by themselves or by counsel, file with the city attorney a verified, written complaint which shall state the details, name and address of the person or entity alleged to have committed the discriminatory or unfair practice.

After the filing of a verified complaint, a true copy shall be served within ten days by certified mail on the person against whom the complaint [is] filed, by the complainant.

The city attorney shall refer this complaint to appropriate city departmental units and agencies for investigation as to the basis of the complaint.

After sufficient review and determination, the city attorney shall issue a written opinion to the human relations commission whether probable cause exists to believe a discriminatory practice or practices occurred as alleged by the complainant.

For an investigation, a person may be required to produce books, papers, records or other documents that may be relevant to a violation or alleged violations of this

¹ Quasi-judicial appeal boards include the ZBA and Board of Review.

² Section numbers have been omitted for ease of reading



**Barr,
Anhut &
Associates, P.C.**
ATTORNEYS AT LAW

105 Pearl Street
Ypsilanti, MI 48197
(734) 481-1234
Fax (734) 483-3871
www.barrlawfirm.com
e-mail: jbarr@barrlawfirm.com

John M. Barr

Jesse O'Jack ~ Of Counsel
Tobias J. Lipski ~ Of Counsel
Randolph T. Barkler ~ Of Counsel
Jennifer A. Merritt ~ Legal Assistant

article. If such person does not comply with such request, the city attorney may apply to county circuit court for an order requiring production of such materials.

If it is determined that no probable cause exists, the city attorney shall notify the complainant and respondent in writing of the dismissal of the complaint.

All complaints received by the human relations commission shall retained for three years.

If probable cause has been determined, the human relations commission shall notify the complainant and respondent of mediation. Participation in mediation is voluntary, and either party may reject the offer to mediate. (Emphasis supplied) If the mediation request is accepted, the notice shall inform the parties of the identity of the mediator and shall request a time for the mediation to occur, no later than 45 days from the date probable cause was determined. Mediation shall be an informal process conducted by the human relations commission in accordance with the procedures established by the city council.

Mediation sessions are not open to the public, but any resolution of the dispute reached through mediation shall not be final until released by the human relations commission. Violations of such agreements shall be violations of this article.

So, you can see that the HRC is not set up for hearing complaints. If a complaint is made involving the HRC the Commission would receive the complaint if cause was determined and the parties agreed to mediation.

There have been several complaints alleging discrimination over the years. These complaints have been for the most part Michigan Civil Rights Commission complaints, labor disputes subject to the grievance procedure, or law suits. None of these cases are subject to mediation but are determined by the Civil Rights Commission, grievance procedures or the courts.

Our computer system does not have an application for keeping track of HRC type cases, but I cannot think of any complaint filed that went to the HRC since the ordinance in 1994.

Attachment 2: Resolution 2024-150 on June 18, 2024 City Council Meeting Agenda



Resolution No. 2024-150
June 18, 2024

RESOLVED BY THE COUNCIL OF THE CITY OF YPSILANTI:

RESOLUTION DECLARING THAT THE INVESTIGATION AND ARREST OF INDIVIDUALS IN POSSESSION OF A CONTROLLED SUBSTANCE, "IN AN AMOUNT SUFFICIENT ONLY FOR PERSONAL USE", IF EVIDENCE IS PRESENT THAT A CONTROLLED SUBSTANCE WAS OBTAINED AS A RESULT OF PARTICIPATION IN, OR THE INDIVIDUAL IN POSSESSION OF A CONTROLLED SUBSTANCE IS A PARTICIPANT, STAFF MEMBER, OR VOLUNTEER OF A QUANTITATIVE DRUG-CHECKING PROGRAM; OR INDIVIDUALS IN POSSESSION OF DRUG PARAPHERNALIA, IF EVIDENCE IS PRESENT THAT PARAPHERNALIA WAS OBTAINED AS A RESULT OF PARTICIPATION IN, OR THE INDIVIDUAL IN POSSESSION OF PARAPHERNALIA IS A PARTICIPANT, STAFF MEMBER OR VOLUNTEER OF, A SYRINGE SERVICE PROGRAM, BE THE LOWEST PRIORITY FOR THE CITY OF YPSILANTI

WHEREAS, For decades, America has been in the throes of a devastating opioid epidemic. Opioid overdoses have claimed the lives of over a million Americans since 1999. Tragically, drug overdose deaths nationally have continued to rise on an annualized basis. No community has been spared from the opioid epidemic's devastation; and WHEREAS, between 60 - 80 people Washtenaw County residents have lost their lives each year due to opioid overdoses. The most recent year's preliminary data suggests a minuscule decrease, with 56 Washtenaw residents losing their life to an opioid overdose in 2023. But even one overdose death is too many, and this decrease is likely a "wobble" like previous ones that were met with exponentially high curves afterworse. It is imperative that government actors do all they can to save lives; and

WHEREAS, with the prevalence of drug contamination, there has never been a more critical moment to know precisely what compounds (and how much) are present in drug supplies. Those who use drugs should be able to avoid unwittingly taking drugs that could lead to overdose; and

WHEREAS, quantitative drug-checking programs can work only if people feel comfortable bringing a sample for testing. If people fear that providing samples for testing could subject them to criminal consequences, they will be extraordinarily unlikely to provide such samples for testing. That could lead to more overdoses, more deaths, and delayed (or incomplete) information about the community's drug supply; and

WHEREAS, the Washtenaw County Prosecutor's Office has released an initial draft of a policy committing to forgo prosecution of "possession of (1) trace amounts of drugs that were (2) provided for quantitative drug-checking and consistent with the statutory

standard for “good Samaritans” seeking overdose attention, the Prosecutor’s Office also will not prosecute possession of a controlled substance “in an amount sufficient only for personal use” if the evidence that a person possessed a controlled substance was obtained as a result of participation in a quantitative drug-checking program.”; and

WHEREAS, the City of Ypsilanti consistently ranks within the highest number of non-fatal and fatal overdoses reported within municipalities in Wayne and Washtenaw County; and

WHEREAS, drug-checking tools such as Fourier-transform infrared spectroscopy (FTIR) and gas chromatography mass spectroscopy (GC-MS) —generally known as “quantitative drug checking”—can identify multiple substances in a drug sample and determine the relative concentration of those substances giving people lifesaving information about the dangers that might be posed by sample adulteration; and

WHEREAS, advanced drug-checking services can prevent a person from unwittingly taking a substance they may otherwise have believed was safe; and

WHEREAS, effective deployment of FTIR and/or GC-MS drug-checking can also alert public-health and law-enforcement personnel as to emerging trends regarding the drug supply in a community. For example: Advanced drug-checking technology can provide early alerts that drug samples in a given community are starting to be contaminated with Xylazine; and

WHEREAS, fatal overdose rates continue to rise disproportionately within BIPOC communities in Michigan; and

WHEREAS, the Governor's Office and MDHHS have forwarded directives to reduce fatal overdoses in Michigan and ultimately eliminate racial disparities in fatal overdoses throughout the state; therefore BE IT

RESOLVED: That the Mayor and City Council hereby declare that it shall be the policy of the City of Ypsilanti that the investigation and arrest of persons in possession of a controlled substance, “in an amount sufficient only for personal use”, if evidence is present that a controlled substance was obtained as a result of participation in, or the individual in possession of a controlled substance is a participant, staff member, or volunteer of a quantitative drug-checking program; or individuals in possession of drug paraphernalia, if evidence is present that paraphernalia was obtained as a result of participation in, or the individual in possession of paraphernalia is a participant, staff member or volunteer of, a syringe service program, shall be the lowest law enforcement priority for the City of Ypsilanti; and city funds or resources shall not be used in any investigation, detention, arrest, or prosecution arising out of alleged violations of state and federal law regarding individuals in possession of a controlled substance, “in an amount sufficient only for personal use”, if evidence is present that a controlled substance was obtained as a result of participation in, or the individual in possession of a controlled substance is a participant, staff member, or volunteer of a quantitative drug-checking program; or individuals in possession of drug paraphernalia, if evidence is present that paraphernalia was obtained as a result of participation in, or

the individual in possession of paraphernalia is a participant, staff member or volunteer of, a syringe service program; be it further

RESOLVED, that this resolution does not provide protection from arrest or prosecution, if (1) charges are sought by law-enforcement for possession of a controlled substance "sufficient only for personal use," and (2) there is sufficient evidence to authorize that charge that does not stem from participation in a quantitative drug-checking program, APAs should authorize that charge, assuming charges are in the interest of justice. That is true even if the would-be defendant separately participated in a quantitative drug-checking program; be it further

RESOLVED, That if any provision of this resolution is declared by a court of competent jurisdiction to be contrary to any statute, regulation, or judicial decision, so that its applicability to any agency, person, or circumstance is held invalid, the validity of the remainder of this resolution and its applicability to any other agency, person, or circumstance shall not be affected.

OFFERED BY: _____

SUPPORTED BY: _____

YES: NO: ABSENT: VOTE:

**Attachment 3: Email and Memo from City Attorney John Barr dated July 20, 2024 RE:
Definitions**

FW: HRC definitions

Katie Jones <kjones@cityofypsilanti.com>

Wed, Jul 24, 2024 at 3:54 PM

To: Katherine Layton <[REDACTED]>, "Doulos, Britney" <[REDACTED]>, Juanita House

<[REDACTED]>, Justin Harper <[REDACTED]>, Michelle King <mking@cityofypsilanti.com>, "danieljackson" <[REDACTED]>, "jennife" <[REDACTED]>

Hi all, please see the email below from John Barr as well as the attached definitions.

Thanks!
Katie

From: John Barr <JBarr@barrlawfirm.com>
Sent: Saturday, July 20, 2024 4:44 PM
To: Katie Jones <kjones@cityofypsilanti.com>
Cc: Hellenga, Andrew <ahellenga@cityofypsilanti.com>
Subject: HRC definitions

Attention: This email was sent to the City of Ypsilanti from an external source. Please be extra vigilant when opening attachments or clicking links.

Hi Katie,

1. The HRC asked for a tracking record of complaint. I have asked Jennifer to start a list, similar to the list we keep for FOIA.
2. The HRC also asked for definitions. Attached is a draft. Please share with the HRC.

Thanks.

John

JOHN M. BARR

BARR, ANHUT & ASSOCIATES, P.C.

Attorneys at Law

[105 Pearl Street, Ypsilanti MI 48197](#)

(734) 481-1234; fax 483-3871

jbarr@barrlawfirm.com

SEE: <http://www.barrlawfirm.com/> FAQs - Disclaimer



Direct relationship draft definition Chapter 58 JMB and TM.docx

13K

Definitions

Direct relationship. Direct relationship means a similarity in the nature of the criminal offense and the job, housing or other consideration. For instance, the crime of embezzlement would have a direct relationship to a job of handling money. A crime of arson would have a direct relationship to the job of fire fighter. The crime of fraud would have a direct relationship to the job of stock broker or other fiduciary relationship. The crime of first degree criminal sexual conduct would have a direct relationship on the job of elementary grade school teacher, mental hospital attendant.

Unreasonable risk to property or safety means a **higher** risk that would not occur but for the fact of the criminal conviction. For instance, the risk of hiring a person with a criminal history of 25 years ago might be reasonable, but unreasonable if the criminal conviction was more recent, **say within the last** 1 or two years. An unreasonable risk might include the factor of force, violence, weapons use, multiple offenses, torture, depravity, mutilation, age and condition of victim, unrepentance.

Attachment 4: Letter of Support for Drug Checking Services from HRC dated August 15, 2024

August 15, 2024

Dear Ypsilanti City Council and Mayor,

On behalf of the Ypsilanti Human Relations Commission, I am writing to express our strong support for the implementation of a drug checking program in Ypsilanti, Michigan. As a community dedicated to promoting the health, safety, and well-being of all residents, we recognize the critical importance of harm reduction strategies in addressing the ongoing public health crisis related to substance use.

Harm reduction programs, such as syringe service programs (SSPs), have been proven to significantly reduce the transmission of infectious diseases like HIV and Hepatitis C, provide essential healthcare services, and connect individuals to treatment and social support. Drug checking services, an essential component of comprehensive harm reduction programs, offer individuals the opportunity to test their substances in real-time, improving their ability to make safer decisions regarding their use. The lack of access to this information has been a significant contributor to the rising number of overdose deaths in our community.

The ongoing surge in overdose deaths, primarily driven by the unpredictability of the drug supply, underscores the urgent need for drug checking services. These services not only provide life-saving information to individuals but also foster trust and engagement with harm reduction programs, facilitating access to additional support and resources.

By implementing drug checking services in Ypsilanti, we can:

1. **Prevent Overdoses and Save Lives:** By identifying the presence of harmful substances, individuals can make informed decisions, reducing the risk of fatal overdoses.
2. **Enhance Public Health Outcomes:** Drug checking services serve as an entry point for broader health interventions, connecting individuals to treatment, counseling, and other support services.
3. **Promote Community Safety:** Reducing the prevalence of dangerous substances in the community contributes to overall public safety and well-being.
4. **Empower Individuals:** Providing access to accurate information empowers individuals to take control of their health and safety, fostering a sense of agency and responsibility.

The Ypsilanti Human Relations Commission is fully committed to supporting the establishment and expansion of these critical services in our community. We believe that by working together, we can create a safer, healthier environment for all residents. We strongly urge the adoption of policies that will facilitate the implementation of drug checking programs in Ypsilanti.

Thank you for your attention to this important matter. We look forward to collaborating with you and other stakeholders to make this vision a reality.

Sincerely,

Kat Layton, Chair

On behalf of the Ypsilanti Human Relations Commission

Attachment 5: Working Committees for the Human Relations Commission

WORKING COMMITTEES FOR THE HUMAN RELATIONS COMMISSION

1. Policy and Systems Change Subcommittee

Focus: Addressing and influencing local policies, systems, and institutional practices. This subcommittee would encompass advocacy, legislative review, and working with HRC to support city staff and council on policy recommendations, with a focus on systemic change to combat discrimination and promote equity.

- **Activities:** Analyzing local and state policies, proposing legislative changes, drafting resolutions, partnering with legal or policy experts, and advising on governance reform.
- **Combined Work Areas:** Anti-Discrimination Policy Advocacy, Housing Policy Reform, Local Governance Accountability, Data Collection for Policy Initiatives.

2. Community Engagement and Education Subcommittee

Focus: Building relationships within the community, educating the public, and promoting awareness of key issues related to human rights and equality. This subcommittee would foster collaboration across diverse groups, organize public forums, and lead educational initiatives on relevant topics.

- **Activities:** Organizing events, public forums, workshops, educational programs, and facilitating dialogue among marginalized communities and government bodies.
- **Combined Work Areas:** Community Outreach, Public Education, Event Planning, Public Safety Education, Media and Communication Campaigns.

3. Equity and Access Subcommittee

Focus: Ensuring marginalized communities have equitable access to resources, services, and opportunities. This subcommittee would address barriers faced by historically underserved groups, advocate for expanded access to housing, mental health services, employment opportunities, and more.

- **Activities:** Assessing gaps in access, working with service providers, conducting outreach to underserved communities, and advocating for equitable distribution of resources.
- **Combined Work Areas:** Economic Equity, Mental Health and Wellness, Crisis Response and Public Safety Access, Equal Opportunity and Anti-Bias Initiatives.

**Attachment 6: Memo from City Attorney John Barr dated September 13, 2024 RE:
Request to review resolutions of HRC**



**Barr,
Anhut &
Associates, P.C.**
ATTORNEYS AT LAW

105 Pearl Street
Ypsilanti, MI 48197
(734) 481-1234
Fax (734) 483-3871
www.barrlawfirm.com
e-mail: jbarr@barrlawfirm.com

John M. Barr

Jesse O'Jack ~ Of Counsel
Tobias J. Lipski ~ Of Counsel
Randolph T. Barker ~ Of Counsel
Jennifer A. Merritt ~ Legal Assistant

MEMORANDUM

To: Tracey Bourdeau, Ypsilanti City Clerk
From: John M. Barr, Ypsilanti City Attorney
Date: September 13, 2024
Re: Request for review of resolutions of HRC

Pursuant to your email request I have reviewed the draft of a resolution from the Human Relations Commission (HRC) for a Community Wellness Community Forum Series.

The mission of the HRC as set out in ordinance is:

"To study problems in the city relating to prejudice and discrimination and to make recommendations to the city council and city manager for the elimination of prejudice and discrimination within the community."

Discrimination is defined in the ordinance as: "*Discriminate* means to subject anyone to different or separate treatment, based in whole or in part, on the person's actual or perceived race, color, religion, national origin, immigration status, sex, sexual orientation, gender identity, gender expression, age, marital status, disability status, familial status, educational association, source of income, height or weight, felony or misdemeanor conviction (unless there is a direct relationship between the conviction offense and the housing, the job, the opportunity or unless hiring or accepting the person would create an unreasonable risk to property or safety)."

The Community Wellness Community website indicates the forums are directed at education, healthcare, employment, housing and transportation.



**Barr,
Anhut &
Associates, P.C.**
ATTORNEYS AT LAW

105 Pearl Street
Ypsilanti, MI 48197
(734) 481-1234
Fax (734) 483-3871
www.barrlawfirm.com
e-mail: jbarr@barrlawfirm.com

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Randolph T. Barker ~ Of Counsel
Jennifer A. Merritt ~ Legal Assistant

The issues addressed by the Community Wellness Community (health) are different than the mission and issues of the HRC ordinance (discrimination) . The HRC ordinance does not charge the HRC with investigating health issue.

Therefore, in my opinion, the proposed resolution of the HRC for Community Wellness Community Forums goes beyond the authority granted the commission in the HRC ordinance.

Attachment 7: Memo from City Attorney John Barr dated August 8, 2024 RE: Complaint against Ypsilanti Human Relations Commission Open Meetings Act and Robert's Rules of Order



**Barr,
Anhut &
Associates, P.C.**
ATTORNEYS AT LAW

105 Pearl Street
Ypsilanti, MI 48197
(734) 481-1234
Fax (734) 483-3871
www.barrlawfirm.com
e-mail: jbarr@barrlawfirm.com

John M. Barr

Jesse O'Jack ~ Of Counsel
Tobias J. Lipsky ~ Of Counsel
Randolph T. Barker ~ Of Counsel
Jennifer A. Merritt ~ Legal Assistant

August 8, 2024

Mr. Alexander Munro

[REDACTED]
Ypsilanti, MI 48197

Via email [REDACTED]

Dear Mr. Munro:

RE: Complaint against Ypsilanti Human Relations Commission
Open Meetings Act and Robert's Rules of Order

You filed a complaint against the Ypsilanti Human Relations Commission as follows:

During the human relations committee meeting held 07/18/2024, a flyer was presented and discussed by the commissioners but never included in the agenda materials for the public to see and review.

The flyer in question had a black background with white text overlayed on it. The meeting's minutes and/or recordings contain references to the flyer. As the commission's materials which are part of their deliberation and recommendations were not provided to the public, I found it difficult to participate as a concerned member of the public and a local business owner. I am writing to report this as an Open Meetings Act violation by Chair Layton and Commissioner Doulos.

Additionally, the Roberts rules of order were not followed during this meeting; commissioners were argumentatively cutting off participants (including during public commentary), and interjecting themselves into one others' commentary during the meeting.



**Barr,
Anhut &
Associates, P.C.**
ATTORNEYS AT LAW

August 8, 2024
Page 2

Your complaint is denied for the following reasons.

1. The Michigan Open Meetings Act (OMA) only applies to “public bodies” and the Ypsilanti Human Relations Commission (HRC) is not a public body defined by the Act. The Act defines “public bodies”:

(a) "Public body" means any state or local legislative or governing body, including a board, commission, committee, subcommittee, authority, or council, that is empowered by state constitution, statute, charter, ordinance, resolution, or rule to exercise governmental or proprietary authority or perform a governmental or proprietary function;" (Emphasis supplied)

The OMA does not apply to merely advisory boards or committees.¹ The Ypsilanti City Charter in §9.03 limits the authority of city boards and commissions and provides:

The boards and commissions shall not administer any activity, department, or agency of the City government unless specifically required to do so by State statute, but shall serve solely in an advisory capacity or in the capacity of a quasi-judicial appeal board. (Emphasis supplied)

2. Robert's Rules of order was adopted by the HRC bylaws. However, Robert's 10th Edition (adopted by City) in §61 *Disciplinary Proceedings*, pages 625,628 states that "...nonmembers have no rights with reference to the proceedings..."

¹ This is so even though the City of Ypsilanti Boards and Commission Handbook suggests that Boards and Commissions are subject to the OMA. The state law may not be changed by a city administrative handbook. City Council would have the power by ordinance to require Boards and Commissions to adhere to the requirements of the OMA, but would have to provide by ordinance for any remedies or penalties for violation behavior. I do recommend, however, that City Boards and Commission, so far as possible, act in accordance with the OMA for the City goal of transparency.

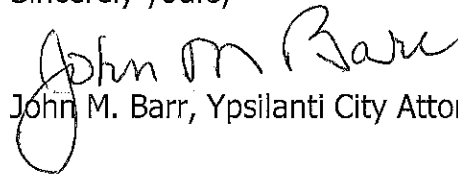


**Barr,
Anhut &
Associates, P.C.**
ATTORNEYS AT LAW

August 8, 2024
Page 3

Therefore, only a HRC member may object to an alleged Robert's Rules violation of the rules for a procedural matter.²

Sincerely yours,


John M. Barr, Ypsilanti City Attorney

² I further recommend that Board and Commission members and the public act with respect and civility toward each other and not talk over or interrupt speakers with the floor and not disrupt meetings with whistling, shouting, clapping, stamping or any other disruptive behavior.

Attachment 8: Resolution 2024-229 on October 1, 2024 City Council Meeting Agenda



Resolution No. 2024-229
October 1, 2024

Whereas, it is in the interest of the entire Ypsilanti community to have a safe and welcoming downtown for all Ypsilanti residents, business owners, and visitors; and

Whereas, the downtown currently has areas where safety is a significant concern for many of Ypsilanti's residents, visitors and business owners; and

Whereas, it is inappropriate to focus on the safety concerns of a subsection of the population without addressing the safety concerns of the entire downtown population; and

Whereas, the effort to concentrate services for a vulnerable population in the downtown core has had significant negative collateral impacts, including open air drug dealing, violence and threats to public safety and health; and

Whereas, business owners and property owners have a right to expect the city to take measures to ensure the safety of all in the interest of promoting a safe and vibrant downtown that serves a diverse clientele; now therefore be it

RESOLVED, that the city manager is hereby directed to use all appropriate resources, including police resources and police presence, to ensure a safe downtown for all residents, visitors and business owners; be it further

RESOLVED, that these resources shall be used in a manner consistent with respect for the civil rights of all residents, visitors and business owners.

OFFERED BY: _____

SUPPORTED BY: _____

YES: NO: ABSENT: VOTE:

**Attachment 9: Memo from City Attorney John Barr dated October 23, 2024 RE: Subject
Discrimination Complaint, Our File No. 131 HRC, Discrimination Complaint No. 26**



**Barr,
Anhut &
Associates, P.C.**
ATTORNEYS AT LAW

105 Pearl Street
Ypsilanti, MI 48197
(734) 481-1234
Fax (734) 483-3871
www.barrlawfirm.com
e-mail: jbarr@barrlawfirm.com

John M. Barr

Jesse O'Jack ~ Of Counsel
Tobias J. Lipsky ~ Of Counsel
Randolph T. Barker ~ Of Counsel
Jennifer A. Merritt ~ Legal Assistant

October 23, 2024

Nicole Wimer


Dear Nicole Wimer:

RE: Subject Discrimination Complaint
Our File No. 131 HRC
Discrimination complaint No. 26

This letter is in response to your recent Formal Grievance regarding alleged Discriminatory Language in Resolution 2024-229 and resolution author, City Councilmember Patric McLean (Ward 2), sent to me by email. Councilmember McLean drafted resolution 2024-229 and presented it to City Council for consideration in his capacity as a Ypsilanti Councilmember.

Your Grievance and Complaint alleges:

Discriminatory Language:

The resolution targets a "subsection of the population," which includes individuals who are members of protected classes under the City's ordinance, such as those based on race, disability, income status, and more. The City's Human Relations Ordinance defines discrimination...

Violation of Civil Rights:

The language used in the resolution risks justifying civil rights violations by blaming individuals from protected classes, including people experiencing homelessness, those with mental health conditions, and individuals who rely on harm reduction services for known systemic failures. By unfairly associating these populations with crime and safety issues, the resolution may lead to discriminatory practices that disproportionately target marginalized people, rather than addressing the root causes of systemic issues like housing insecurity, lack of mental health resources, and problematic substance use patterns.



Council Members' Accountability and Fitness for Office:

The Council Members who introduced this resolution should be held accountable for promoting language that is harmful, discriminatory, and at odds with the values of equity and inclusion. I am formally requesting that the City conduct an investigation into the Council Members responsible for drafting and introducing this resolution, assessing their actions and whether they are fit to continue holding public office. Their willingness to promote and support such harmful language raises concerns about their ability to represent the diverse interests of Ypsilanti's residents fairly, particularly those of vulnerable and marginalized populations.

Request for Investigation:

- I request that the City of Ypsilanti task the Human Relations Commission to investigate the discriminatory nature of Resolution 229 and determine whether it violates any laws, ordinances, or civil rights protections.*
- I request that the city examine whether the council member(s) who authored this resolution, published on behalf of the city, acted in violation of their duties to uphold the civil rights and protections of all Ypsilanti residents.*
- I request that the fitness of this council member(s) for public office be reviewed, based on their involvement in introducing and supporting a resolution that could lead to discrimination and harm against protected class residents.*

Your Grievance and Complaint is denied for the following reasons:

Resolution 2024-229 was drafted and presented to Ypsilanti City Council by Councilmember McLean in response to alleged criminal and disruptive behavior occurring in the downtown business area of Ypsilanti. Home owners, residents and business owners complained of a group of allegedly underserved people dealing drugs in the open, defecating and urination in public, open sex acts, litter of condoms and needles on the streets, stealing from shop owners and harassing and threatening of pedestrians.

Your Grievance and Complaint were not verified as required by the ordinance.

Resolution 2024-229 does not single out any protected class but refers to a "subsection of the population" and a "vulnerable population in the downtown core." The fact that a group may (or may not) have a protected class within it does not exempt it from good behavior, following state laws and city ordinances by claiming discrimination.



**Barr,
Anhut &
Associates, P.C.**
ATTORNEYS AT LAW

October 23, 2024
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Being in a protected class does not exempt one from facing the consequences for one's actions or from criminal behavior.

A call to action aimed at addressing criminal activity and disruptive behavior, even if it intersects with civil rights issues, does not constitute discrimination.

Federal law and the Ypsilanti discrimination ordinance expressly exempts and grants immunity for claims such as this claim to the mayor and council members.

The United States Supreme Court held in *Bogan et al. v. Scott-Harris*, 523 U.S. 44, 118 S.Ct. 966, 140 L.Ed.2d 79 (1998) that local legislators (i.e. members of a city council and the city mayor) have absolute immunity from personal liability under 42 U.S.C. §1983 ("§1983" actions) for actions taken in their official capacity.

The Ypsilanti discrimination ordinance 58-77 grants absolute immunity concerning the actions of the mayor and council members for the performance of their duties under the ordinance.

The Grievance and Complaint do not present probable cause or a prima facie case; therefore, it must be dismissed without requiring further investigation or action.

Sincerely yours,

John M. Barr
Ypsilanti City Attorney

Ypsilanti Police Advisory Commission (YPAC) 2024 Annual Report

1. Introduction

The Ypsilanti Police Advisory Commission (YPAC) was established by Ordinance 1295 in November 2017. The Commission's primary mission is to enhance the relationship between the Ypsilanti community and the Ypsilanti Police Department (YPD) by acting as a liaison, improving police-community relations, and advocating for initiatives that benefit both parties. The Commission reviews police complaint investigations, audits data, educates the public on the complaint process, and makes recommendations to the City Manager and City Council.

In accordance with Chapter 78-49(6), the Commission is required to provide an annual report to the City Council on its activities and findings.

2. Commission Purpose (Sec. 2-181)

The mission of YPAC includes:

- Strengthening the relationship between the Ypsilanti community and the YPD.
- Serving as a liaison to improve community-police relations.
- Reviewing police complaint findings and reporting to City Council.
- Auditing and compiling data relating to police complaints and other community concerns.
- Educating the public on the complaint process and advocating for accessibility.
- Providing recommendations to the City Manager regarding departmental operations and procedures.
- Participating in the review of the Citizen Police Academy.
- Consulting on the Police Department's strategic plan.

3. Operations Overview for 2024

Key Decisions and Events:

Joint meeting Human Relations and Police Advisory Commissions for mental health community meetings. Mental Health Community Meetings: As part of the joint meeting with the HRC, the focus on mental health is expected to remain a central theme in YPAC's 2024 agenda. Mental health crises are a growing issue for law enforcement agencies, as they are often called upon to respond to situations where mental health professionals or social services might be better equipped.

Draft of Resolution No. 2024-001 Presented: During the February 22, 2024 meeting, YPAC discussed and presented Resolution No. 2024-001, a formal recommendation to

the Ypsilanti City Manager. The draft resolution was reviewed and approved by all commissioners present at the meeting, including the chairperson.

Community and Police Interaction Survey represents a proactive step by YPAC in gathering meaningful feedback from Ypsilanti residents about their experiences with the Ypsilanti Police Department. By using this survey, YPAC aims to bridge gaps in communication, identify areas where the YPD can improve, and ensure that policing practices are transparent, equitable, and aligned with the values of the community.

4. Membership Changes and Structure

As of 2024, the YPAC membership is as follows:

- **Liaison:** Council Member Tooson
- **Chairperson:** Eric Mohamed
- **Vice Chairperson:** Kathleen McCormick
- **Commission Members:**
 - Gail Wolkoff (Term expires February 1, 2026)
 - Eric Mohamed (Term expires February 1, 2025)
 - Kathleen McCormick (Term expires February 1, 2027)
 - Herman Humes Jr. (Term expires February 1, 2027)
 - Jeffrey Cifor (Term expires July 1, 2027)
 - Alexander Munro (Term expires July 1, 2027)
 - Alexandre "Sasha" Anisimova left in March 2024.

5. Meeting Schedule and Participation

The Commission held the following meetings in 2024:

- **Regular Meetings:** January 25, February 22, March 28, April 24, May 16, June 20, July 25, August 22, September 26, October 24, November 21, and December 5.
- **Joint and Subcommittee Meetings with Human Relations Commission:** February 22, May 16, June 27, September 3.
- **Meetings with City Manager and Chief Moore:** February, May 23.
- **Administrative Crime Reports by Chief Moore:** Meetings were held in January, March, April, May, June, July, and August to discuss crime data, officer recruitment, departmental changes, and personnel updates.

6. Department Activities and Community Involvement

During 2024, the Ypsilanti Police Department engaged in various activities that were monitored by YPAC:

- **Community Involvement:** Regular updates were provided on police participation in local events and community initiatives.
- **Law Enforcement Training:** YPD officers participated in a range of training programs throughout the year.
- **Citizen Complaints:** YPAC reviewed complaints filed by residents, looking into reasons, investigations, and resolutions of each case.
- **Use of Force Reports:** The Commission reviewed use-of-force incidents to assess compliance with department policies and best practices.

7. Police Department Updates

- **Arrests, Tickets, Calls for Service:** The Commission was updated on the volume and nature of arrests, tickets issued, calls for service, and other reports relevant to YPD's operations.
- **Officer Recruitment and Retention:** YPD provided updates on hiring processes, new recruits, officer departures, and the number of officers currently "on the road" compared to those in training.
- **Organizational Changes:** YPD discussed any internal departmental changes that might affect operations, staffing, or community relations.
- **Undecided**

8. Recommendations and Observations

In 2024, YPAC made several key recommendations based on its activities:

- **Improving Transparency in Police Practices:** The Commission recommended more detailed and accessible reports on police activities, including greater public visibility on citizen complaints and their resolutions.
- **Enhancing Community Policing:** YPAC advocated for more community engagement initiatives by officers to build trust and collaboration with residents.
- **Review of Use of Force Policies:** YPAC recommended further review of YPD's use of force policies and practices, emphasizing de-escalation training and non-violent methods of policing.
- **Complaint Process Accessibility:** There was a call for improving the accessibility of the complaint process to ensure that all residents, especially marginalized groups, can easily file and track complaints.

Below is a breakdown of YPAC's monthly activities in 2024, including discussions, surveys, and other initiatives.

January 2024

- **Community and Police Interaction Survey:** YPAC discussed a survey to assess community experiences with police service responses.
 - **Pretextual Stops:** Discussion on the use of pretextual stops, examining their legality and implications for community trust and policing practices.
 - **SPIDR:** learned about a system YPD was evaluating for community Engagement.
 - **Training Explanation of Use of Force:** YPAC requested an explanation from the YPD on use of force training procedures and policies.
 - **Requested Policy on De-escalation and Safety:** YPAC asked for a detailed review of the department's de-escalation protocols and safety policies to be added to the February agenda.
 - **Coffee with the Police**
-

February 2024

- **YPAC Draft Questions for Officer Satisfaction:** YPAC developed a draft of survey questions focused on officer satisfaction and morale. These questions were scheduled for discussion at the March meeting.
 - **Complaint Process Discussion:** Continued discussions around the structure of the police complaint process and its accessibility to the community.
 - **Received Memo from Chief Moore:** YPAC received a memo from Chief Moore regarding the results of a stakeholder survey, which would be discussed in later meetings.
 - YPAC and the Chief engaged in a discussion regarding a **MiLive article** that examined the state of policing in Ypsilanti.
-

March 2024

- **Discussion of Police Complaint Process:** YPAC revisited the police complaint process, aiming to identify barriers and opportunities for improvement.
 - **Stakeholder Survey Review:** YPAC reviewed and discussed feedback from the Stakeholder Survey, which included insights from various community groups regarding police interactions.
-

April 2024

- **Stakeholder/Community Engagement Survey:** YPAC finalized and discussed the results of the Stakeholder and Community Engagement survey, exploring ways to improve communication and collaboration between the community and the police department.
 - **Police Complaint Process:** A follow-up discussion on the status of the complaint process, emphasizing improvements needed to streamline complaints and investigations.
 - **Pending completion of project**
-

May 2024

- **Community Forum Discussion:** YPAC held a discussion on organizing a community forum to address local concerns and provide a platform for residents to engage directly with police officers and city officials.
 - **Complaint Process Discussion:** Further discussion on refining the police complaint process based on community feedback.
 - **Chase Policy:** The Commission reviewed the department's chase policy, discussing guidelines, safety concerns, and best practices for high-speed pursuits.
-

June 2024

- **Stakeholder Community Survey Approval:** YPAC formally approved the release of the Stakeholder Community Survey, which was intended to gather input on police practices, community relations, and safety concerns.
 - **Pending completion of project**
-

July 2024

- **QR Codes and Vendor Identification:** YPAC discussed using QR codes as a method for enhancing community engagement, such as allowing residents to easily access important police department information, resources, or complaint forms.
- **Pending completion of project**
- **Budget Presentation by Council Member Tooson:** Council Member Tooson presented the YPD budget to YPAC, highlighting key financial aspects related to staffing, training, and community programs.

August 2024

- **Review of the Community Benefit Ordinance**
 - **Update on the Stakeholder/Community Engagement Survey**
 - **Discussion on Citizen Complaint process**
-

September 2024

- **Chief Walks YPAC Through Complaint Process:** Chief Moore conducted a walkthrough of the YPD's complaint process for YPAC, providing detailed information on how complaints are handled, investigated, and resolved.
 - **Commissioner Humes Met with YCSHS Youth Members:** Commissioner Herman Humes Jr. met with youth members of the Ypsilanti Community Schools High School (YCSHS) to discuss youth-police relations, and gather feedback on concerns and suggestions for improvement.
-

October 2024

- **No specific activities noted for October.** However, this might have been a month for planning, internal discussions, or preparation for upcoming initiatives.
-

November 2024

- **No specific activities noted for November.** Similar to October, this could have been a month for continued planning, follow-up on prior activities, or preparation for the year-end review.
-

9. Conclusion

As 2024 unfolds, YPAC is clearly taking an active role in pushing for thoughtful, community-centered reforms within the Ypsilanti Police Department. The emphasis on **mental health** and **policing practices** will be crucial for fostering a safer and more equitable community, while the adoption of **Resolution No. 2024-001** signals that YPAC is committed to holding the department accountable and ensuring that policing strategies are in line with the needs and concerns of the Ypsilanti community.

Respectfully submitted,
Eric Mohamed Chairperson
Gail Wolkoff immediate past Chairperson for YPAC



REQUEST FOR LEGISLATION
February 4, 2025

For: Mayor and City Council

From: Tracey Boudreau, City Clerk

Subject: Resolution No. 2025-016 Approving the minutes of the meeting of January 21, 2025.

SUMMARY & BACKGROUND:

RECOMMENDED ACTION: Approval

ATTACHMENTS:

1. Resolution No 2025-016 Minutes
2. January 21, 2025 Council Meeting Minutes

CITY MANAGER APPROVAL:

COUNCIL AGENDA DATE: February 4, 2025

CITY MANAGER COMMENTS:

FISCAL SERVICES DIRECTOR APPROVAL:



Resolution No. 2025-016
February 4, 2025

RESOLVED BY THE COUNCIL OF THE CITY OF YPSILANTI:

THAT the minutes of the January 21, 2025 City Council Meeting be approved.

OFFERED BY: _____

SUPPORTED BY: _____

YES: NO: ABSENT: VOTE:



**MINUTES
REGULAR COUNCIL MEETING
6:00 PM - Tuesday, January 21, 2025
Council Chambers
One South Huron, Ypsilanti, MI 48197**

I. CALL TO ORDER

Mayor Brown called the meeting to order at 6p.m.

II. ROLL CALL

PRESENT at roll call were Mayor Brown, Mayor Pro-Tem Wilcoxon, Council Member King, Council Member McLean, Council Member Simmon, Council Member Fellows, and Council Member Tooson. ABSENT: None.

III. A MOMENT TO CENTER AND FOCUS

IV. AGENDA APPROVAL

Council Member Tooson moved to Approve the AGENDA. Mayor Pro-Tem Wilcoxon seconded the motion.

Council Member Fellows moved to Amend the AGENDA by adding a discussion regarding Water Street fence repair and tree removal. Mayor Pro-Tem Wilcoxon seconded the motion.

Yes: (7) Michelle King, Roland Tooson, Desirae Simmons, Steve Wilcoxon, Nicole Brown, Patrick McLean, Amber Fellows

No: 0 None

Absent: (0)

Council Member Simmons moved to Amend the AGENDA by switching the order of Sections V & VI, so Public Comment comes after the Goal Session. Council Member King seconded the motion.

Yes: (5) Michelle King, Desirae Simmons, Steve Wilcoxon, Nicole Brown, Amber Fellows

No: (2) Roland Tooson, Patrick McLean

Absent: (0)

Council Member Tooson moved to Approve the AGENDA as amended. Mayor Pro-Tem Wilcoxon seconded the motion.

Yes: (6) Michelle King, Roland Tooson, Desirae Simmons, Steve Wilcoxon, Nicole Brown, Amber Fellows

No: (1) Patrick McLean

Absent: (0)

VI. BUDGET PRIORITY & GOALS SESSION

A. Departmental Goals

V. PUBLIC COMMENT - 45 MINUTES TOTAL (3 MINUTES/EACH SPEAKER)

13 Members of the public spoke.

VII. RESOLUTIONS/MOTIONS/DISCUSSIONS

A. Resolution No. 2025-010 Approving the minutes of the meeting of January 7, 2025.

Council Member King moved to Approve Resolution No. 2025-010 Approving the minutes of the meeting of January 7, 2025. Council Member Tooson seconded the motion.

Yes: (7) Michelle King, Roland Tooson, Desirae Simmons, Steve Wilcoxon, Nicole Brown, Patrick McLean, Amber Fellows
No: 0 None
Absent: (0)

B. Resolution No. 2025-011 Reappointing Residents Brian Merlos to the Parks & Arts Commission and Stefan Szumko to the Historic District Commission.

Council Member McLean moved to Approve Resolution No. 2025-011 Reappointing Residents Brian Merlos to the Parks & Arts Commission and Stefan Szumko to the Historic District Commission. Council Member Tooson seconded the motion.

Yes: (7) Michelle King, Roland Tooson, Desirae Simmons, Steve Wilcoxon, Nicole Brown, Patrick McLean, Amber Fellows
No: 0 None
Absent: (0)

C. Resolution No. 2025-012 Approving GEI as the contractor for the removal design for Peninsular Dam. If GEI cannot enter a contract for any reason, the contract will be awarded to Interfluve.

Mayor Pro-Tem Wilcoxon moved to Approve Resolution No. 2025-012 Approving GEI as the contractor for the removal design for Peninsular Dam. If GEI cannot enter a contract for any reason, the contract will be awarded to Interfluve. Council Member King seconded the motion.

Yes: (7) Michelle King, Roland Tooson, Desirae Simmons, Steve Wilcoxon, Nicole Brown, Patrick McLean, Amber Fellows
No: 0 None
Absent: (0)

The Council added a Discussion regarding Water Street Fence Repair and Tree Removal.

Mayor Pro-Tem Wilcoxon moved to delay the Water Street project until the February 4th meeting. Council Member Tooson seconded the motion. Council Member Tooson offered a friendly amendment to add that that time be used to find solutions for this issue and the friendly amendment was accepted. Mayor Pro Tem Wilcoxon called the question, supported by Council Member Tooson. An immediate roll call vote occurred as follows:

Yes: (6) Michelle King, Roland Tooson, Desirae Simmons, Steve Wilcoxon, Nicole Brown, Patrick McLean
No: (1) Amber Fellows
Absent: (0)

The amended motion passed upon a roll call vote as follows:

Yes: (7) Michelle King, Roland Tooson, Desirae Simmons, Steve Wilcoxon, Nicole Brown, Patrick McLean, Amber Fellows
No: 0 None
Absent: (0)

Council Member Tooson, supported by Mayor Pro Tem Wilcoxon, moved to extend the meeting until midnight. The motion passed unanimously upon a voice vote.

D. Resolution No. 2025-013 Entering into a Closed Session, pursuant to MCL 15.268 (e), for the purpose of discussing the following pending litigation: VTP River Woods LLC and VTP Arbor One LLC v City of Ypsilanti; and David McGill v City of Ypsilanti and also, pursuant to MCL 15.268 (c), to discuss Command Officers Association of Michigan (COAM) Contract Negotiations.

CLOSED SESSION

Resolution No. 2025-014 Leaving the Closed Session and returning to the Open Session of this meeting.

Council Member Simmons moved to Approve Resolution No. 2025-013 Entering into a Closed Session, pursuant to MCL 15.268 (e), for the purpose of discussing the following pending litigation: VTP River Woods LLC and VTP Arbor One LLC v City of Ypsilanti; and David McGill v City of Ypsilanti and also, pursuant to MCL 15.268 (c), to discuss Command Officers Association of Michigan (COAM) Contract Negotiations. Council Member King seconded the motion.

Yes: (7) Michelle King, Roland Tooson, Desirae Simmons, Steve Wilcoxon, Nicole Brown, Patrick McLean, Amber Fellows
No: 0 None

Absent: (0)

Council Member Fellows moved to Approve Resolution No. 2025-014 Leaving the Closed Session and returning to the Open Session of this meeting. Council Member Tooson seconded the motion. The motion passed upon a voice vote as follows:

Yes: (7) Michelle King, Roland Tooson, Desirae Simmons, Steve Wilcoxon, Nicole Brown, Patrick McLean, Amber Fellows

No: 0 None

Absent: (0)

Council Member Tooson, supported by Mayor Pro Tem Wilcoxon, moved to extend the meeting until 12:30a.m. The motion passed unanimously upon a voice vote.

- E. Resolution No. 2025-015 Approving the new collective bargaining agreement between the City of Ypsilanti and the COAM, for the term commencing on January 1, 2025, and terminating on December 31, 2028, as presented and authorize the Mayor, City Manager, and City Clerk to execute the agreement on behalf of the city after approval by the City Attorney as to form.**

Council Member Tooson moved to Approve Resolution No. 2025-015 Approving the new collective bargaining agreement between the City of Ypsilanti and the COAM, for the term commencing on January 1, 2025, and terminating on December 31, 2028, and authorize the Mayor, City Manager, and City Clerk to execute the agreement on behalf of the city after approval by the City Attorney as to form. Council Member McLean seconded the motion.

Yes: (7) Michelle King, Roland Tooson, Desirae Simmons, Steve Wilcoxon, Nicole Brown, Patrick McLean, Amber Fellows

No: 0 None

Absent: (0)

VIII. BOARD AND COMMISSION - LIAISON REPORTS

A. Police Advisory Commission

Council Member Tooson reported the next meeting is this Tuesday and they are still looking for a Ward 1 representative.

B. Human Relations Commission

No report.

C. Parks and Arts Commission

Council Member McLean reported the next meeting is February 17th.

D. Sustainability Commission

Council Member Simmons stated she missed the last meeting due to illness.

E. Historic District Commission

Council Member McLean reported the last meeting was January 14th and several properties were discussed, including 46 N Huron, 325 E Cross, 212 S Huron, and 316 N Grove. The next meeting is February 11th.

F. Planning Commission

Mayor Pro Tem Wilcoxon reported that there was one project for a review - a laundromat on Washtenaw, which came before the board because they will have a more intense use. It was approved and they will be back with a site plan.

G. Zoning Board of Appeals

Mayor Pro Tem Wilcoxon reported that they have not met.

IX. LIAISON REPORTS

A. SEMCOG Update

Mayor Pro Tem Wilcoxon reported that they are in Washtenaw County February 20th at the Township Board meeting. There are a number of grant opportunities we can take advantage of including public restrooms.

B. Washtenaw Area Transportation Study

Council Member Simmons reported at the last meeting, Ypsi city got an allocation of \$80,000. Noted that listed as a priority in next cycle is \$2.4M for Huron Street. Surface Transportation plan expires this year. This is the way the federal money flows. Suggesting contacting federal partners to encourage funding to continue.

C. Urban County

No report.

D. Ypsilanti Downtown Development Authority

Mayor Brown reported they completed the strategic planning last week.

E. Friends of Rutherford Pool

No report.

X. COUNCIL PROPOSED BUSINESS

Council Member Tooson -

- Monday, from 5:30p.m. to 8p.m., at the Parkridge Community Center there is an opportunity for youth to get help with their homework, play some basketball, and enjoy pizza.
- Friday, from 6pm. to 8 or 9p.m, at Ypsilanti Middle School there will be a Friday Fun Night with more pizza!
- Shout out and thanks to Jenice Thompson for offering the opportunity to help people in the community.

Council Member King -

- Would like to tour Dorsey Estates

Council Member Fellows -

- Would also like to tour Dorsey Estates
- Would like to look at Immigration status ordinances - do we need to improve?
- Encourages everyone to visit Shelters

Council Member Simmons -

- The Youth Mini-Grant Sub-Committee will meet January 28th, and bring recommendations back to the entire Council.

Council Member McLean -

- Spoke with Captain Anderson, taking over as acting Police Chief, and it was a good conversation and thinks all of Council will like what they hear from him.

Mayor Pro Tem Wilcoxon -

- We have a Zoom meeting tomorrow at noon to discuss the Council Meeting agenda process.
- Has had requests to extend leaf collection dates.

XI. COMMUNICATIONS FROM THE MAYOR

Mayor Brown reported that she was able to attend several MLK Day events and although it was cold, it was a great day.

XII. COMMUNICATIONS FROM THE CITY MANAGER

- Many thanks to Chief Moore for his service to the City; he will be missed.
- Agrees with Council Member McLean that Captain Anderson knows his stuff and we are in good hands.
- Talked to MML about beginning the nationwide executive search for a new Police Chief and Attorney Barker has developed a contract for Chief Moore during the transition.

XIII. COMMUNICATIONS

A. Copy of City's "Sanctuary" Ordinance for reference and future discussion.

XIV. PUBLIC COMMENT - CONTINUED (3 MINUTES/EACH SPEAKER)

XV. REMARKS FROM THE MAYOR

XVI. ADJOURNMENT

A. Resolution No. 2025-, adjourning the City Council Meeting.

Mayor Brown adjourned the meeting at 12:05a.m.

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



REQUEST FOR LEGISLATION
February 4, 2025

For: Mayor and City Council

From: Andrew Hellenga, City Manager

Subject: Resolution No. 2025-017 Adopting the Ypsilanti City Council 2024-2025 Goal-Setting Report as the city council's budget priorities for FY 2025-2026 and directing the City Manager to consider these adopted priorities during the preparation of the FY 2025-2026 budget, in accordance with Section 5.02 of the Ypsilanti city charter.

SUMMARY & BACKGROUND:

RECOMMENDED ACTION: Approval

ATTACHMENTS:

1. Resolution No. 2025-017 budget priorities
2. City of Ypsilanti Prioritization Report 2025

CITY MANAGER APPROVAL:

COUNCIL AGENDA DATE: February 4, 2025

CITY MANAGER COMMENTS:

FISCAL SERVICES DIRECTOR APPROVAL:



RESOLVED BY THE COUNCIL OF THE CITY OF YPSILANTI:

WHEREAS, in December of 2024 and January of 2025, the city council engaged in goal budget prioritization exercises with the valuable assistance from facilitator Dr. Morgan Milner and city administration; and

WHEREAS, Mr. Milner prepared five strategic goals which outlines the results of the city council's goal setting sessions; and

WHEREAS, during the three goal session meetings; City Council, City Administration, and the facilitator developed five strategic budget priorities, with further clarity provided in the attached report:

Budget Priority 1: Public Infrastructure/Buildings/Roads

Budget Priority 2: Water Street

Budget Priority 3: Public Safety/Public Health

Budget Priority 4: Shelter/Housing

Budget Priority 5: Staffing Capacity

WHEREAS, pursuant to Section 5.02 of the Ypsilanti city charter, the city council desires to adopt goals, objectives, and budget priorities for 2025-2026 to provide the necessary direction to the City Manager for allocation of resources for FY 2025-2026 proposed budgets.

NOW THEREFORE BE IT RESOLVED BY THE CITY OF YPSILANTI that the Ypsilanti city council does hereby adopt the Ypsilanti City Council 2024-2025 Goal-Setting Report as the city council's budget priorities for FY 2025-2026.

BE IT FURTHER RESOLVED THAT the Ypsilanti city council does hereby direct the City Manager to consider these adopted priorities during the preparation of the FY 2025-2026 budget in accordance with Section 5.02 of the Ypsilanti city charter.

OFFERED BY: _____

SUPPORTED BY: _____

YES: NO: ABSENT: VOTE:

City of Ypsilanti

Department Goals Prioritization 2025

Facilitated by Morgan Milner, PhD (mmilner@emich.edu) for City Manager Andrew Hellenga

Overview

- The City of Ypsilanti engaged in a strategic prioritization process
- The following captures a summary of results
- Consensus on Council's Strategic Priorities is presented
- Department Goals are presented
- Input from Council on Department Goals is presented
- Final Observations are offered

Council Priorities

On Thurs 12/19, a Special Session was held by City Council to identify and discuss strategic priorities towards consensus. The following priorities emerged, with consensus noted:

Theme	% Consensus	
Public Infrastructure/ Buildings/ Roads	88%	Represents Significant Agreement
Water Street	88%	
Public Safety; Public Health	88%	
Shelter/ Housing	88%	
Staffing Capacity	78%	
Community/Public Spaces (Parks, Restrooms)	55%	Represents Emerging Agreement
Climate Resiliency (Environmental enhancements)	45%	
Youth Engagement/Development	40%	
Council Compensation	38%	Represents Opportunity after Shared Wins
Unarmed response	38%	
Dept of Public Works	30%	
Economic Development	25%	
Partnerships	25%	
Pride/ Beautification	15%	
Discovery (Housing, Tax Burden)	13%	

Departmental Focus Area Review

- Given the priorities that have emerged in consensus, review the current Departmental focus areas in the following slides
- Consider how current focus areas align with the Council's Priority consensus...

Council Priority Consensus

Public Infrastructure/ Buildings/ Roads

Water Street

Public Safety; Public Health

Shelter/ Housing

Staffing Capacity

Community/Public Spaces (Parks, Restrooms)

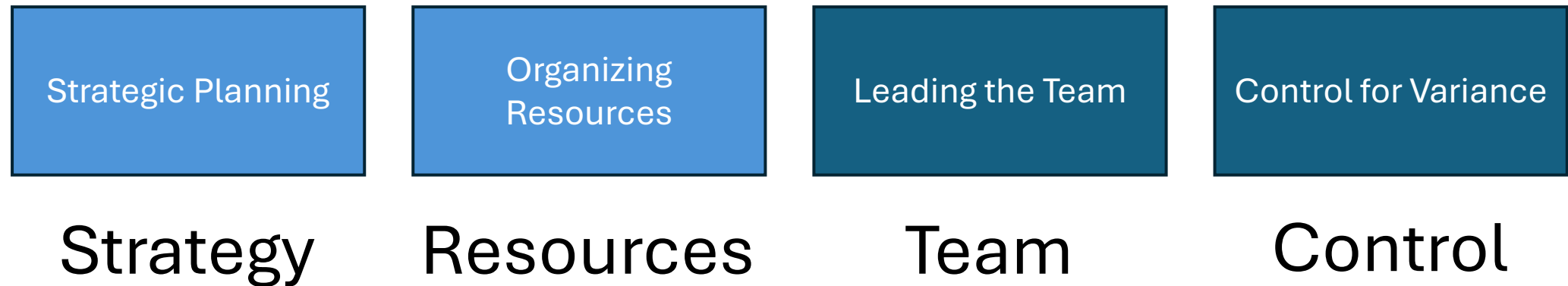
Climate Resiliency (Environmental enhancements)

Youth Engagement/Development

Reconciling Priorities and Goals

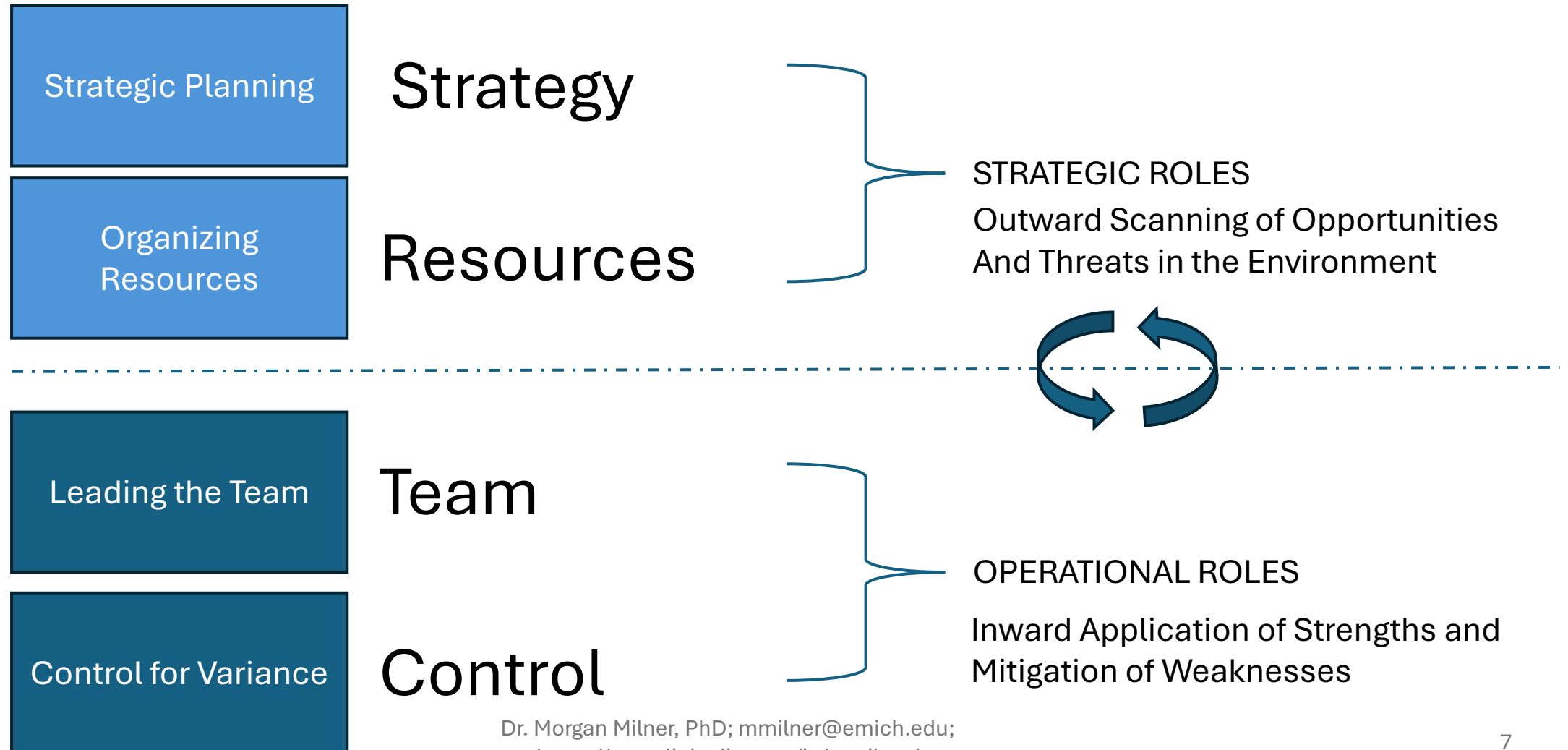
- As Council has established a consensus of priorities, we now seek to align priorities and goals
- Each Department representative presents the goals that they have identified
- Council had an opportunity to voice agreement and support for the goals of each department
- To set the stage, we explored the “spectrum of management”

Spectrum of Management



A brief review of the roles within management can help anchor attention to relevant areas of control.

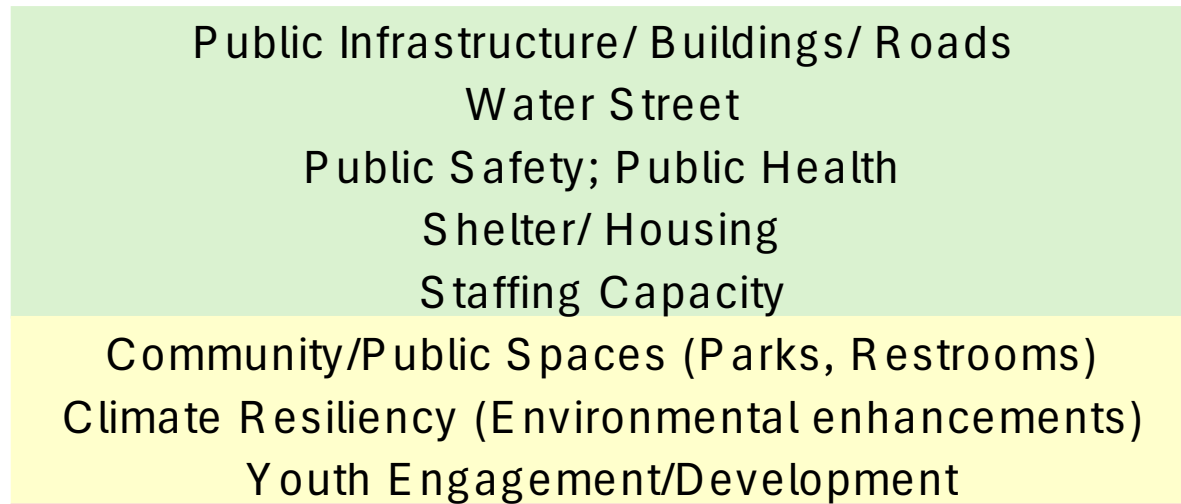
Spectrum of Management



The Goal of Reconciliation

- Is to translate Strategic Priorities into Operational successes

Council Priority Consensus



For each set of goals, Council had the opportunity to:

- a) Rank each goal according to priorities
- b) Express the level of support for departmental efforts

Department Contents

[City Attorney](#)

[City Clerk](#)

[Community Services](#)

[DDA](#)

[Fire Department](#)

[Finance Department](#)

[HR Department](#)

[Police Department](#)

[Public Works](#)

City Attorney Overview

The City Attorney is focused on the following responsibilities

- Continued legal provision
- Digitization of records
- Onboarding new city attorney

Themes: **Onboarding, Digitization, Continued Services**

City Attorney Goals

The strategic priorities for the City Attorney in this fiscal period are **Onboarding, Digitization, and Continued Services**

Onboarding Goals

1. Work with new City Attorney for smooth transition by 12/31.
2. Transfer access to city attorney files
3. Assign new litigation cases to new city attorney

Digitization Goals

1. Retrieve Iron Mountain files (complete)
2. Review Iron Mountain files and close, save, scan per schedule
3. Finish scanning of old city attorney files not at Iron Mountain

Continued Services Goals

1. Continue to provide city attorney services
2. Review and close finished files
3. Work with new city attorney, staff and IT to provide smooth access to files

Council Input for City Attorney

City Attorney Goals	Priority	
Continued Services	1	Priorities Based on Council Rankings
Onboarding	2	
Digitization	3	
Other Noted Priorities		
Prioritize Assisting NDO Violations		
Support for Cold Cases		
OVERALL SUPPORT	5.9	Avg of Council Support for stated operationalization of priorities



City Clerk Overview

The City Clerk is focused on the following responsibilities

- Implementation of Early Voting
- City Council and Public relations
 - Increasing transparency and public trust
- Training for staff and council to clarify procedure and practice
 - Open Meetings Act
 - Roberts Rules of Order
- Day to Day operations
 - Creating clear policy and procedures for day to day (organize, digitize, report out)
 - Staff Roles and responsibilities
 - Office; Council; External
 - Instruction and Guides for processes (clarify these and report out)
 - Having Council establish (codify) rules of order
- Accessibility Laws and associated changes
 - Prior to 2027

Themes: **Operations, Communication**

City Clerk Goals

The strategic priorities for the City Clerk in this fiscal period are **Operations Efficiency & Communication**

Operations Goals

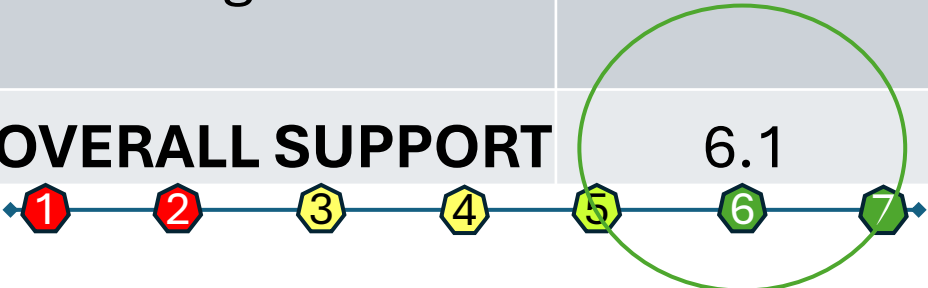
1. Work with Council to update & codify Council Rules of Order and standards and procedures for Boards and Commissions by March 2025
2. Identify current policies & procedures; evaluate & revise; enumerate clear instructions & guides for updated policies & procedures by June 2025
3. Create legacy spreadsheet with all Clerk responsibilities and ensure policies are included, as well as when they are updated by end of 2025

Communication Goals

1. Establish policy & procedure for managing & facilitating all Boards & Commissions (ex: email groups, training materials, meeting guidelines, etc.) by March 2025
2. Work with Communications to ensure website is updated with current information by June 2025
3. Work with Communications to make website more user friendly (ex: calendars, Accessible content) end of 2025

Council Input for City Clerk

City Clerk Goals	Priority	
Rules of Order	1	} TIED
Clarify Policies/Procedures	1	
Website Redesign	3	
Other Noted Priorities		
Seek votes to work with schools and community		
Increase transparency		
Develop process for distribution of agenda to council by Wed prior		
OVERALL SUPPORT		6.1



Community Services Overview

Community Services is focused on the following responsibilities:

- Review of building types
- Establishing consensus with water street regulations
- Prioritizing zoning amendments
- Working with developers to create ~ 60 units of affordable housing downtown
- Water Street planning efforts
- Tree Preservation Ordinance
- Conducting Zoning audits
- Digitization of records/paperless office
- Transitioning to BS&A Cloud
- Establishing a city-wide communication strategy
- Updating the City Website
- Long-Term planning for autonomous vehicles

Themes: Affordable Housing, Sustainability, Communication & Positive Marketing

Community Services Goals

The strategic priorities for the Community Services Department in this fiscal period are: **Affordable Housing, Sustainability, and Communication**

Affordable Housing Goals

1. Work with MEDC and local groups to attract mixed-income housing by identifying organizations that work in this space that are interested in the community. Nurture these relationships towards deeper interaction – December 2025 and Ongoing
2. By the December 2025, review zoning ordinance to find ways to make it more housing friendly based on regional best practices.
3. Work with regional partners to locate additional affordable housing in Washtenaw County. Continue meeting with Urban County, Housing work groups and statewide stakeholders to inform them on how Ypsilanti has been successful in the creation of high-quality affordable housing. – December 2025 and Ongoing

Sustainability Goals

1. Work with SPARK and partners to ensure our regulations for autonomous vehicles are up to date by Dec 2025
2. Work to enact a tree protection ordinance by end of Dec 2025.
3. Stop accepting paper copies into community services department by end of FY 2024/25

Communication Goals

1. Create a Communications Strategy/Framework (focused on both internal and external communications) by December 2024.
2. Collaborate with departments to tell our story, on multiple platforms. Create a calendar and policy for each platform. Due by June 2025
3. Incorporate streaming on the city's Facebook page for ease of finding our council meetings by the end of January 2025. (Interdependent with Clerk dept)

Council Input for Community Services

Community Services Goals	Priority
Identify housing friendly initiatives (zoning) and partnerships	1
Work w MEDC to attract mixed housing	2
Communications Strategy	3
Sustainability - Trees	4
Other Noted Priorities	
Public Restrooms	
City Forestry Program	
Non-motorized Infrastructure	
OVERALL SUPPORT	5.6



Downtown Development Auth Overview

The DDA is focused on the following responsibilities

- Streetscape improvements
- Increase understanding of DDA role in services
- Streetlights, landscaping and trees
- Parking lots
- Diversify and grow daytime businesses
- Key partnerships
- Strengthen working relationship with city of Ypsi
- Recruiting strategy
- Establish capital improvements plan
- Grant pursuit
- Themes: **Connectivity, Business Vitality, Personnel Development**

DDA Goals

The strategic priorities for the DDA in this fiscal period are **Connectivity**, **Business Vitality**, and **Personnel Development**

Connectivity Goals

1. Physically improve infrastructure and streetscapes in each DDA Districts by partnering with City leadership to complete financing and construction of the Freighthouse Plaza, and the Ballard Street redesigns, and start design process for the Downtown Streetscape design by end of FY 25/26.
2. Activate collaborations with key partners to provide services and grow the economy by establishing a collaborative task force of key partners, business, and community leaders to identify common goals by end of FY 25/26.
3. Develop a Capital Improvements Plan for the DDA to be completed by June 2025.

Business Vitality Goals

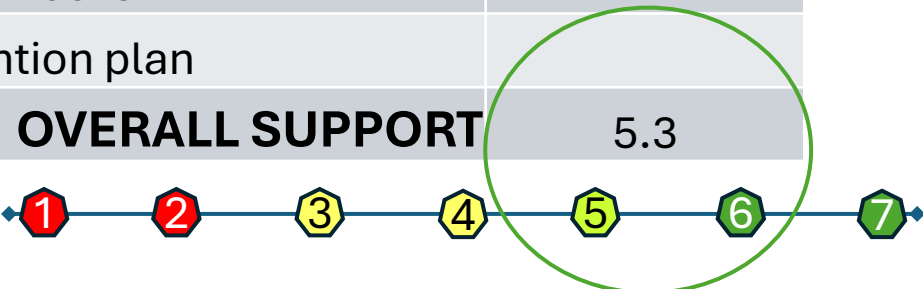
1. Grow existing businesses within the DDA prioritizing incentives to existing buildings to meet market demand and partnering with key collaborators to provide business owners training, financial support and resources.
2. Diversify and grow daytime business and housing market by conducting a market analysis and developing a recruitment strategy by 2026.
3. Activate the business corridors by developing safe and healthy programs such as register ringing incentive events, litter management and volunteerism programs, and connections to mental health resource providers. Multiple programs, Jan 2025, ongoing.

Personnel Development Goals

1. Grow DDA Engagement by providing regular communications and resources to DDA Stakeholders, developing a volunteer outreach and recruitment plan, and assessing Board needs including trainings and toolkits. (Jan 2025, ongoing)
2. Increase understanding of the DDA, its role and services by creating a marketing strategy by end of FY 25/26
3. Sustain and implement TIF Plans. TIF renewal process to be initiated by end of FY 25/26.

Council Input for DDA Goals

DDA Goals	Priority	
Conduct market analysis to diversify daytime businesses	1	
Improve Infrastructure and streetscapes	2	TIED
Activate business corridors w safe and healthy programs	2	
Grow economy w collaborative task force/partners	3	
Personnel Development	4	
Other Noted Priorities		
Fund Public Restrooms and Kiosks		
Implement a Business Retention plan		
OVERALL SUPPORT	5.3	



Fire Department Overview

The Fire Department is focused on the following responsibilities

- Apparatus Replacement towards compliance
 - Motor Pool Fund and Continued grant pursuit
- Retention of personnel
- Training and advancement opportunities
- Administration operations
 - Improve quality of service (e.g. Fire Marshal)
 - Public education, safety and awareness; fire safety material to schools and public
 - Smoke detector, CO2 detector distribution and installation
- Facilities maintenance
 - Improve safety and reduce LT costs. (i.e., panic hardware; exterior doors, etc.)
 - Repair parking lot retaining wall
 - Establish a training facility (LT reach goal) though location is an issue; county exploring options
 - Grant pursuit (for gear and facilities)

Themes: **Communication, Training & Development, Assets**

Fire Department Goals

The strategic priorities for the Fire Department in this fiscal period include **Recruiting, Training, and Apparatus Replacement**.

Recruiting/Retention Goals

1. Specifically- to become fully staffed at 21 in fire suppression.
2. Measurable- in the reduction cost of over time and due to minimum staffing and force policy
3. Attainable- in 2024 due to ongoing hiring process

Training/Advancement Goals

1. Operations- to improve the skills of firefighters and the departments over all response capabilities while meeting national standards and requirements set by the Michigan Firefighters Training Council. Identify and provide qualifying classes and continue to bring in outside instructors for training. 2024-2025 and ongoing.
2. Prepare firefighters equally to test in advance within the department. Provide equal training to all 3 shifts, 2024- 2025 and ongoing.
3. Administrative- to improve the quality and service of inspections and investigations and enforce fire codes.
4. Budget to purchase fire safety materials for schools and public events, this aids in the promotion of public education and fire safety awareness.
5. Distribute smoke and CO2 detectors provided by the state through a grant program 2024-2025 and ongoing.

Apparatus Replacement Goals

1. Be compliant with NFPA 1911 (see attached links and documents) [nfpa1911.pdf](#), [Microsoft PowerPoint - FRI2010 NFPA 1911](#) (Next compliance risk is 2027)
2. Develop a vehicle replacement plan with the help of the finance department to be approved by administration, which will become a part of the annual budget, before close of budget year 2024/2025.
3. Apply for 2024-2025 AFG Apparatus Grant (by 12/20)

Council Input for Fire Dept Goals

Fire Department Goals	Priority
Fully Staffed at 21 in fire suppression	1
Improve firefighter skill and testing	2
Apparatus replacement	3
Administrative Efficiencies	4
Other Noted Priorities	
Community education (e.g., CO2 poisoning)	
OVERALL SUPPORT	6.4



Finance Department Overview

The Finance Department is focused on the following responsibilities

- Integrating financial, treasury software (BS&A)
- Creating an asset management guide for the city
 - What do we have, what do we need to maintain, what can we let go?
- Building fiscal resilience/ long-term resilience plan (in process)
 - Budget stabilization fund for reserves (in process)
- Completing the compliance audit (cycle 5 yrs)
- Increasing cyber-security training and review
- Retraining/Cross-training of employee roles (payroll, treasury, etc.)

Themes: **Asset Management, CyberSecurity** (and general security),
Financial Training (fraud prevention, rules changes)

Finance Department Goals

The strategic priorities for the Finance Department in this fiscal period include **Asset Management, Security, Training**

Asset Management Goals

1. Establish a dedicated asset management team with cross-functional members and develop standardized documentation for asset tracking, maintenance, and auditing processes. This will streamline asset oversight and ensure consistency across departments by **June 2026**. (Interdependent with DPW) This includes:
 - Prioritize assets for tracking by 1st qtr 2025
 - Identify tracking mechanisms (criteria and reporting) 3rd qtr 2025
2. Successfully implement the BS&A financial software system and ensure all finance team members are trained to use its key features, including budgeting, accounting, reporting, and asset tracking, to enhance data accuracy and efficiency by **(Implementation Feb 2025; Mastery by February 2026.)** (include Office Manager's of different departments)

Security Goals

1. Implement position-based access control to restrict access to financial systems based on employee roles and responsibilities by **December 2025**.
2. Develop and implement a data backup and disaster recovery plan for all critical financial data to ensure business continuity in case of a cyberattack or system failure by the end of the **October 2025**.
3. Implement stronger data security protocols for financial records by adopting two-factor authentication (2FA) and encryption for all sensitive financial information by end of **October 2025**.

Training Goals

1. Ensure that all finance team members are proficient in the new BS&A software by providing a comprehensive training program covering key functionalities (functional competence) like budgeting, accounting, and reporting by **June 2026**.
2. Develop cross-functional skills in the Finance Department by training with the Accounting and Treasury Divisions to enhance knowledge and improve teamwork by **December 2025** with quarterly progress check-ins to assess knowledge gained and address any training needs.

Council Input for Finance Goals

Finance Department Goals	Priority
Implement security goals as defined	1
Implement the BS&A software	2
Establish a dedicated asset mgt team	3
Implement training goals as defined	4
Other Noted Priorities	
Establish guidelines for purchasing local	
Increased transparency around investment portfolio (e.g. logic of fund allocations)	
OVERALL SUPPORT	5.8



Human Resources Department Overview

The Human Resources Department is focused on the following responsibilities

- 100% Paperless in 5-year increments
 - Move to an electronic document system (personnel files)
 - HRIS solution for forms storage and retrieval
- Retention and Recruiting
 - Recognition for employees
 - Birthday emails, work anniversaries, graduations
 - Years of service certificates, 5, 10, 15, 20
 - Employee Engagement
 - Gatherings (Fall Potluck)
 - Employee appreciation day
 - Job Fairs
 - ~ 2 fairs/yr to advertise the City as a great place to work
- Opportunities
 - Open enrollment selection confirmation? (Advances in technology that would allow interface bx emp benefits and payroll systems) In general improved communication for open enrollment
 - Communication of benefits (e.g. new hire orientation) during onboarding

Themes: **Retention/Recruiting, Communication, Digitization**

HR Goals

The strategic priorities for the HR Department in this fiscal period are **Retention and Recruiting, Communication, and Digitization**

Retention and Recruiting Goals

1. Improve retention metrics by tracking turnover rates and comparing data (Quarterly 2025)
2. Broaden Candidate Outreach by building a relationship with WCC and EMU by June 2025.
3. Streamline Onboarding (forms signatures, electronic file capture) with a Vendor Solution by identifying three vendors by June 2025

Communication Goals

1. Create an onboarding survey for new hires to be implemented by January 2025.
2. Continuous improvement of Benefits communication by creating and distributing a Benefits Pamphlet for New Hires to be distributed by January 2025.
3. Sending an onboarding survey to all new hires

Digitization Goals

1. Implement the digitization of documents by evaluating BS&A to see if it meets the needs of the digitization strategy (1st Qtr 2025)
2. If BS&A does not meet HR Digitization needs, Identify and evaluate Vendors by June 2025.
3. Select a digitization vendor by July 2025.

Council Input for HR Goals

HR Department Goals	Priority
Retention and Recruiting as defined	1
Communication goals as defined	2
Digitization goals as defined	3
Other Noted Priorities	
Consider a DEI Plan	
Build a Retention Strategy	
OVERALL SUPPORT	6.3



Police Department Overview

The Police Department is focused on the following responsibilities

- Recruitment and Retention
 - 10 officers 2024 (exceeded and ongoing)
 - Improve competitive wage gap (in process)
- Training and development
 - Create strategic dept training plan incl Leadership development (consultant)
 - In-service training
- Process improvement
 - Meet best practices (software, guardian tracking, etc)
 - Improve appearance (internal and external). Have completed a training location dev and employee workspaces.
- Org structure
 - Operations and Support structure
 - Re-establish investigations unit (in process)
- Fleet Maintenance (In process and ongoing)
- Support
 - Establish a community relations unit
 - Establish quarterly meeting
 - Taser replaced and training complete
 - Identify tactics and firearms instructor
 - Establish a part-time volunteer core

Themes: **Communication, Training Development, Process improvements**

Police Department Goals

The strategic priorities for the Police Department in this fiscal period are:
Recruiting & Retention, Training & Development, and Process Improvements

Recruiting/Retention Goals

1. Hire (4) four new recruits in 2025
2. Retain those officers for a minimum of (3) years with contract
3. Hire (6) lateral officers in 2025

Training/Development Goals

1. Increase firearm and range of response in-service training to twice year
2. Identify (2) two firearms instructors and have them trained in 2025
3. Send (1) person to ICAT use of force/de-escalation instructor school in 2025

Process Improvement Goals

1. Create volunteer group to take care of fleet maintenance (porters and detailing), (4) volunteers by May of 2025
2. Fully integrate Guardian tracking for daily operations by December 2025.

Council Input for Police Dept Goals

Police Department Goals	Priority
Hire 6 lateral officers in 2025	1
Hire 4 new recruits in 2025	2
ICAT Use of force/De-escalation training	3
Process Improvement goals	4
Firearm Instruction	5
Other Noted Priorities	
Make requests for bodycam accessible	
Prioritize investigations/open cases	
Reduce patrol response resulting in multiple high-speed sirens	
Create a Communication and Community Engagement Plan	
OVERALL SUPPORT	5.1



Public Works Department Overview

The Public Works Department is focused on the following responsibilities

- Provide functional facilities for city business
- Emergency after hours response
- Consistent service to public (re-establish public trust – hearts and minds)
- Maintenance of bridges, roadways
- MDOT rail collaboration for rail maintenance and improvement
- Sidewalks
- Storm water management
- Urban Forest improvement
- Safety and Ops improvements at City parks
- Recycling & yard waste
- Implement recommendations of parking strategy
- Training front-line staff on consistency (Customer service training)

Themes: **Infrastructure/Asset planning and maintenance; Safety procedures; Risk Management, Operational Efficiency, Services; Communication**

Public Works Goals

The strategic priorities for the Public Works Department in this fiscal period are **Risk/Asset Management, Operational Efficiency, Communication**

Risk/Asset Management Goals

1. Continue with the Citywide Facility Condition Assessment process
 - RFP for FCA services to be complete by Dec 2024
 - All departments working to organize basement (claim and organize files; remove trash) by end of January 2025
2. Continue to work to improve/relocate DPW yard & storage
 - Bids received for salt barn stabilization & garage demo; work complete by Aug 2025
 - Evaluate 206 N Grove for long-term suitability for offsite storage; Phase I, survey, and CS conversation by June 2025
3. Continue to improve compliance with dam safety, stormwater, compost, other regulatory standards
 - Achieve access to right bank upstream from dam for vegetation clearance by June 2025
 - Develop and execute an inspection cycle for storm inlets by June 2025
 - Find testing partners for compost and stormwater by Dec 2024
 - Resume Citywide Safety Committee meetings (Dec 2024), schedule quarterly for 2025
4. Continue work to develop full asset inventory and contracted preventative maintenance plan
 - Work with OHM & EPIC on stormwater inventory (per workplan)
 - work with Finance Department on Asset Management Team (ongoing)

Operational Efficiency Goals

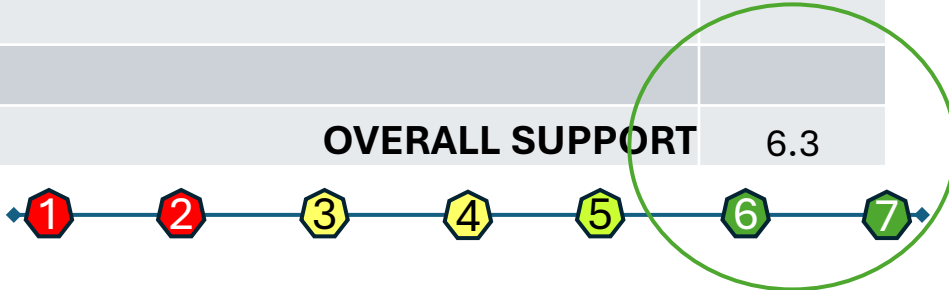
1. Work with the union to reposition the department as tactical and responsive, rather than routine; meetings to begin in Dec 2024/Jan 2025
2. Evaluate possibility of adding fourth supervisor or contract PM for construction/facilities; evaluation to begin after FCA complete

Communication Goals

1. Complete the annual mailer (Nov/Dec 2024) & establish annual budget going forward (source interdepartmental funds)
2. Develop a calendar of items for the newsletter by Q1 25
3. Work with the union to develop support for regular volunteer workdays

Council Input for Public Works Goals

Public Works Goals	Priority
Continue to work to improve/relocate DPW yard & storage	1
Continue with the Citywide Facility Condition Assessment process	2
Continue to improve compliance with dam safety, stormwater, compost, other regulatory standards	3
Work with the union to reposition the department as tactical and responsive, rather than routine	4
Continue work to develop full asset inventory and contracted preventative maintenance plan	5
Communication goals	6
Evaluate possibility of adding fourth supervisor or contract PM for construction/facilities	7
Other Noted Priorities	
Public Restrooms Staffing Capacity	
Edible and pollinator landscaping	
Forestry program, incl tree assessment and maintenance	
OVERALL SUPPORT	6.3



Conclusion

Effectiveness

- City Council operates cohesively, with varied perspectives, and with several areas of shared consensus
- Wins in strongly aligned areas open opportunity for further collaboration and consensus building

Priorities

- In general, Department goals align with key Council Priorities. Council feedback supports Department Head operationalization of priorities
- Council input shows prioritization of Department goal operationalization

Leadership and Control

- Ongoing leadership is required to translate strategy into objectives and to ensure milestone progress, updates and control
- For additional leadership training options, please inquire: mmilner@emich.edu



REQUEST FOR LEGISLATION
February 4, 2025

For: Mayor and City Council

From: Andrew Hellenga, City Manager

Subject: Resolution No. 2025-018 Authorizing to dissolve the lease agreement between DTE, the City, and the Highland Cemetery and to allow all revenue produced by the lease to be allocated to the Highland Cemetery.

SUMMARY & BACKGROUND:

RECOMMENDED ACTION: Approval.

ATTACHMENTS:

1. RFL Resolution CEMETARY
2. HIGHLAND CEMETARY AGREEMENT 2016

CITY MANAGER APPROVAL:

COUNCIL AGENDA DATE: February 4, 2025

CITY MANAGER COMMENTS:

FISCAL SERVICES DIRECTOR APPROVAL:



REQUEST FOR LEGISLATION
February 4, 2025

For: Mayor and City Council

From: Andrew Hellenga, City Manager

Subject: Highland Cemetery Solar Array Lease agreement

SUMMARY & BACKGROUND:

DTE installed a solar array in the Highland Cemetery. An agreement was signed that per the lease agreement the City would be provided with 25% of the revenue from the agreement amounting to \$8,000 annually.

Members of the cemetery board approached the board to request the agreement to be dissolved and use the \$8,000 to better maintain the cemetery.

The City also receives revenue from DTE for personal property taxes at roughly \$20,000 annually.

RECOMMENDED ACTION: Approval

ATTACHMENTS: 2016 Agreement

CITY MANAGER APPROVAL: _____ COUNCIL AGENDA DATE: _____

CITY MANAGER COMMENTS: _____

FISCAL SERVICES DIRECTOR APPROVAL: _____



RESOLVED BY THE COUNCIL OF THE CITY OF YPSILANTI:

WHEREAS, in 2016 the City of Ypsilanti entered into a lease agreement with DTE and Highland Cemetery for the installation of a solar array; and

WHEREAS, the agreement provided that the Highland Cemetery would receive 75% of the revenue produced by the lease and the City 25%; and

WHEREAS, the City receives roughly \$20,000 through personal property taxes paid by DTE for the solar array; and

WHEREAS, The Highland Cemetery Board has requested to dissolve the agreement and use the additional revenue to better maintain the cemetery grounds.

NOW THEREFORE BE IT RESOLVED THAT The City Council of the City of Ypsilanti hereby dissolve the lease agreement between DTE, the City, and the Highland Cemetery and allow that all revenue produced by the lease be allocated the Highland Cemetery.

OFFERED BY: _____

SUPPORTED BY: _____

YES: NO: ABSENT: VOTE:

Shared Proceeds Agreement

This agreement, dated June __, 2015 is by and between the City of Ypsilanti, a Michigan Municipal Corporation of 1 South Huron Street, Ypsilanti MI 48197 (City) and Highland Cemetery Association of Ypsilanti, a Michigan Non-Profit Corporation of 943 North River Street, Ypsilanti MI 48198 (Highland), the parties.

Background

The City is a Michigan Home Rule city providing municipal services to citizens and property in the city. Highland is a Michigan Non-Profit, tax Exempt Corporation that owns land in the city and provides burial services for city residents and others. Detroit Edison Company (DTE) is a Michigan regulated utility that provides electricity and other services to Michigan citizens and property.

DTE has a program that will expire shortly, to work with Michigan Municipalities to locate suitable municipal property to house solar electric generating facilities (solar facilities).

City has been working with DTE to locate suitable locations and contract with DTE for the installation of solar facilities. The general plan is for the city to provide city land to DTE and DTE would install solar facilities and pay the city an initial payment and an amount set by the rate setting procedure of DTE, an amount per unit, for the units of electricity produced.

City has worked for several years on the program and recently identified suitable land, in the city, but not owned by the City, but rather, owned by Highland.

City approached Highland, and the parties agree to negotiate in good faith with DTE to install solar facilities on land owned by Highland.

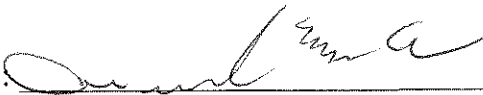
In recognition of the City's efforts in brokering a deal between Highland and DTE, Highland agrees to share the proceeds of the electricity to be generated in an equitable fashion.

Agreement

1. City and Highland agree to cooperate and negotiate in good faith with DTE to permit DTE to install solar facilities on land owned by Highland.

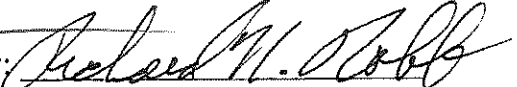
2. Highland will negotiate in good faith to enter into a contract with DTE to provide land for DTE to install solar facilities.
3. DTE will pay the usual solar rate for the electricity generated by the solar facility (Royalty).
4. Highland and City shall share the initial payment and the continuing Royalty as follows: Highland 75 %; City 25%. The parties agree that DTE may pay the parties in two separate checks or payments, one to Highland and one to City. If DTE elects to make full payment to Highland, the City shall have the right to inspect the Highland/DTE account at reasonable times at the Highland offices.
5. The land for the solar facility will be taxable and the City shall levy and collect the usual real and personal property taxes as applicable from DTE.
6. DTE shall obtain and maintain liability insurance in an amount not less than 1 million dollars coverage, which policy shall name Highland and the City as named insureds.
7. Neither party shall indemnify the other and each party shall be responsible for their own actions and inactions.
8. City shall have no liability for the solar facility.
9. All jurisdiction and venue for this contract shall be in Washtenaw County, Michigan.
10. All disputes for this contract shall be first mediated by the Ann Arbor Dispute Resolution Center. If resolution is not achieved, the parties agree to submit disputes to binding arbitration through the American Arbitration Society, Detroit office. Such arbitration shall be conducted by one arbitrator selected by the parties and for failure of which shall be appointed by the AAS. The decision of the arbitrator may be reduced to judgment and enforced by a court of competent jurisdiction.

CITY OF YPSILANTI

By: 
Amanda Edmonds, Mayor

By: 
Frances McMullan, City Clerk

HIGHLAND CEMETERY
ASSOCIATION OF YPSILANTI

By: 
Richard N. Robb, President



REQUEST FOR LEGISLATION
February 4, 2025

For: Mayor and City Council

From: Tracey Boudreau, City Clerk, Nicole Brown, Mayor, Steve Wilcoxon, Mayor Pro-Tem, Amber Fellows, Council Member

Subject: Resolution No. 2025-019 Adopting a new schedule for Agenda Item Due Dates and Deadlines.

SUMMARY & BACKGROUND:

RECOMMENDED ACTION: Approval

ATTACHMENTS:

1. RFL 2025 Council Meeting Agenda Due Dates
2. Res No 2025-019 Agenda Item Deadlines

CITY MANAGER APPROVAL:

COUNCIL AGENDA DATE: February 4, 2025

CITY MANAGER COMMENTS:

FISCAL SERVICES DIRECTOR APPROVAL:



February 4, 2025

REQUEST FOR LEGISLATION

For: Mayor and City Council

From: Tracey Boudreau, City Clerk; Mayor Nicole Brown, Mayor Pro Tem Wilcoxon; Council Member Amber Fellows

Subject: Proposed Schedule for Agenda Due Dates

City Council would like more time to review the Agenda packet before meetings, so some members met with the City Clerk to create a new schedule for Agenda Item due dates. Item titles, or subjects will be due Monday (8 days before a meeting) at 9am. The Clerk will email this list to Council Members by noon Monday for review. All items and back up documents will be due Tuesday by 3pm. The agenda will be posted Wednesday by noon, sooner if possible. If the Monday due date falls on a holiday, all deadlines will be moved back by one day.**

Council Mtg Date	Agenda Titles Due	Agenda Items Due	Agenda Published
Tue., Feb. 4	Mon., Jan. 27, 9am	Tue., Jan. 28, 3pm	Wed., Jan. 29, Noon
Tue., Feb. 18	Mon., Feb. 10, 9am	Tue., Feb. 11, 3pm	Wed., Feb. 12, Noon
Tue., March 4	Mon., Feb. 24, 9am	Tue., Feb. 25, 3pm	Wed., Feb. 26, Noon
Tue., March 18	Mon., March 10, 9am	Tue., March 11, 3pm	Wed., March 12, Noon
Tue., April 1	Mon., March 24, 9am	Tue., March 25, 3pm	Wed., March 26, Noon
Tue., April 15	Mon., April 7, 9am	Tue., April 8, 3pm	Wed., April 9, Noon
Tue., May 6	Mon., April 28, 9am	Tue., April 29, 3pm	Wed., April 30, Noon
Tue., May 20	Mon., May 12, 9am	Tue., May 13, 3pm	Wed., May 14, Noon
Tue., June 3**	Tue., May 27, 9am	Wed., May 28, 3pm	Thu., May 29, Noon
Tue., June 17	Mon., June 9, 9am	Tue., June 10, 3pm	Wed., June 11, Noon
Tue., July 1	Mon., June 23, 9am	Tue., June 24, 3pm	Wed., June 25, Noon
Tue., July 15	Mon., July 7, 9am	Tue., July 8, 3pm	Wed., July 9, Noon
Tue., Aug. 12	Mon., Aug. 4, 9am	Tue., Aug. 5, 3pm	Wed., Aug. 6, Noon
Tue., Sept. 9**	Tue., Sept. 2, 9am	Wed., Sept. 3, 3pm	Thu., Sept. 4, Noon
Tue., Sept. 23	Mon., Sept. 15, 9am	Tue., Sept. 16, 3pm	Wed., Sept. 17, Noon
Tue., Oct. 7	Mon., Sept. 29, 9am	Tue., Sept. 30, 3pm	Wed. Oct. 1, Noon
Tue., Oct. 21	Mon., Oct. 13, 9am	Tue., Oct. 14, 3pm	Wed., Oct. 15, Noon
Tue., Nov. 4	Mon., Oct. 27, 9am	Tue., Oct. 28, 3pm	Wed., Oct. 29, Noon
Tue., Nov. 18	Mon., Nov. 10, 9am	Tue., Nov. 11, 3pm	Wed., Nov. 12, Noon
Tue., Dec. 9	Mon., Dec. 1, 9am	Tue., Dec. 2, 3pm	Wed., Dec. 3, Noon



RESOLVED BY THE COUNCIL OF THE CITY OF YPSILANTI:

WHEREAS, City Council wishes to have more time to review agenda items; and

WHEREAS, City Council wants the business of the City to be transparent for constituents; and

NOW THEREFORE BE IT RESOLVED THAT the attached schedule for Agenda Item Due Dates and Deadlines be adopted.

OFFERED BY: _____

SUPPORTED BY: _____

YES: NO: ABSENT: VOTE:



REQUEST FOR LEGISLATION
February 4, 2025

For: Mayor and City Council

From: Katie Jones, Economic Development/Equity Coordinator

Subject: Resolution No. 2025-020 acknowledging the City Manager's Authority to sign the Pen Dam Removal grant agreement for the City of Ypsilanti with the National Fish and Wildlife Foundation.

SUMMARY & BACKGROUND:

RECOMMENDED ACTION: Approval

ATTACHMENTS:

1. RFL for GrantAgreement_NFWF
2. Fully+Executed+Agreement

CITY MANAGER APPROVAL:

COUNCIL AGENDA DATE: February 4, 2025

CITY MANAGER COMMENTS:

FISCAL SERVICES DIRECTOR APPROVAL:



REQUEST FOR LEGISLATION

Date: February 4, 2025

For: Mayor and City Council

From: Katie Jones, Community, Economic Development & Equity Manager

Subject: National Fish and Wildlife Foundation Grant Agreement Approval

SUMMARY & BACKGROUND:

The City of Ypsilanti was awarded a \$7.5 Million grant on November 21, 2024, from the National Fish and Wildlife Foundation. This completed the necessary funds for the removal of the Peninsular Dam. Given the urgent nature of the situation and to ensure that the funding was under contract, we contacted our attorney for their recommendation on how to proceed. The attorney recommended signing based on the implied approval from council of the project thus far and the situation's urgency.

RECOMMENDED ACTION:

Staff recommend approval of the City Manager's signature.

ATTACHMENTS :

A) National Fish and Wildlife Foundation Grant Agreement

CITY MANAGER APPROVAL:

COUNCIL AGENDA DATE:

CITY MANAGER COMMENTS:

FISCAL SERVICES DIRECTOR APPROVAL:



RESOLVED BY THE COUNCIL OF THE CITY OF YPSILANTI:

WHEREAS, The City of Ypsilanti has an interest in removing the Peninsular Dam

WHEREAS, the City has partnered with Huron River Watershed Council to both study the feasibility and work towards the removal of the dam and

WHEREAS, the City applied for funding for a grant through the National Fish and Wildlife Foundation.

WHEREAS, the National Fish and Wildlife Foundation granted the City of Ypsilanti a grant in the amount of \$7,500,000.80.

NOW, THEREFORE, BE IT RESOLVED THAT the City Council of the City of Ypsilanti acknowledge the City Manager's Authority to sign the grant agreement for the City of Ypsilanti with the National Fish and Wildlife Foundation.

OFFERED BY: _____

SUPPORTED BY: _____

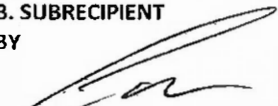
YES: NO: ABSENT: VOTE:

	NATIONAL FISH AND WILDLIFE FOUNDATION GRANT AGREEMENT	1. NFWF PROPOSAL ID: 84417	2. NFWF GRANT ID: 0318.25.084417
		3. UNIQUE ENTITY IDENTIFIER (UEI) J56KWH7NJ4B4	4. INDIRECT COST RATE (REFERENCE LINE 17 for RATE TERMS) 10%
5. SUBRECIPIENT TYPE State or Local Government		6. NFWF SUBRECIPIENT City of Ypsilanti	
7. NFWF SUBRECIPIENT CONTACT		8. NFWF GRANTS ADMINISTRATOR/NFWF CONTACT INFORMATION	
Katie Jones City of Ypsilanti One South Huron Street Ypsilanti, MI 48197 Tel: 734-891-1301 kjones@cityofypsilanti.com		Graeme Logan National Fish and Wildlife Foundation 1625 Eye Street, N.W. Suite 300 Washington, D.C. 20006 Tel: 202-857-0166 Fax: 202-857-0162 graeme.logan@nfwf.org	
9. PROJECT TITLE Restoring Huron River and Improving Fish Passage in Ypsilanti (MI)			
10. PROJECT DESCRIPTION Restore Huron River to a free-flowing waterway to enhance habitat for walleye, smallmouth bass, white bass, and sensitive native mussel species while providing risk reduction benefits to Ypsilanti. Project will contribute to the city's goals of sustainable infrastructure, improved water quality and habitat of the Huron River, and lower risks from future natural threats.			
11. PERIOD OF PERFORMANCE June 1, 2025 to June 1, 2027	12. TOTAL AWARD TO SUBRECIPIENT \$7,500,000.80	13. TOTAL FED. FUNDS \$7,500,000.80	14. TOTAL NON-FED. FUNDS N/A
15. FEDERAL MATCH REQUIREMENT \$1,858,971.50		16. NON-FEDERAL MATCH REQUIREMENT \$5,896,654	
17. SUBRECIPIENT INDIRECT COST RATE TERMS The rate specified in Line 4 reflects the de minimis indirect cost rate that the Subrecipient has elected for which the Subrecipient is eligible pursuant to the Uniform Guidance. The applicable base/modified total direct cost (MTDC) for the rate in Line 4 shall be defined in Section B.4 - Rate Application, of NFWF's Indirect Cost Policy (http://www.nfwf.org/whatwedo/grants/applicants/Pages/indirect-policy.aspx), consistent with the definition of MTDC in the Uniform Guidance §200.68.			
18. TABLE OF CONTENTS			
SEC.	DESCRIPTION		
1	NFWF Agreement Administration		
2	NFWF Agreement Clauses		
3	Representations, Certifications, Obligations, and Other Statements – General		
4	Representations, Certifications, and Other Statements Relating to Federal Funds- General		
5	Representations, Certifications, and Other Statements Relating to Federal Funds – Funding Source Specific		
6	Other Representations, Certifications, Statements and Clauses		

19. FUNDING SOURCE INFORMATION/FEDERAL AND NON-FEDERAL							
A. FUNDING SOURCE (FS)	B. NFWF FS ID	C. FS AWARD DATE TO NFWF	D. FAIN	E. TOT FED. AWARD TO NFWF	F. TOT OBLG. TO SUBRECIPIENT	G. FS END DATE	H. CFDA
National Oceanic And Atmospheric Administration	FC.A078	08/13/2024	NA24NOSX473C0098	\$95,649,945.00	\$7,500,000.80	05/31/2029	11.473

20. NOTICE OF AWARD

The National Fish and Wildlife Foundation (NFWF) agrees to provide the NFWF Award to the NFWF Subrecipient for the purpose of satisfactorily performing the Project described in a full proposal as identified on line 1 and incorporated into this Agreement by reference. The NFWF Award is provided on the condition that the NFWF Subrecipient agrees that it will raise and spend at least the amount listed on lines 15 and 16 in matching contributions on the Project, as applicable. The Project must be completed, with all NFWF funds and matching contributions spent, during the Period of Performance as set forth above. All items designated on the Cover Page and the Table of Contents are incorporated into this Agreement by reference herein. NFWF Subrecipient agrees to abide by all statutory or regulatory requirements, or obligations otherwise required by law. Subrecipient is obligated to notify NFWF if any of the information on the Cover Page changes in any way, whether material or immaterial.

A. NAME AND TITLE OF AUTHORIZED SUBRECIPIENT SIGNER (Type or Print) <i>Andrew Helloncz City Manager</i>		D. NAME AND TITLE OF NFWF AWARDOING OFFICIAL Holly A. Bamford, PhD, Chief Conservation Officer	
B. SUBRECIPIENT BY 	C. DATE 1/30/2025	E. NATIONAL FISH AND WILDLIFE FOUNDATION BY 	F. DATE 1/31/2025

NFWF prohibits discrimination in all its programs and activities on the basis of race, color, religion, age, sex, national origin, ancestry, marital status, personal appearance, citizen status, disability, sexual orientation, gender identity or expression, pregnancy, child birth or related medical conditions, family responsibilities, matriculation, genetic information, political or union affiliation, veteran status or any other status protected by applicable law ("Protected Categories"). In addition, NFWF prohibits retaliation against an individual who opposes an unlawful educational practice or policy or files a charge, testifies or participates in any complaint under Title VI. NFWF complies with all applicable federal, state and local laws in its commitment to being an equal opportunity provider and employer; accordingly, it is NFWF's policy to administer all employment actions, including but not limited to, recruiting, hiring, training, promoting, and payment of wages, without regard to any Protected Category(ies).

See Reporting Schedule on the following page.

21. REPORTING DUE DATES/SUBRECIPIENT REPORTING SCHEDULE

Reporting Task	Task Due Date
Interim Programmatic Report	June 1, 2026
Annual Financial Report	June 1, 2026
Final Programmatic Report	September 1, 2027
Final Financial Report	September 1, 2027



SECTION 1 NFWF AGREEMENT ADMINISTRATION

1.1. Amendments.

During the life of the Project, the NFWF Subrecipient is required to immediately inform in writing the NFWF Grants Administrator of any changes in contact information, Key Personnel, scope of work, indirect cost rate, as well as any difficulties in completing the performance goals articulated in the Project description. NFWF Subrecipients must request an amendment from NFWF upon determination of a deviation from the original Grant Agreement as soon as such deviation is detected. NFWF reserves the right to approve, deny and/or negotiate any such request. Alternatively, NFWF may initiate an amendment if NFWF determines an amendment is necessary at any time. Amendment requests are to be submitted via NFWF's grants management system.

1.1.1. Budget Amendment Request.

If the NFWF Subrecipient determines that: 1) the amount of the budget is going to change in any one direct cost category by an amount that exceeds 10% of the Award, or 2) there is a need to increase indirect costs, the NFWF Subrecipient must seek prior written approval via an amendment request in NFWF's grants management system.

1.1.2. Extension of Performance Period.

If additional time is needed to complete the approved Project, the NFWF Subrecipient should contact the NFWF Grants Administrator at least 45 calendar days prior to the project period expiration date to initiate the no-cost extension request process in NFWF's grants management system. In addition, if there are overdue reports required, the NFWF Subrecipient must ensure that they are submitted along with or prior to submitting the no-cost extension request.

1.2. Matching Contributions.

Matching Contributions consist of cash, contributed goods and services, volunteer hours, and/or property raised and spent for the Project. Matching Contributions for the purposes of this Project must meet the following criteria: (1) Are verifiable from the NFWF Subrecipient's records; (2) Are not included as contributions for any other federal award; (3) Are necessary and reasonable for the accomplishment of project or program objectives; (4) Are allowable under OMB Cost Principles; (5) Are not paid by the U.S. Government under another federal award except where the federal statute authorizing a program specifically provides that federal funds made available for such program can be applied to matching or cost sharing requirements of other federal programs when authorized by federal statute; (6) Are provided for in the approved budget when required by the federal awarding agency; (7) Are committed directly to the project and must be used within the period of performance as identified in this Agreement; (8) Otherwise conform to the law; and, (9) Are in compliance with the requirements of Section 3.3 of this Agreement concerning Compliance with Laws.

1.2.1. Documentation and Reporting of Matching Contributions.

The NFWF Subrecipient must retain supporting documentation, including detailed time records for contributed services, original receipts, appraisals of real property, and comparable rentals for other contributed property, at its place of business in the event of an audit of the NFWF Subrecipient as required by applicable federal regulations. The NFWF Subrecipient must report match progress in Payment Requests and Financial Reports.

1.2.2. Assessing Fair Market Value.

Fair market value of donated goods, services and property, including volunteer hours, shall be computed as outlined in §200.306 of 2 CFR Subtitle A, Chapter II, Part 200, Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards, (hereinafter “OMB Uniform Guidance”), regardless of whether this Agreement is federally funded.

1.3. Payment of Funds.

To be eligible to receive funds, NFWF Subrecipient must submit to NFWF (1) an original executed copy of this Agreement for the Project; (2) any due financial and programmatic reports; and (3) a complete and accurate Payment Request via NFWF’s grants management system. At any time, NFWF reserves the right to require submission of source documentation, including but not limited to timesheets, cash receipts, contracts or subaward agreements, for any costs where the NFWF Subrecipient is seeking reimbursement by NFWF. NFWF reserves the right to retain up to ten percent (10%) of funds until submission and acceptance of final reports.

1.3.1. Reimbursements.

NFWF Subrecipient may request funds on a reimbursable basis. Reimbursement requests must include expenditures to date and an explanation of any variance from the approved budget.

1.3.2. Advances.

NFWF Subrecipient may request advance payment of funds prior to expenditure provided that the NFWF Subrecipient: (1) demonstrates an immediate need for advance payment; (2) documents expenditure of advanced funds; 3) maintains written procedures that minimize the time elapsing between the transfer of funds and disbursement; and (4) has established appropriate financial management systems that meet the needs and standards for fund control and accountability. Approval of any advance payment of funds is made at the sole discretion of NFWF, based on an assessment of the NFWF Subrecipient’s needs.

1.3.3. Interest.

Any interest earned in any one year on funds advanced to the NFWF Subrecipient that exceeds \$500 must be reported to NFWF, and the disposition of those funds negotiated with NFWF. Interest amounts up to \$500 per year may be retained by the NFWF Subrecipient for administrative expense.

1.4. Reports.

1.4.1. Interim Programmatic Reports.

The NFWF Subrecipient will submit interim programmatic reports to NFWF based on the reporting schedule in Line 21 of the Cover Sheet to this Agreement, as may be amended at NFWF's sole discretion. The interim programmatic report shall consist of written statements of Project accomplishments and updated metric values since Project initiation, or since the last reporting period, and shall be submitted via NFWF's grants management system. NFWF may require specific formatting and/or additional information as appropriate.

1.4.2. Interim Financial Reports.

The NFWF Subrecipient will submit interim financial reports to NFWF based on the reporting schedule in Line 21 of the Cover Sheet to this Agreement, as may be amended at NFWF's sole discretion. The interim financial report shall consist of financial information detailing cumulative expenditures made under this Project since Project initiation and shall be uploaded via NFWF's grants management system. NFWF may require specific formatting and/or additional information as appropriate.

1.4.3. Annual Financial Report.

The NFWF Subrecipient will submit annual financial reports to NFWF based on the reporting schedule in Line 21 of the Cover Sheet to this Agreement, as may be amended at NFWF's sole discretion. The NFWF Subrecipient must enter a justification when there is a difference between the amount disbursed by NFWF and the amount expended by the grantee. Failure to submit an annual financial report in a timely manner will delay payment of submitted payment requests.

1.4.4. Final Reports.

Based on the reporting schedule in Line 21 of the Cover Sheet to this Agreement, the NFWF Subrecipient will submit (1) a Final Financial Report accounting for all Project funds received, Project expenditures, and budget variances (if any) compared to the approved budget; (2) a Final Programmatic Report summarizing and documenting the accomplishments and metric values achieved during the Period of Performance; (3) copies of any publications, press releases and other appropriate products resulting from the Project; and (4) photographs as described in Section 1.4.3.1 below. The final reports and digital photo files should be uploaded via NFWF's grants management system. Any requests for extensions of final report submission dates must be made in writing to the NFWF Grants Administrator and approved by NFWF in advance. NFWF may require specific formatting and/or additional information as appropriate.

1.4.4.1. Photographs.

NFWF requests, as appropriate for the Project, a representative number of high-resolution (minimum 300 dpi) photographs depicting the Project (before-and-after images, images of species impacted, and/or images of staff/volunteers working on the Project). Photographs should be uploaded with the Final Programmatic Report via NFWF's grants management system as individual .jpg files. The Final Programmatic Report narrative should list each photograph, the date the photograph was taken, the location of the photographed image, caption, photo

credit, and any other pertinent information (e.g., species, activity conducted) describing what the photograph is depicting. By uploading photographs to NFWF's grants management system the NFWF Subrecipient certifies that the photographs are unencumbered and that NFWF and Project Funders have a fully paid up non-exclusive, royalty-free, irrevocable, perpetual, worldwide license for posting of Final Reports and for any other purposes that NFWF or the Project Funder determines appropriate.

1.4.4.2. Spatial Data.

The NFWF Subrecipient will submit accurate spatial data with the final report at a resolution that allows NFWF to know exactly where individual on-the-ground project activities occurred. Accurate spatial data are defined as polygon(s) depicting the exact location and boundaries of each on-the-ground conservation practice implemented within the Period of Performance. For projects where the location of activities has changed or was only known approximately at the full proposal stage, grantees will update the spatial data given with the exact location of activities. Updates to spatial data depicting project activities will be submitted through NFWF's online mapping tool. The polygon(s) name(s) shall include the conservation actions that have been completed within that project area. NFWF retains the right to use the spatial data in order to perform spatial analyses and depict the generalized project location on public maps.

1.4.4.3. Monitoring and Other Project Data.

Upon request by NFWF, the NFWF Subrecipient will provide to NFWF raw and/or summary data collected or analyzed as part of the project, for NFWF's use in analyses of program outcomes. The Subrecipient will submit these data, either when available or at project completion, through a cloud-based data sharing platform or another agreed-upon mechanism.

1.4.5. Significant Developments.

The NFWF Subrecipient shall report on events that may occur between the scheduled performance reporting dates that have a significant impact on the Project. Such reporting shall be made as soon as the following conditions become known:

1.4.5.1. Problems, delays, or adverse conditions which will materially impair the ability to meet the Project objective, including but not limited to the objective itself, its schedule and/or the budget. This disclosure must include a statement of the action taken, or contemplated, and any assistance needed to resolve the matter; and/or,

1.4.5.2. Favorable developments which enable meeting time schedules and objectives sooner or at less cost than anticipated or produce more or different beneficial results than originally planned.

1.5. Reports and Payment Requests.

All reports, financial, programmatic, or otherwise, or payment requests under a federal award must be submitted by a representative of the NFWF Subrecipient who has the NFWF Subrecipient's full authority to render such reports and requests for payment and to provide required certifications as set forth in 2 CFR 200.415, as applicable.

1.6. Record Retention and Access.

1.6.1. Retention Requirements for Records.

NFWF Subrecipient shall maintain all records connected with this Agreement for a period of at least three (3) years following the latest end date of the funding source(s) referenced above in line 19. FUNDING SOURCE INFORMATION/FEDERAL AND NON-FEDERAL or the close-out of all pending matters or audits related to this Agreement, whichever is later. As funding source end dates may be extended over time, the NFWF Subrecipient will be notified of the most up-to-date record retention requirements upon closure of this Award. If any litigation, claim, or audit is started (irrespective of the NFWF Subrecipient's involvement in such matter) before the expiration of the 3-year period, the records shall be retained until all litigation, claims or audit findings or pending matters involving the records have been resolved and final action taken. NFWF shall notify NFWF Subrecipient if any such litigation, claim or audit takes place or if funding source end date(s) is extended so as to extend the retention period. Records for real property and equipment acquired with federal funds must be retained for at least three (3) years following disposition of such real property. For awards solely funded with funding sources with "N/A" listed as the end date, NFWF Subrecipient shall maintain all records connected with this Agreement for a period of at least three (3) years following the date of final payment or the Period of Performance end date, whichever is later.

1.6.2. Access to Records.

NFWF or any of its authorized representatives shall have access to such records and financial statements upon request, as shall Inspectors General, the Comptroller General of the United States or any of their authorized representatives if the Funding Source or any funding entity (i.e., a secondary funding source) is a federal agency and/or any portion of the Project provided herein is paid with federal funds. The rights of access in this section are not limited to the required retention period but last as long as the records are retained.

SECTION 2 NFWF AGREEMENT CLAUSES

2.1. Restrictions on Use of Funds.

The NFWF Subrecipient agrees that any funds provided by NFWF and all Matching Contributions will be expended only for the purposes and programs described in this Agreement. No funds provided by NFWF pursuant to this Agreement or Matching Contributions may be used to support litigation expenses, lobbying activities, or any other activities not authorized under this Agreement or otherwise unallowable under the Federal Cost Principles set forth in the OMB Uniform Guidance.

2.2. Assignment.

The NFWF Subrecipient may not assign this Agreement, in whole or in part, to any other individual or other legal entity without the prior written approval of NFWF.

2.3. Subawards and Contracts.

When making subawards or contracting, NFWF Subrecipient shall: (1) abide by all applicable granting and contracting procedures, including but not limited to those requirements of the OMB Uniform Guidance (2 C.F.R. Part 200); (2) ensure that all applicable federal, state and local requirements are properly flowed down to the subawardee or contractor, including but not limited to the applicable provisions of the OMB Uniform Guidance (2 C.F.R. Part 200); and (3) ensure that such subaward or contracting complies with the requirements in Section 3.3 of this Agreement concerning Compliance with Laws. NFWF Subrecipient shall also include in any subaward or contract a similar provision to this, requiring the use of proper grant and contracting procedures and subsequent flow down of federal, state, and local requirements to lower-tiered subawardees and contractors.

2.4. Unexpended Funds.

Any funds provided by NFWF and held by the NFWF Subrecipient and not expended at the end of the Period of Performance will be returned to NFWF within ninety (90) days after the end of the Period of Performance.

2.5. Publicity, Acknowledgment of Support, and Disclaimers.

2.5.1. Publicity.

The NFWF Subrecipient gives NFWF the right and authority to publicize NFWF's financial support for this Agreement and the Project in press releases, publications, and other public communications.

2.5.2. Acknowledgment of Support.

The NFWF Subrecipient agrees to: (1) give appropriate credit to NFWF and any Funding Sources identified in this Agreement for their financial support in any and all press releases, publications, annual reports, signage, video credits, dedications, and other public communications regarding this Agreement or any of the project deliverables associated with this Agreement, subject to any terms and conditions as may be stated in Section 5 and Section 6 of this Agreement; and (2) include the disclaimer provided at Section 2.5.4.

2.5.3. Logo Use.

The NFWF Subrecipient must obtain prior NFWF approval for the use relating to this Award of the NFWF logo or the logo or marks of any Funding Source.

2.5.4. Disclaimers.

Payments made to the NFWF Subrecipient under this Agreement do not by direct reference or by implication convey NFWF's endorsement nor the endorsement by any other entity that provides funds to the NFWF Subrecipient through this Agreement, including the U.S. Government, as applicable, for the Project. All information submitted for publication or other public releases of information regarding this Agreement shall carry the following disclaimer, which NFWF may revise at any time at its sole discretion:

For Projects funded in whole or part with federal funds: "The views and conclusions contained in this document are those of the authors and should not be interpreted as representing the opinions or policies of the U.S. Government or the National Fish and Wildlife Foundation and its funding sources. Mention of trade names or commercial products does not constitute their endorsement by the U.S. Government, or the National Fish and Wildlife Foundation or its funding sources."

For Projects not funded with federal funds: "The views and conclusions contained in this document are those of the authors and should not be interpreted as representing the opinions of the National Fish and Wildlife Foundation or its funding sources. Mention of trade names or commercial products does not constitute their endorsement by the National Fish and Wildlife Foundation or its funding sources."

2.6. Posting of Final Reports.

The NFWF Subrecipient hereby acknowledges and consents for NFWF and any Funding Source identified in this Agreement to post its final programmatic reports and deliverables on their respective websites. In the event that the NFWF Subrecipient intends to claim that its final report contains material that does not have to be posted on such websites because it is protected from disclosure by statutory or regulatory provisions, the NFWF Subrecipient shall so notify NFWF and any Funding Source identified in this Agreement and clearly mark all such potentially protected materials as "PROTECTED," providing an accurate and complete citation to the statutory or regulatory source for such protection.

2.7. Website Links.

The NFWF Subrecipient agrees to permit NFWF to post a link on any or all NFWF websites to any websites created by the NFWF Subrecipient in connection with the Project.

2.8. Evaluation.

Throughout a program or business plan, NFWF engages in monitoring and evaluation to assess progress toward conservation goals and inform future decision-making. These efforts use both data collected by grantees as part of their NFWF grant as well as post-award project data collected by third-party entities commissioned to conduct a program evaluation. The NFWF Subrecipient agrees to cooperate with NFWF by providing timely responses to all reasonable requests for information

to assist in evaluating the accomplishments of the Project period of five (5) years after the project end date.

2.9. Intellectual Property.

Reports, materials, books, databases, monitoring data, maps and spatial data, audio/video, and other forms of intellectual property created using this grant may be copyrighted or otherwise legally protected by the NFWF Subrecipient or by the author. The NFWF Subrecipient agrees to provide to NFWF and any Funding Source identified in this Agreement a non-exclusive, royalty-free, irrevocable, perpetual, worldwide license to use, publish, copy and alter the NFWF Subrecipient's intellectual property created using this award for non-commercial purposes in any media – whether now known or later devised – including posting such intellectual property on NFWF's or Funding Source websites and featuring in publications. NFWF retains the right to use project metrics and spatial data submitted by the NFWF Subrecipient to estimate societal benefits that result and to report these results to funding partners on a case-by-case basis as determined by NFWF. These may include but are not limited to: habitat and species response, species connectivity, water quality, water quantity, risk of detrimental events (e.g., wildfire, floods), carbon accounting (e.g., sequestration, avoided emissions), environmental justice, and diversity, equity, and inclusion.

2.10. System for Award Management (SAM) Registration.

The NFWF Subrecipient must maintain an active SAM registration at www.SAM.gov until the final financial report is submitted or final payment is received, whichever is later. If the NFWF Subrecipient's SAM registration expires during the required period, NFWF will suspend payment to the NFWF Subrecipient until the SAM registration is updated.

2.11. Arbitration.

All claims, disputes, and other matters in question arising out of, or relating to this Agreement, its interpretation or breach, shall be decided through arbitration by a person or persons mutually acceptable to both NFWF and the NFWF Subrecipient. Notice of the demand for arbitration shall be made within a reasonable time, not to exceed three years, after the claim, dispute, or other matter in question has arisen. The award rendered by the arbitrator or arbitrators shall be final. The terms of this provision will survive termination of this Agreement.

2.12. Indemnity.

The NFWF Subrecipient shall indemnify and hold harmless NFWF, any Funding Source identified in this Grant Agreement, their respective officers, directors, agents, and employees in respect of any and all claims, injuries, losses, diminution in value, damages, liabilities, whether or not currently due, and expenses including without limitation, settlement costs and any legal or other expenses for investigating or defending any actions or threatened actions or liabilities arising from or in connection with the Project. The terms of this provision will survive termination of this Agreement.

2.13. Insurance.

The NFWF Subrecipient agrees to obtain and maintain all appropriate and/or required insurance coverages against liability for injury to persons or property from any and all activities undertaken by the NFWF Subrecipient and associated with this Agreement in any way. NFWF reserves the right to require additional insurance limits and policies based on specific activities under this Agreement, that NFWF be named insured on all applicable insurance policies, and that the NFWF Subrecipient

provide a certificate of insurance and/or copies of applicable insurance policies as requested by NFWF. The terms of this provision will survive termination of this Agreement.

2.14. Choice of Law/Jurisdiction.

This Agreement shall be subject to and interpreted by the laws of the District of Columbia, without regard to choice of law principles. By entering into this Agreement, the NFWF Subrecipient agrees to submit to the exclusive jurisdiction of the courts of the District of Columbia. The terms of this provision will survive termination of this Agreement.

2.15. Stop Work.

NFWF may, at any time, by written order to the NFWF Subrecipient, require the NFWF Subrecipient to stop all, or any part, of the work called for by this Agreement for a period of 90 days after the order is delivered to the NFWF Subrecipient. The order shall be specifically identified as a stop-work order issued under this section. Upon receipt of the order, the NFWF Subrecipient shall immediately comply with its terms and take all reasonable steps to minimize the incurrence of costs allocable to this Agreement covered by the order during the period of work stoppage. Within a period of 90 calendar days after a stop-work order is delivered to the NFWF Subrecipient, or within any extension of that period to which the parties shall have agreed, NFWF shall either cancel the stop-work order or terminate the Agreement under section 2.16.

2.16. Termination.

2.16.1. Upon the occurrence of any of the following enumerated circumstances, NFWF may terminate this Agreement, or any portion thereunder, upon receipt by the NFWF Subrecipient of NFWF's written notice of termination, or as otherwise specified in the notice of termination:

2.16.1.1. the NFWF Subrecipient is adjudged or becomes bankrupt or insolvent, is unable to pay its debts as they become due, or makes an assignment for the benefit of its creditors; or,

2.16.1.2. the NFWF Subrecipient voluntarily or involuntarily undertakes to dissolve or wind up its affairs; or,

2.16.1.3. suspension or debarment by the Government of the NFWF Subrecipient; or,

2.16.1.4. any breach of the requirements set forth in Section 3.3 of this Agreement concerning Compliance with Laws; or,

2.16.1.5. NFWF learns that NFWF Subrecipient has an organizational conflict of interest, or any other conflict of interest, as determined in the sole discretion of NFWF, that NFWF believes, in its sole discretion, cannot be mitigated; or,

2.16.1.6. after written notice and a reasonable opportunity, the NFWF Subrecipient is unable to cure a perceived non-compliance with any material term (other than those enumerated at 2.16.1.1 – 2.16.1.5) of this Agreement. The cure period shall be considered the timeframe specified by the Funding Source(s), if

any, minus one (1) to five (5) days or as agreed upon by the Parties in writing, or if no time is specified by the Funding Source(s), ten (10) days or as otherwise agreed upon by the Parties. Within this time period the NFWF Subrecipient shall, as determined by NFWF, (a) satisfactorily demonstrate its compliance with the term(s) originally believed to be in non-compliance; or (b) NFWF, at its sole discretion, may determine that NFWF Subrecipient has satisfactorily demonstrated that reasonable progress has been made so as not to endanger performance under this Agreement; or,

2.16.1.7. if the Funding Source issues an early termination under the funding agreement(s) covering all or part of the Project at issue hereunder.

2.16.2. Either Party may terminate this Agreement by written notice to the other Party for any reason by providing thirty (30) days' prior written notice to the other Party.

2.16.3. In the event of termination of this Agreement prior to Project completion, the NFWF Subrecipient shall immediately (unless otherwise directed by NFWF in its notice if NFWF initiated the termination) undertake all reasonable steps to wind down the Project cooperatively with NFWF, including but not limited to the following:

2.16.3.1. Stop any portion of the Project's work that is incomplete (unless work to be completed and a different date for termination of work are specified in NFWF's notice).

2.16.3.2. Place no further work orders or enter into any further subawards or contracts for materials, services, or facilities, except as necessary to complete work as specified in NFWF's notice.

2.16.3.3. Terminate all pending Project work orders, subawards, and contracts for work that has not yet commenced.

2.16.3.4. With the prior written consent of NFWF, promptly take all other reasonable and feasible steps to minimize and/or mitigate any damages that may be caused by the failure to complete the Project, including but not limited to reasonable settlements of any outstanding claims arising out of termination of Project work orders, subawards, and contracts. NFWF will reimburse the NFWF Subrecipient for non-cancelable allowable costs incurred by the NFWF Subrecipient prior to termination that cannot be mitigated. However, the foregoing is subject to the complete reimbursement of such costs by the Funding Source; accordingly, any amounts ultimately not paid, or which are recouped by the Funding Source, are subject to recoupment by NFWF.

2.16.3.5. Deliver or make available to NFWF all data, drawings, specifications, reports, estimates, summaries, and such other information and material as may have been accumulated by the NFWF Subrecipient under this Agreement, whether completed or in progress.

2.16.3.6. Return to NFWF any unobligated portion of the Award.

2.17. Entire Agreement.

These terms and conditions, including the Attachments hereto, constitute the entire agreement between the Parties relating to the Project described herein and supersede all previous communications, representations, or agreements, either oral or written, with respect to the subject matter hereof. No representations or statements of any kind made by any representative of a Party, which are not stated herein, shall be binding on said Party.

2.18. Severability.

Each provision of this Agreement is distinct and severable from the others. If one or more provisions is or becomes invalid, unlawful, or unenforceable in whole or in part, the validity, lawfulness and enforceability of the remaining provisions (and of the same provision to the extent enforceable) will not be impaired, and the Parties agree to substitute a provision as similar to the offending provision as possible without its being invalid, unlawful or unenforceable.

2.19. Interpretation and Construction.

2.19.1. This Agreement shall be interpreted as a unified contractual document with the Sections and the Attachments having equal effect, except in the event of any inconsistency between them. In the event of a conflict between any portion of this Agreement and another portion of this Grant Agreement, first the Sections will apply in the following order of precedence: 5, 4, 3, 1, 2 and 6, and then any supplemental attachments.

2.19.2. The title designations of the provisions to this Agreement are for convenience only and shall not affect the interpretation or construction of this Agreement.

2.19.3. Every right or remedy conferred by this Agreement upon or reserved to the Parties shall be cumulative and shall be in addition to every right or remedy now or hereafter existing at law or in equity, and the pursuit of any right or remedy shall not be construed a selection.

2.19.4. The failure of NFWF to exercise any right or privilege granted hereunder or to insist upon the performance and/or compliance of any provision of this Agreement, a referenced contractual, statutory or regulatory term, or an Attachment hereto, shall not be construed as waiving any such right, privilege, or performance/compliance issue, and the same shall continue in full force and effect.

2.19.5. Notwithstanding any express statements regarding the continuation of an obligation beyond the expiration or termination of this Agreement, the rights and obligations of this Agreement, which by their nature extend beyond its expiration or termination, shall remain in full force and effect and shall bind the Parties and their legal representatives, successors, heirs, and assigns.

SECTION 3 REPRESENTATIONS, CERTIFICATIONS, OBLIGATIONS AND OTHER STATEMENTS – GENERAL

3.1. Binding Obligation.

By execution of this Agreement, NFWF Subrecipient represents and certifies that this Agreement has been duly executed by a representative of the NFWF Subrecipient with full authority to execute this Agreement and binds the NFWF Subrecipient to the terms hereof. After execution by the representative of the NFWF Subrecipient named on the signature page hereto, this Agreement represents the legal, valid, and binding obligation of the NFWF Subrecipient, enforceable against the NFWF Subrecipient in accordance with its terms.

3.2. Additional Support.

In making this Award, NFWF assumes no obligation to provide further funding or support to the NFWF Subrecipient beyond the terms stated in this Agreement.

3.3. Compliance with Laws.

3.3.1. In General.

By execution of this Agreement and through its continued performance hereunder, the NFWF Subrecipient represents, certifies and agrees that it is and shall continue to conduct all such activities in compliance with all applicable federal, state, and local laws, regulations, and ordinances and to secure all appropriate necessary public or private permits and consents. The terms of this provision will survive termination of this Agreement and must be flowed down to any and all contractors, subcontractors or subrecipients entered into by NFWF Subrecipient in the performance of this Agreement.

3.3.2. Compliance with Anti-Corruption Laws.

The NFWF Subrecipient represents, certifies and agrees to ensure that no payments have been or will be made or received by the NFWF Subrecipient in connection with this Agreement in violation of the U.S. Foreign Corrupt Practices Act of 1977, as amended (15 U.S.C. §dd-1 *et seq.*), or any other applicable anti-corruption laws or regulations (e.g., UK Bribery Act 2010) in the countries in which the NFWF Subrecipient performs under this Agreement.

3.3.3. Compliance with Anti-Terrorism Laws.

The NFWF Subrecipient represents, certifies and agrees not to provide material support or resources directly or indirectly to, or knowingly permit any funds provided by NFWF pursuant to this Agreement or Matching Contributions to be transferred to, any individual, corporation or other entity that the NFWF Subrecipient knows, or has reason to know, commits, attempts to commit, advocates, facilitates, or participates in any terrorist activity, or has committed, attempted to commit, advocated, facilitated or participated in any terrorist activity, including, but not limited to, the individuals and entities (1) on the master list of Specially Designated Nationals and Blocked Persons maintained by the U.S. Department of Treasury's Office of Foreign Assets Control, which list is available at www.treas.gov/offices/enforcement/ofac; (2) on the consolidated list of individuals and entities maintained by the "1267 Committee" of the United Nations Security Council at http://www.un.org/sc/committees/1267/aq_sanctions_list.shtml; (3) on the consolidated

list maintained by the U.S. Department of Commerce at http://export.gov/ecr/eg_main_023148.asp, or (4) on such other list as NFWF may identify from time to time.

3.3.4. Compliance with Additional Laws and Restrictions.

The NFWF Subrecipient represents, certifies and agrees to ensure that its activities under this Agreement comply with all applicable U.S. laws, regulations and executive orders regarding money laundering, terrorist financing, U.S. sanctions laws, U.S. export controls, restrictive trade practices, boycotts, and all other economic sanctions or trade restrictions promulgated from time to time by means of statute, executive order, regulation or as administered by the U.S. Department of State, the Office of Foreign Assets Control, U.S. Department of the Treasury, or the Bureau of Industry and Security, U.S. Department of Commerce.

3.4. Subrecipient Debarment and Suspensions.

By and through NFWF Subrecipient's execution of this Agreement, NFWF Subrecipient warrants and represents its initial and continued compliance that it is not listed on the General Services Administration's, government-wide System for Award Management Exclusions (SAM Exclusions), in accordance with the OMB guidelines at 2 C.F.R Part 180 that implement E.O.s 12549 (3 C.F.R., 1986 Comp., p. 189) and 12689 (3 C.F.R., 1989 Comp., p. 235), "Debarment and Suspension." The NFWF Subrecipient further provides that it shall not enter into any subaward, contract or other agreement using funds provided by NFWF with any party listed on the SAM Exclusions in accordance with Executive Orders 12549 and 12689. The SAM Exclusions can be found at <https://www.sam.gov/portal/public/SAM/>.

3.5. Conflicts of Interest.

By execution of this Agreement, NFWF Subrecipient acknowledges that it is prohibited from using any Project funds received under this Agreement in a manner which may give rise to an apparent or actual conflict of interest, including organizational conflicts of interest, on the part of the NFWF Subrecipient. Such a conflict of interest would arise when the employee, officer, or agent, any member of his or her immediate family, his or her partner, or an organization which employs or is about to employ any of the parties indicated herein, has a financial or other interest in or a tangible personal benefit from a firm considered for a contract. The officers, employees, and agents of NFWF Subrecipient may neither solicit nor accept gratuities, favors, or anything of monetary value from contractors or parties to subcontracts. An organizational conflict of interest is defined as a relationship that because of relationships with a parent company, affiliate, or subsidiary organization, the non-federal entity is unable or appears to be unable to be impartial in conducting a procurement action involving a related organization. The NFWF Subrecipient represents and certifies that it has adopted a conflict of interest policy that, at a minimum, complies with the requirements of the OMB Uniform Guidance, and will comply with such policy in the use of any Project funds received under this Agreement. NFWF Subrecipient may set standards for situations in which the financial interest is not substantial or the gift is an unsolicited item of nominal value. The standards of conduct must provide for disciplinary actions to be applied for violations of such standards by officers, employees, or agents of NFWF Subrecipient. If NFWF Subrecipient becomes aware of any actual or potential conflict of interest or organizational conflict of interest, during the course of performance of this Agreement, NFWF Subrecipient will immediately notify NFWF in writing of such actual or potential conflict of interest, whether organizational or otherwise.

SECTION 4 REPRESENTATIONS, CERTIFICATIONS, AND OTHER STATEMENTS RELATING TO FEDERAL FUNDS – GENERAL

4.1. If the Funding Source or any funding entity (*i.e.*, a secondary funding source) is a federal agency and/or any portion of the Project provided herein is paid with federal funds, the NFWF Subrecipient must read and understand certain applicable federal regulations, including but not limited to, the following in Sections 4 and 5 of this Agreement as set forth herein.

The NFWF Subrecipient will need to understand and comply with the OMB Uniform Guidance (including related Supplements as may be applicable to a specific federal funding source(s), and Appendices as may be applicable), in addition to other applicable federal regulations. This includes, but is not limited to, the provisions of the Federal Funding Accountability and Transparency Act (FFATA), which includes requirements on executive compensation, and also requirements implementing the Act for the non-federal entity at 2 CFR part 25 Financial Assistance Use of Universal Identifier and System for Award Management and 2 CFR part 170 Reporting Subaward and Executive Compensation Information. The most recent version of the Electronic Code of Federal Regulations can be found at <https://www.ecfr.gov/>.

4.2. 2 CFR § 200 Subpart F Audits.

It is the responsibility of the NFWF Subrecipient to arrange for audits as required by 2 CFR Part 200, Subpart F – Audit Requirements. The NFWF Subrecipient shall notify NFWF in writing about 2 CFR Subpart F audit findings related to projects funded by NFWF pass-through funds. The NFWF Subrecipient understands that NFWF may require the NFWF Subrecipient to take corrective action measures in response to a deficiency identified during an audit.

4.3. Real and Personal Property.

In accordance with 2 C.F.R. § 200.316 (Property trust relationship), real property, equipment, and intangible property acquired or improved with federal funds must be held in trust by the NFWF Subrecipient as trustee for the beneficiaries of the project or program under which the property was acquired or improved. This trust relationship exists throughout the duration of the property's estimated useful life during which time the Federal Government retains an undivided, equitable reversionary interest in the property (Federal Interest). During the duration of the Federal Interest, the NFWF Subrecipient must comply with all use, reporting, and disposition requirements and restrictions as set forth in 2 C.F.R. §§ 200.310 (Insurance coverage) through 200.316 (Property trust relationship) and 200.329 (Reporting on real property), as applicable.

4.4. Mandatory Disclosure.

NFWF Subrecipient must disclose, in a timely manner, in writing to NFWF all violations of federal criminal law involving fraud, bribery, or gratuity violations potentially affecting the federal award. Failure to make required disclosures can result in any of the remedies described in this Agreement, including termination, and any remedies provided under law, including suspension or debarment by cognizant federal authorities.

4.5. Trafficking in Persons.

Pursuant to section 106(a) of the Trafficking Victims Protection Act of 2000, as amended (22 U.S.C. 7104(g)) (codified at 2 C.F.R. Part 175), NFWF Subrecipient shall comply with the below provisions. Further, NFWF Subrecipient shall flow down these provisions in all subawards and contracts, including a requirement that Subrecipients similarly flow down these provisions in all lower-tiered subawards and subcontracts. The provision is cited herein:

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- I. Trafficking in persons.
 - a. *Provisions applicable to a recipient that is a private entity.*
 1. You as the recipient, your employees, subrecipients under this award, and subrecipients' employees may not—
 - i. Engage in severe forms of trafficking in persons during the period of time that the award is in effect;
 - ii. Procure a commercial sex act during the period of time that the award is in effect; or
 - iii. Use forced labor in the performance of the award or subawards under the award.
 2. We as the federal awarding agency's pass-through entity may unilaterally terminate this award, without penalty, if you or a subrecipient that is a private entity —
 - i. Is determined to have violated a prohibition in paragraph a.1 of this award term; or
 - ii. Has an employee who is determined by the agency official authorized to terminate the award to have violated a prohibition in paragraph a.1 of this award term through conduct that is either—
 - A. Associated with performance under this award; or
 - B. Imputed to you or the subrecipient using the standards and due process for imputing the conduct of an individual to an organization that are provided in 2 CFR part 180, "OMB Guidelines to Agencies on Government-wide Debarment and Suspension (Nonprocurement),".
 - b. *Provision applicable to a recipient other than a private entity.* We as the federal awarding agency's pass-through entity may unilaterally terminate this award, without penalty, if a subrecipient that is a private entity-
 1. Is determined to have violated an applicable prohibition in paragraph a.1 of this award term; or
 2. Has an employee who is determined by the agency official authorized to terminate the award to have violated an applicable prohibition in paragraph a.1 of this award term through conduct that is either—
 - i. Associated with performance under this award; or
 - ii. Imputed to the subrecipient using the standards and due process for imputing the conduct of an individual to an organization that are provided in 2 CFR part 180, "OMB Guidelines to Agencies on Government-wide Debarment and Suspension (Nonprocurement),".
 - c. *Provisions applicable to any recipient.*
 1. You must inform us immediately of any information you receive from any source alleging a violation of a prohibition in paragraph a.1 of this award term.
 2. Our right to terminate unilaterally that is described in paragraph a.2 or b of this section:
 - i. Implements section 106(g) of the Trafficking Victims Protection Act of 2000 (TVPA), as amended (22 U.S.C. 7104(g)), and
 - ii. Is in addition to all other remedies for noncompliance that are available to us under this award.

3. You must include the requirements of paragraph a.1 of this award term in any subaward you make to a private entity.
- d. *Definitions.* For purposes of this award term:
 1. "Employee" means either:
 - i. An individual employed by you or a subrecipient who is engaged in the performance of the project or program under this award; or
 - ii. Another person engaged in the performance of the project or program under this award and not compensated by you including, but not limited to, a volunteer or individual whose services are contributed by a third party as an in-kind contribution toward cost sharing or matching requirements.
 2. "Forced labor" means labor obtained by any of the following methods: the recruitment, harboring, transportation, provision, or obtaining of a person for labor or services, through the use of force, fraud, or coercion for the purpose of subjection to involuntary servitude, peonage, debt bondage, or slavery.
 3. "Private entity":
 - i. Means any entity other than a State, local government, Indian tribe, or foreign public entity, as those terms are defined in 2 CFR 175.25.
 - ii. Includes:
 - A. A nonprofit organization, including any nonprofit institution of higher education, hospital, or tribal organization other than one included in the definition of Indian tribe at 2 CFR 175.25(b).
 - B. A for-profit organization.
 4. "Severe forms of trafficking in persons," "commercial sex act," and "coercion" have the meanings given at section 103 of the TVPA, as amended (22 U.S.C. 7102).

4.6. 41 United States Code (U.S.C.) 4712, Enhancement of Recipient and Subrecipient Employee Whistleblower Protection:

(a) This award, related subawards, and related contracts over the simplified acquisition threshold and all employees working on this award, related subawards, and related contracts over the simplified acquisition threshold are subject to the whistleblower rights and remedies established at 41 U.S.C. 4712.

(b) Recipients, their subrecipients, and their contractors awarded contracts over the simplified acquisition threshold related to this award, shall inform their employees in writing, in the predominant language of the workforce, of the employee whistleblower rights and protections under 41 U.S.C. 4712.

(c) The recipient shall insert this clause, including this paragraph (c), in all subawards and contracts over the simplified acquisition threshold related to this award.

4.7. 41 USC §6306, Prohibition on Members of Congress Making Contracts with Federal Government.

No member of or delegate to Congress or Resident Commissioner shall be admitted to any share or part of this award, or to any benefit that may arise therefrom; this provision shall not be construed to extend to an award made to a corporation for the public's general benefit. NFWF Subrecipient shall flow down this provision in all subawards and contracts, including a requirement that subrecipients similarly flow down this provision in all lower-tiered subawards and subcontracts.

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4.8. Executive Order 13513, Federal Leadership on Reducing Text Messaging while Driving.

(Sub)Recipients are encouraged to adopt and enforce policies that ban text messaging while driving, including conducting initiatives of the type described in section 3(a) of the order. NFWF Subrecipient shall flow down this provision in all subawards and contracts, including a requirement that subrecipients similarly flow down this provision in all lower-tiered subawards and subcontracts.

4.9. 43 CFR §18 New Restrictions on Lobbying.

By execution of this Agreement, the NFWF Subrecipient agrees to comply with 43 CFR 18, New Restrictions on Lobbying, and certifies to the following statements:

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

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

(c) The NFWF Subrecipient shall require that the language of this certification be included in the award documents for all subawards at all tiers (including subcontracts, subgrants, and contracts under grants, loans, and cooperative agreements) and that all Subrecipients shall certify accordingly. This certification is a material representation of fact upon which reliance was placed when this transaction was made or entered into. Submission of this certification, as represented by execution of this Agreement, is a prerequisite for making or entering into this transaction imposed by Section 1352, title 31, U.S. Code. Any person who fails to file the required certification shall be subject to a civil penalty of not less than \$10,000 and not more than \$100,000 for each such failure. All liability arising from an erroneous representation shall be borne solely by the entity filing that representation and shall not be shared by any entity to which the erroneous representation is forwarded. Submitting an erroneous certification or disclosure constitutes a failure to file the required certification or disclosure, respectively. If a person fails to file a required certification or disclosure, the United States may pursue all available remedies, including those authorized by section 1352, title 31 of the U.S. Code.

4.10. Prohibition on Issuing Financial Assistance Awards to Entities that Require Certain Internal Confidentiality Agreements.

The NFWF Subrecipient must not require their employees, subrecipients, or contractors seeking to report fraud, waste, or abuse to sign internal confidentiality agreements or statements prohibiting or otherwise restricting such employees, subrecipients, or contractors from lawfully reporting such

waste, fraud, or abuse to a designated investigative or law enforcement representative of a federal department or agency authorized to receive such information. The NFWF Subrecipient must notify their employees, subrecipients, or contractors that existing internal confidentiality agreements covered by this condition are no longer in effect.

4.11. Drug-Free Workplace.

The NFWF Subrecipient must make an ongoing, good faith effort to maintain a drug-free workplace pursuant to the specific requirements set forth in 41 USC Chapter 81 Drug-Free Workplace.

4.12. Prohibition on Certain Telecommunications and Video Surveillance Services or Equipment. (Effective 8/13/2020)

As required by 2 CFR 200.216, the NFWF Subrecipient is prohibited from obligating or expending funds awarded under this Agreement to procure or obtain; extend or renew a contract to procure or obtain; or enter into a contract (or extend or renew a contract) to procure or obtain equipment, services, or systems that use covered telecommunications equipment or services from Huawei Technologies Company, ZTE Corporation, Hytera Communications Corporation, Hangzhou Hikvision Digital Technology Company, and Dahua Technology Company, or any other company, including affiliates and subsidiaries, owned or controlled by the People's Republic of China, which are a substantial or essential component of any system, or as critical technology as part of any system. By and through the NFWF Subrecipient's execution of this Agreement, the NFWF Subrecipient warrants and represents that the NFWF Subrecipient will not obligate or expend funds awarded under this Agreement for "covered telecommunications equipment or services" (as this term is defined and this restriction is imposed under 2 CFR 200.216).

4.13. Domestic Preference for Procurements.

- a) Under this Agreement and in accordance with 2 C.F.R. § 200.322, the NFWF Subrecipient shall to the greatest extent practicable, provide a preference for the purchase, acquisition, or use of goods, products or materials produced in the United States (including but not limited to iron, aluminum, steel, cement, and other manufactured products).
- b) For purposes of this agreement, the following definitions apply:
 - i. "Produced in the United States" means, for iron and steel products, that all manufacturing processes, from the initial melting stage through the application of coatings, occurred in the United States; and
 - ii. "Manufactured products" means items and construction materials composed in whole or in part of non-ferrous metals such as aluminum; plastics and polymer-based products such as polyvinyl chloride pipe; aggregates such as concrete; glass, including optical fiber; and lumber.

SECTION 5 REPRESENTATIONS, CERTIFICATIONS, AND OTHER STATEMENTS RELATING TO FEDERAL FUNDS – FUNDING SOURCE SPECIFIC

NFWF Subrecipient acknowledges that when all or part of this Agreement is funded by a federal award that certain representations, certifications, and other statements relating to the use of such funds or performance of the Project may be necessary. These representations, certifications and other statements are set forth below. Unless otherwise stated in this Agreement, the execution and submission of this Agreement serves as affirmative acknowledgement of an agreement with the below representations, certifications, and other statements. Further, should circumstances of the NFWF Subrecipient change during the performance of this Agreement that would render one of these representations, certifications and/or other statements inaccurate, invalid or incorrect, the NFWF Subrecipient shall promptly notify NFWF of such change in circumstance. Finally, NFWF reserves the right to update and require subsequent acknowledgement of an agreement with new or revised representations, certifications, and other statements at no additional cost under this Agreement.

FC.A078:

Department of Commerce (DOC) Compliance Requirements.

The NFWF Subrecipient must comply with the terms and conditions of a DOC financial assistance award, including applicable provisions of the OMB Uniform Guidance (2 C.F.R. Part 200), and all associated Terms and Conditions set forth in the Department of Commerce Financial Assistance Standard Terms and Conditions Dated November 12, 2020, available at https://www.commerce.gov/sites/default/files/202011/DOC%20Standard%20Terms%20and%20Conditions%20-%2012%20November%202020%20PDF_0.pdf. See 2 C.F.R. § 200.101(b)(1) (Applicability), which describes the applicability of 2 C.F.R. Part 200 to various types of Federal awards and §§200.331-333 (Subrecipient monitoring and management). Additionally, the NFWF Subrecipient must flow these requirements down to all subrecipients and contractors, including lower tier subrecipients.

Required Use of American Iron, Steel, Manufactured Products, and Construction Materials.

If applicable, and pursuant to the Investment and Jobs Act (“IIJA”), Pub.L. No. 117-58, which includes the Build American, Buy American (BABA) Act, Pub. L. No. 117-58, §§ 70901-52 and OMB M-22-11, recipients of an award of Federal financial assistance from the Department of Commerce (DOC) are hereby notified that none of the funds provided under this award may be used for a project for infrastructure unless: (1) all iron and steel used in the project are produced in the United States—this means all manufacturing processes, from the initial melting stage through the application of coatings, occurred in the United States; (2) all manufactured products used in the project are produced in the United States—this means the manufactured product was manufactured in the United States; and the cost of the components of the manufactured product that are mined, produced, or manufactured in the United States is greater than 55 percent of the total cost of all components of the manufactured product, unless another standard for determining

the minimum amount of domestic content of the manufactured product has been established under applicable law or regulation; and (3) all construction materials are manufactured in the United States—this means that all manufacturing processes for the construction material occurred in the United States. The Buy America preference only applies to articles, materials, and supplies that are consumed in, incorporated into, or affixed to an infrastructure project. As such, it does not apply to tools, equipment, and supplies, such as temporary scaffolding, brought to the construction site and removed at or before the completion of the infrastructure project. Nor does a Buy America preference apply to equipment and furnishings, such as movable chairs, desks, and portable computer equipment, that are used at or within the finished infrastructure project but are not an integral part of the structure or permanently affixed to the infrastructure project. This requirement also applies to subrecipients.

Waivers: When necessary, recipients may apply for, and DOC may grant, a waiver from these requirements. DOC will notify the recipient for information on the process for requesting a waiver from these requirements. When DOC has made a determination that one of the following exceptions applies, the awarding official may waive the application of the domestic content procurement preference in any case in which DOC determines that: a. applying the domestic content procurement preference would be inconsistent with the public interest; b. the types of iron, steel, manufactured products, or construction materials are not produced in the United States in sufficient and reasonably available quantities or of a satisfactory quality; or c. the inclusion of iron, steel, manufactured products, or construction materials produced in the United States will increase the cost of the overall project by more than 25 percent. A request to waive the application of the domestic content procurement preference must be in writing. DOC will provide instructions on the format, contents, and supporting materials required for any waiver request. Waiver requests are subject to public comment periods of no less than 15 days and must be reviewed by the Made in America Office. There may be instances where an award qualifies, in whole or in part, for an existing waiver described at whitehouse.gov/omb/management/made-in-america.

Definitions: “Construction materials” includes an article, material, or supply—other than an item of primarily iron or steel; a manufactured product; cement and cementitious materials; aggregates such as stone, sand, or gravel; or aggregate binding agents or additives—that is or consists primarily of: non-ferrous metals; plastic and polymer-based products (including polyvinyl chloride, composite building materials, and polymers used in fiber optic cables); glass (including optic glass); lumber; or drywall. “Domestic content procurement preference” means all iron and steel used in the project are produced in the United States; the manufactured products used in the project are produced in the United States; or the construction materials used in the project are produced in the United States. “Infrastructure” includes, at a minimum, the structures, facilities, and equipment for, in the United States, roads, highways, and bridges; public transportation; dams, ports, harbors, and other maritime facilities; intercity passenger and freight railroads; freight and intermodal facilities; airports; water systems, including drinking water and wastewater systems; electrical transmission facilities and systems; utilities; broadband infrastructure; and buildings and real property. Infrastructure includes facilities that generate, transport, and distribute energy. “Project” means the construction, alteration, maintenance, or repair of infrastructure in the United States. --

1 Excludes cement and cementitious materials, aggregates such as stone, sand, or gravel, or aggregate binding agents or additives. 2 IIA, § 70917(c)(1).

Implementation of Domestic Sourcing Requirements

Prior to initiation of any construction that may arise in this award, the NFWF Subrecipient is required to inform NFWF whether it is using iron, steel, manufactured products, or construction materials as described in "Required Use of American Iron, Steel, Manufactured Products, and Construction Materials" above. In addition, the NFWF Subrecipient is required to inform the NFWF whether those materials are produced or manufactured in the United States, or alternatively, it is requesting one or more waivers, as described in the award condition.

Field Work.

The NFWF Subrecipient is required to follow recognized best practices for minimizing impacts to the human and natural environment when applicable and will provide for safety in their projects as needed, including addressing the safety of personnel, associates, visitors, and volunteers in their projects. In addition, any use of unoccupied aircraft systems in projects under this award must be in compliance with all applicable Federal Aviation Administration regulations, and any other applicable federal, state, or local regulations.

Scientific Integrity.

1. *Maintaining Integrity.* The NFWF Subrecipient shall maintain the scientific integrity of research performed pursuant to this grant or financial assistance award including the prevention, detection, and remediation of any allegations regarding the violation of scientific integrity or scientific and research misconduct, and the conduct of inquiries, investigations, and adjudications of allegations of violations of scientific integrity or scientific and research misconduct. All the requirements of this provision flow down to subrecipients.
2. *Peer Review.* The peer review of the results of scientific activities under a NOAA grant, financial assistance award, or cooperative agreement shall be accomplished to ensure consistency with NOAA standards on quality, relevance, scientific integrity, reproducibility, transparency, and performance. NOAA will ensure that peer review of "influential scientific information" or "highly influential scientific assessments" is conducted in accordance with the Office of Management and Budget (OMB) Final Information Quality Bulletin for Peer Review and NOAA policies on peer review, such as the Information Quality Guidelines.
3. In performing or presenting the results of scientific activities under the NOAA grant, financial assistance award, or cooperative agreement and in responding to allegations regarding the violation of scientific integrity or scientific and research misconduct, the NFWF Subrecipient and all subrecipients shall comply with the provisions herein and NOAA Administrative Order (NAO) 202-735D, Scientific Integrity, and its Procedural Handbook, including any amendments thereto. That Order can be found at <https://nrc.noaa.gov/ScientificIntegrityCommons.aspx>.

4. *Primary Responsibility.* The NFWF Subrecipient shall have the primary responsibility to prevent, detect, and investigate allegations of a violation of scientific integrity or scientific and research misconduct. Unless otherwise instructed by the grants officer, the recipient shall promptly conduct an initial inquiry into any allegation of such misconduct and may rely on its internal policies and procedures, as appropriate, to do so.
5. By executing this grant, financial assistance award, or cooperative agreement the NFWF Subrecipient provides its assurance that it has established an administrative process for performing an inquiry, investigating, and reporting allegations of a violation of scientific integrity or scientific and research misconduct; and that it will comply with its own administrative process for performing an inquiry, investigation, and reporting of such misconduct.
6. The NFWF Subrecipient shall insert this provision in all subawards at all tiers under this grant, financial assistance award, or cooperative agreement.

Data Sharing Directive.

The Data and Publication Sharing Directive for NOAA Grants, Cooperative Agreements, and Contracts ensures that environmental data funded extramurally by NOAA are made publicly accessible in a timely fashion (typically within two years of collection), and that final manuscripts of peer-reviewed research papers are deposited with the NOAA Central Library (upon acceptance by the journal, or no later than at time of publication). Therefore, non-Federal entities, or recipients, must make data produced under financial assistance publicly accessible in accordance with the Data Management Plan included with the Proposal, unless the grant program grants a modification or an exemption. The text of the Directive is available at <https://nosc.noaa.gov/EDMC/PD.DSP.php>.

1. **Data Sharing:** Environmental data collected or created under this Grant, Cooperative Agreement, or Contract must be made publicly visible and accessible in a timely manner, free of charge or at minimal cost that is no more than the cost of distribution to the user, except where limited by law, regulation, policy, or national security requirements. Data are to be made available in a form that would permit further analysis or reuse: data must be encoded in a machine-readable format, preferably using existing open format standards; data must be sufficiently documented, preferably using open metadata standards, to enable users to independently read and understand the data. The location (internet address) of the data should be included in the final report. Pursuant to NOAA Information Quality Guidelines, data should undergo quality control (QC) and a description of the QC process and results should be referenced in the metadata. Failure to perform quality control does not constitute an excuse not to share data. Data without QC are considered “experimental products” and their dissemination must be accompanied by explicit limitations on their quality or by an indicated degree of uncertainty.
2. **Timeliness:** Data accessibility must occur no later than publication of a peer-reviewed article based on the data, or two years after the data are collected and verified, or two years after the original end date of the grant (not including any extensions or follow-on

funding), whichever is soonest, unless a delay has been authorized by the NOAA funding program.

3. Disclaimer: Data produced under this award and made available to the public must be accompanied by the following statement: "These data and related items of information have not been formally disseminated by NOAA, and do not represent any agency determination, view, or policy."
4. Failure to Share Data: Failing or delaying to make environmental data accessible in accordance with the submitted Data Management Plan, unless authorized by the NOAA Program, may lead to enforcement actions, and will be considered by NOAA when making future award decisions. Funding recipients are responsible for ensuring these conditions are also met by sub-recipients and subcontractors.
5. Funding acknowledgement: Federal funding sources shall be identified in all scholarly publications. An Acknowledgements section shall be included in the body of the publication stating the relevant Grant Programs and Award Numbers. In addition, funding sources shall be reported during the publication submission process using the FundRef mechanism (<http://www.crossref.org/fundref/>) if supported by the Publisher.
6. Manuscript submission: The final pre-publication manuscripts of scholarly publications produced with NOAA funding shall be submitted to the NOAA Institutional Repository at <http://library.noaa.gov/repository> after acceptance, and no later than upon publication, of the paper by a journal. NOAA will produce a publicly-visible catalog entry directing users to the published version of the article. After an embargo period of one year after publication, NOAA shall make the manuscript itself publicly visible, free of charge, while continuing to direct users to the published version of record.
7. Data Citation: Publications based on data, and new products derived from source data, must cite the data used according to the conventions of the Publisher, using unambiguous labels such as Digital Object Identifiers (DOIs). All data and derived products that are used to support the conclusions of a peer-reviewed publication must be made available in a form that permits verification and reproducibility of the results.

Invasive Species Control.

Pursuant to Executive Order # 13112, recipients of NOAA funding cannot implement any actions that are likely to cause or promote the introduction or spread of invasive species, and should provide for restoration of native species and habitat conditions in ecosystems that have been invaded. The NFWF Subrecipient is expected to take positive steps to prevent the introduction of invasive species, provide for control of invasive species, and minimize the economic, ecological, and human health impacts that invasive species cause. Where possible and/or practicable, the NFWF Subrecipient should also respond rapidly to and control populations of invasive species in an environmentally sound manner, promote public education on invasive species, and conduct post-construction monitoring to ensure that impacts on native species did not occur (as applicable).

NOAA can provide additional guidance on the detection, control and prevention of invasive species impacts upon request.

SECTION 6 OTHER REPRESENTATIONS, CERTIFICATIONS, STATEMENTS AND CLAUSES

NFWF Subrecipient acknowledges that all or part of this Agreement may be funded by a non-federal source that requires certain representations, certifications, and other statements relating to the use of such funds or performance of the Project. These representations, certifications and other statements are set forth below. Unless otherwise stated in this Agreement, the execution and submission of this Agreement serves as affirmative acknowledgement of an agreement with the below representations, certifications, and other statements. Further, should circumstances of the NFWF Subrecipient change during the performance of this Agreement that would render one of these representations, certifications and/or other statements inaccurate, invalid or incorrect, the NFWF Subrecipient shall promptly notify NFWF of such change in circumstance. Finally, NFWF reserves the right to update and require subsequent acknowledgement of an agreement with new or revised representations, certifications, and other statements at no additional cost under this Agreement.

None.



REQUEST FOR LEGISLATION
February 4, 2025

For: Mayor and City Council

From: Desirae Simmons, Council Member, Michelle King, Council Member, Roland Tooson, Council Member

Subject: Resolution No. 2025-021 Approving a mini grant to Trades Program for Youth and Adults in the amount of \$5,000 to support programs assisting community youth through their efforts.

SUMMARY & BACKGROUND:

RECOMMENDED ACTION: Approval

ATTACHMENTS:

1. Res. 2025-021 Trades Programs for Youths & Adults Mini Grant Award
2. Trades Program for Youth & Adults App

CITY MANAGER APPROVAL:

COUNCIL AGENDA DATE: February 4, 2025

CITY MANAGER COMMENTS:

FISCAL SERVICES DIRECTOR APPROVAL:



Resolution No. 2025-021
February 4, 2025

RESOLVED BY THE COUNCIL OF THE CITY OF YPSILANTI:

WHEREAS, City Council approved a grant to organizations that serve the youth in the City; and

WHEREAS, Trades Program for Youth and Adults is an organization currently serving the youth in the City of Ypsilanti; and

WHEREAS, Trades Program for Youth and Adults has submitted a grant application.

NOW THEREFORE BE IT RESOLVED that the Ypsilanti City Council approves a mini grant to Trades Program for Youth and Adults in the amount of \$5,000 to support programs assisting community youth through their efforts.

OFFERED BY: _____

SUPPORTED BY: _____

YES:

NO:

ABSENT:

VOTE:

Print

City of Ypsilanti - Youth Mental Health Mini-Grant Application - Submission #6652

Date Submitted: 8/9/2024

Name of Organization*

Trades Program for Youth and Adults

Organization Address*

2523 Grove Road

Phone Number*

7346785195

Email Address*

cassandrafvaughn@gmail.com

Please describe the services and/or programs you provide to City of Ypsilanti youth, and how long you have been providing these services.*

Launched in 2022, Trades Programs for Youth and Adults offers a 12-week training for underserved, mainly black Ypsilanti youth, introducing them to trade careers. Each week has both a social-emotional learning and technical skill theme, helping students gain practical experience and express their creativity productively. The program turns "troublemakers" into focused, skilled individuals.

Do you know how many City of Ypsilanti youth you currently serve? If so, please share. If not, please describe what you do know that leads you to understand that you serve City of Ypsilanti youth (for instance, among youth from Ypsilanti and Superior Township as well).*

64, while the program occurs across Washtenaw County, most youth come from the City of Ypsilanti

What program, service, or initiative are you proposing, and how will it benefit the mental health of City of Ypsilanti youth? Please describe as fully as needed so that we can understand what you propose to do, including activities, timeline, number of youth reached, any other relevant demographic information.*

From September-December 2024, TPYA, working with Christian Love Fellowship and Maker Works, will host a 12-week Trade Scouts training. Meeting twice weekly, 16 Ypsilanti youth, 98% black, low-income, and from single-parent households, will engage in hands-on projects with SEL and technical skill learning themes such as teamwork, tool safety, Michigan trades history, and black trades history.

Is this a new, ongoing, or expansion of an existing program or service?*

Ongoing

As a result of your proposed work, what impact will we see? If we were writing a newspaper article at the conclusion of a very successful program, what would it say changed in our community and among our youth?*

After finishing the 12-week Trade Scouts program, Brittany now approaches challenges positively, sparked by hands-on learning and teamwork. Lawrence sees the global potential of a trades career, while Michelle is eager to break gender barriers and start her own TikTok "how-to" videos. These youth are proud of their accomplishments and ready to apply their new skills to bright futures.

How much are you applying for (\$5000 is max in one year; the year follows Ypsilanti's fiscal year which begins July 1)?*

5000

Total annual budget*

100000

501c3 Determination Letter*

501c3 Determination Letter.jpg

Are you 990s on Guidestar? if yes please upload file

990 Forms for 2022 and 2023.pdf

Please upload you non-discrimination policy*

Nondiscrimination Policy.docx



Department of the Treasury
Internal Revenue Service
Tax Exempt and Government Entities
P.O. Box 2508
Cincinnati, OH 45201

TRADES PROGRAMS FOR YOUTH AND ADULTS
INC
2523 S GROVE ST
YPSILANTI, MI 48198

Date:
04/13/2022
Employer ID number:
[REDACTED]
Person to contact:
Name: Customer Service
ID number: [REDACTED]
Telephone: 877-829-5500
Accounting period ending:
December 31
Public charity status:
170(b)(1)(A)(vi)
Form 990 / 990-EZ / 990-N required:
Yes
Effective date of exemption:
February 17, 2022
Contribution deductibility:
Yes
Addendum applies:
No
DLN:
[REDACTED]

Dear Applicant:

We're pleased to tell you we determined you're exempt from federal income tax under Internal Revenue Code (IRC) Section 501(c)(3). Donors can deduct contributions they make to you under IRC Section 170. You're also qualified to receive tax deductible bequests, devises, transfers or gifts under Section 2055, 2106, or 2522. This letter could help resolve questions on your exempt status. Please keep it for your records.

Organizations exempt under IRC Section 501(c)(3) are further classified as either public charities or private foundations. We determined you're a public charity under the IRC Section listed at the top of this letter.

If we indicated at the top of this letter that you're required to file Form 990/990-EZ/990-N, our records show you're required to file an annual information return (Form 990 or Form 990-EZ) or electronic notice (Form 990-N, the e-Postcard). If you don't file a required return or notice for three consecutive years, your exempt status will be automatically revoked.

If we indicated at the top of this letter that an addendum applies, the enclosed addendum is an integral part of this letter.

For important information about your responsibilities as a tax-exempt organization, go to www.irs.gov/charities. Enter "4221-PC" in the search bar to view Publication 4221-PC, Compliance Guide for 501(c)(3) Public Charities, which describes your recordkeeping, reporting, and disclosure requirements.

Sincerely,

Stephen A. Martin

Stephen A. Martin
Director, Exempt Organizations
Rulings and Agreements

Letter 947 (Rev. 2-2020)
Catalog Number 35152P

TRADES PROGRAMS FOR YOUTH AND ADULTS INC

EIN: 88-1408867 | Ypsilanti, Michigan, United States

Other Names

TRADES PROGRMS FOR YOUTH AND ADULTS

Form 990-N (e-Postcard)

Organizations who have filed a 990-N (e-Postcard) annual electronic notice.
Most small organizations that receive less than \$50,000 fall into this category.

^ Tax Year 2023 Form 990-N (e-Postcard)

Tax Period:

2023 (01/01/2023-12/31/2023)

EIN:

88-1408867

Organization Name (Doing Business as):

TRADES PROGRAMS FOR YOUTH AND ADULTS INC

Mailing Address:

2523 Grove Rd
Ypsilanti, MI 48198
United States

Principal Officer's Name and Address:

Lawyer Vaughn
2523 Grove Rd
Ypsilanti, MI 48198
United States

Gross receipts not greater than:

\$50,000

Organization has terminated:

No

Website URL:

<https://www.tradesprogramsfor youth and adults.org>

^ Tax Year 2022 Form 990-N (e-Postcard)**Tax Period:**

2022 (01/01/2022-12/31/2022)

EIN:

00-1408862

Organization Name (Doing Business as):

TRADES PROGRMS FOR YOUTH AND ADULTS

Mailing Address:2523 GROVE ST
Ypsilanti, MI 48198
United States**Principal Officer's Name and Address:**2523 S GROVE ST
Ypsilanti, MI 48198
United States**Gross receipts not greater than:**

\$50,000

Organization has terminated:

No

Website URL:

WWW.TRADESPROGRAMFORYOUTHANDADULTS.ORG

Trades Programs for Youth and Adults Statement of Nondiscrimination

Trades Programs for Youth and Adults does not and shall not discriminate on the basis of race, color, religion (creed), gender, gender expression, age, national origin (ancestry), disability, marital status, sexual orientation, or military status, in any of its activities or operations. These activities include, but are not limited to, the appointment to and termination from its Board of Directors, hiring and firing of staff or contractors, selection of volunteers, selection of vendors, and provision of services.

Trades Programs for Youth and Adults is an equal opportunity employer. We shall not discriminate and will not discriminate in employment, recruitment, Board membership, advertisements for employment, compensation, termination, upgrading, promotions, and other conditions of employment against any employee or job applicant on the basis of race, color, religion (creed), gender, gender expression, age, national origin (ancestry), disability, marital status, sexual orientation, or military status, or for any other discriminatory reason.



REQUEST FOR LEGISLATION
February 4, 2025

For: Mayor and City Council

From: Desirae Simmons, Council Member, Michelle King, Council Member, Roland Tooson, Council Member

Subject: Resolution No. 2025-022 Approving a mini grant to All About Speed Track Club in the amount of \$5,000 to support programs assisting community youth through their efforts.

SUMMARY & BACKGROUND:

RECOMMENDED ACTION: Approval

ATTACHMENTS:

1. Res. 2025-022 All About Speed Track Mini Grant Award
2. All About Speed Track Club App

CITY MANAGER APPROVAL:

COUNCIL AGENDA DATE: February 4, 2025

CITY MANAGER COMMENTS:

FISCAL SERVICES DIRECTOR APPROVAL:



Resolution No. 2025-022
February 4, 2025

RESOLVED BY THE COUNCIL OF THE CITY OF YPSILANTI:

WHEREAS, City Council approved a grant to organizations that serve the youth in the City; and

WHEREAS, All About Speed Track Club is an organization currently serving the youth in the City of Ypsilanti; and

WHEREAS, All About Speed Track Club has submitted a grant application.

NOW THEREFORE BE IT RESOLVED that the Ypsilanti City Council approves a mini grant to All About Speed Track Club in the amount of \$5,000 to support programs assisting community youth through their efforts.

OFFERED BY: _____

SUPPORTED BY: _____

YES:

NO:

ABSENT:

VOTE:

Print

City of Ypsilanti - Youth Mental Health Mini-Grant Application - Submission #6619

Date Submitted: 7/18/2024

Name of Organization*

ALL ABOUT SPEED TRACK CLUB

Organization Address*

45745 Wildrye Court

Phone Number*

8103088723

Email Address*

allaboutspeedtc@gmail.com

Please describe the services and/or programs you provide to City of Ypsilanti youth, and how long you have been providing these services.*

We are a youth track and field program that trains kids ages 5-18 in all of the events of Track & Field as well as provides opportunities to compete across the country as well as prepare them for competing at the high school and collegiate level. our staff consists of local school employees, former collegiate athletes, Social Workers, and medical professionals. We have been running for 4 years.

Do you know how many City of Ypsilanti youth you currently serve? If so, please share. If not, please describe what you do know that leads you to understand that you serve City of Ypsilanti youth (for instance, among youth from Ypsilanti and Superior Township as well).*

45

What program, service, or initiative are you proposing, and how will it benefit the mental health of City of Ypsilanti youth? Please describe as fully as needed so that we can understand what you propose to do, including activities, timeline, number of youth reached, any other relevant demographic information.*

Through the sport of Track & Field, we teach the power of resilience, determination, hard work, goal setting, teamwork, time management, and self-esteem building. We host practices, meets, and clinics where we preach strengthening all of the qualities and give them the tools and outlets to do so. We currently have over a dozen All-Americans who have participated and more coming.

Is this a new, ongoing, or expansion of an existing program or service?*

Ongoing

As a result of your proposed work, what impact will we see? If we were writing a newspaper article at the conclusion of a very successful program, what would it say changed in our community and among our youth?*

The impact you will see is an influx of positive reports and write-ups from various media sources praising the growth of our program and how it has helped raise the level of success across local school districts and athletic programs.

How much are you applying for (\$5000 is max in one year; the year follows Ypsilanti's fiscal year which begins July 1)?*

\$4000

Total annual budget*

8000

501c3 Determination Letter*

2024 AAU Determination Letter.pdf

Are you 990s on Guidestar? if yes please upload file

Choose File No file chosen

Please upload you non-discrimination policy*

AAS Non discrimination Policy.pdf



Amateur Athletic Union of the United States, Inc.

"Sports For All, Forever"

11/7/2023

To Whom It May Concern:

The Amateur Athletic Union of the U.S. Inc. has a group 501(c)3 determination letter from the Internal Revenue Service. The Group Exemption Number of the Amateur Athletic Union is 1155.

As an affiliated organization, the ALL ABOUT SPEED TRACK CLUB is recognized as tax-exempt under the Amateur Athletic Union of the U.S. Inc.'s group determination ruling through the time period ending August 31, 2024.

Subordinate Information: ALL ABOUT SPEED TRACK
CLUB
88-4356810
C/O Sean Brandon
45745 Wildrye Court
Van Buren Charter To, MI 48111

Sincerely,

J.B. Mirza
President & CEO

NOT VALID WITHOUT



Note: The following is a portion of this club's Articles of Organization, and as such these activities are prohibited:

The organization shall not conduct any directly or indirectly gaming. The term gaming includes Bingo, Beano, lotteries, pull-tabs pari-mutuel betting, Calcutta wagering, pickle jars, punch boards, tip boards, tip jars, certain video games, casino games, sports betting, etc.



Non-Discrimination Policy



All About Speed Track Club is committed to providing a safe, inclusive, and welcoming environment for all participants. We value diversity and do not discriminate on the basis of race, color, ethnicity, national origin, age, sex, gender identity or expression, sexual orientation, marital status, physical or mental ability, genetic information, religion, or any other characteristic protected by law.

Our track club strives to create an atmosphere that respects and honors each individual's uniqueness and contributions. Discrimination, harassment, or bullying of any kind will not be tolerated within our club, whether directed towards participants, coaches, volunteers, or staff members.

We are dedicated to promoting fairness and equality in all aspects of our operations, including but not limited to recruitment, training, competition, and team activities. All decisions regarding membership, participation, and advancement within the club will be based solely on individual qualifications and merit.

All About Speed Track Club encourages open communication and dialogue among our members to foster understanding and mutual respect. Any concerns or complaints regarding discrimination or harassment will be taken seriously and addressed promptly in accordance with our grievance procedures.

By upholding this non-discrimination policy, we aim to create a supportive environment where every participant can thrive, develop their athletic potential, and enjoy the benefits of being part of our track club community.

Date Adopted: 8/23/2023

Signature of Club Director: *Sean Brandon Jr.*

Print Name: Sean Brandon Jr., President

Contact Information: allaboutspeedtc@gmail.com

This policy ensures that all members of the All About Speed Track Club are treated fairly and respectfully, fostering a positive and inclusive environment for youth athletes in Ypsilanti, Michigan.



REQUEST FOR LEGISLATION
February 4, 2025

For: Mayor and City Council

From: Andrew Hellenga, City Manager

Subject: Resolution No. 2025-023, supporting the City of Ypsilanti joining the DTE City Smart pilot program.

SUMMARY & BACKGROUND:

The City Smart program would assist municipalities in controlling their energy usage. This is a pilot program and no cost to the city.

Being a part of the program would require city staff to take part in work shops to and work with CleaResult to allow for tracking of progress and receive recognition for improvements to our energy consumption.

RECOMMENDED ACTION:

ATTACHMENTS:

1. Resolution NO. 2025-023
2. Power Point
3. Benchmarking Fact Sheet

CITY MANAGER APPROVAL:

COUNCIL AGENDA DATE: February 4, 2025

CITY MANAGER COMMENTS:

FISCAL SERVICES DIRECTOR APPROVAL:



RESOLVED BY THE COUNCIL OF THE CITY OF YPSILANTI:

WHEREAS, The City of Ypsilanti has been requested to take part in the City Smart Program; and

WHEREAS, CleaResult would provide city staff with workshops and other benchmarking strategies; and

WHEREAS, energy efficiency assists in both overall costs as well as decreasing the city’s carbon footprint.

NOW THEREFORE BE IT RESOLVED THAT The City Council of the City of Ypsilanti support the City entering into the pilot program.

OFFERED BY: _____

SUPPORTED BY: _____

YES: NO: ABSENT: VOTE:



The DTE SCORE® & CitySmart® Program

Empowering Schools and Municipalities for a Sustainable Future

Agenda

- Introductions
- Program Overview
- Program Components
- Requirements
- Next Steps and Q&A

Your DTE SCORE® & CitySmart® Team

Amelia Latimer

CLEAResult Account Manager

Amelia.latimer@clearesult.com



Jason Hamlet

CLEAResult Associate Program Manager

Jason.hamlet@clearesult.com



Liza Mcelwain

CLEAResult Operations Coordinator

liza.mcelwain1@clearesult.com



Ray Zoia

DTE Energy Pilot Program Lead

Raymond.zoia@dteenergy



Wells Lifka

CLEAResult Account Manager

welling.lifka@clearesult.com

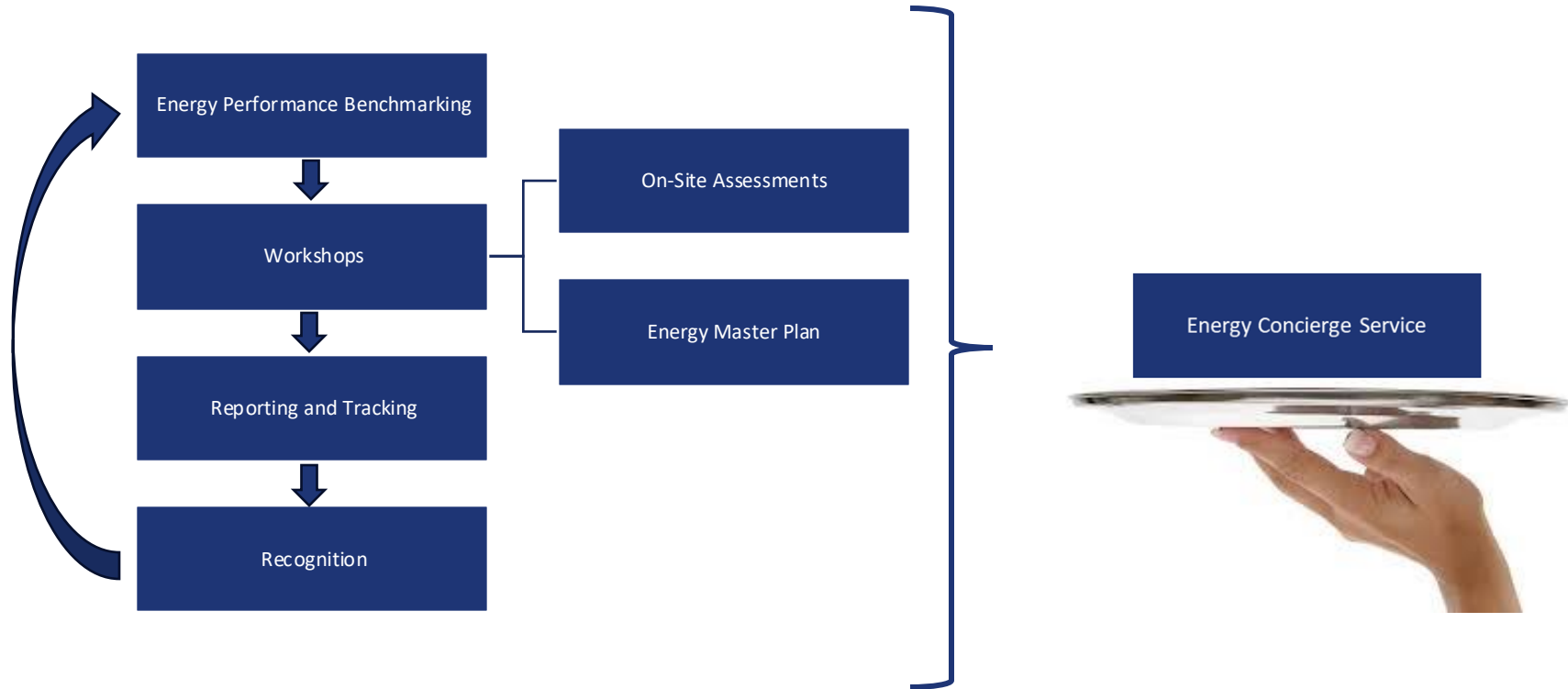


CLEAResult®

The DTE SCORE® and CitySmart® Pilot Program

- The program will specialize in helping municipalities manage their entire portfolio of facilities to control energy usage through benchmarking, energy master planning, energy concierge, and our BEST IN CLASS SUPPORT!
- This pilot program aims to assist 3 municipalities with their energy resource management needs through the end of 2025.

Program Key Components



Benchmarking

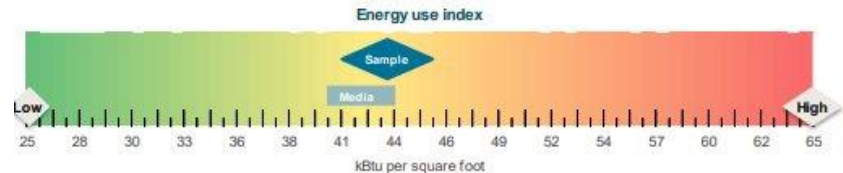
- Comprehensive Assessment

- Baseline Establishment: Understand current energy usage.

- Identify Improvement Opportunities

- Comparative Analysis: Benchmark against similar facilities.
- Targeted Action: Prioritize impactful projects and buildings for assessments.

From January 2022-December 2022, Sample Organization consumed **43.2** kBtu per square foot, which is similar to the local median for other buildings in your climate zone (i.e., **42.6** kBtu per square foot). Most buildings are performing about average compared to their peers from an energy usage standpoint.



From January 2022-December 2022, Sample Organization scored an average of **69** out of 100 in EPA portfolio manager, which exceeds than the local median for other buildings in your climate zone (i.e., **61** out of 100).



From January 2022-December 2022, Sample Organization spent **\$122** on energy costs per occupant, which is similar to the local median for other buildings in your climate zone (i.e., **\$116** per occupant).



Energy Master Plan Workshops`

- Interactive workshop sessions with administrators, facility managers, and staff to develop an Energy Master Plan. The EMP will be a starting point and vision for managing energy effectively.
- Workshop Topics
 - Planning & Decision Making
 - Energy Awareness
 - Evaluation, Building Assessments, & Monitoring (Benchmark review)
 - Funding Energy Efficiency Projects
 - Facilities Operations



Energy Master Plan



- Based on your workshop discussion, commentary, and the self-evaluation scorecards completed during the workshop, your customized Energy Master Plan will be created and delivered.
- The plan can provide a 2-to-3-year roadmap for managing your municipalities energy use and costs. It will contain both short and long-term strategies, top priorities, and goals to help ensure your city is taking advantage of every opportunity to reduce energy use and save money.

Energy Concierge Service

- BEST IN CLASS Personalized Support
- Equipment evaluation and assessments
- Technical assistance
- Incentive and rebate guidance and support
- Funding opportunities
- Ongoing Monitoring and Support



Recognition and Certification

- Energy Star Certification
- Press Releases
- Case Studies
- Online and Social Recognition

Environmental and Community Impact

- Contribute to a greener planet
- Better future for the next Generation
- Enhancing Community Engagement
- Resource Preservation



Financial Impact

- Significant Cost Savings
 - Reduce Utility Bills
 - Incentives and Rebates
 - Reduced Operating Costs

Optimize Budget

- Free Up Funds
- Improved Financial Predictability
- Increased Funding Opportunities



Program and Eligibility Requirements

- Must be a current gas and/or electric commercial customer of DTE.
- Must be a public or private K-12 school district or a city municipality.
- Must be opted in to Energy Efficiency programs with DTE.
- Only buildings that are in use and operational are eligible.
- Agree to participate in the ENERGY STAR Portfolio Manager benchmarking process.
- Must engage in program activities such as workshops.
- Agree to provide access to facilities for site assessments and energy audits.

NEXT STEPS

- Data Collection and Benchmarking
 - Provide Building Metrics
 - Year built
 - Gross floor area
 - Number of main shift workers
 - Weekly operating hours
 - Number of computers
 - Benchmarking
 - Benchmark Report Review

AMELIA LATIMER

ACCOUNT MANAGER

AMEILIA.LATIMER@CLEARESULT.COM

313- 816-1612

JASON HAMLET

ASSOCIATE PROGRAM MANAGER

JASON.HAMLET@CLEARESULT.COM

937-510-4771





THANK YOU!

The DTE SCORE® & CitySmart®
Program

Benchmarking with DTE



Understand your energy use patterns to save more

Benchmarking and your facility

DTE Energy has partnered with CLEAResult to bring you the national energy efficiency programs CitySmart and Schools Conserving Resources (SCORE). These programs are designed to help schools and municipal customers identify energy efficiency opportunities in existing and newly planned facilities and to provide monetary rebates to implement these projects. The program is funded by DTE and is offered at no cost to participants.

According to ENERGY STAR®, 30 percent of the energy consumed in commercial facilities is used inefficiently or unnecessarily.* Benchmarking your municipal building, school, university or commercial facility allows you to identify specific energy waste issues and pinpoint the most cost-effective ways to save energy and reduce energy costs.

How you will benefit

- Our no-cost benchmarking service compares your energy performance metrics with those of similar buildings and results in a prioritized list of projects that, if implemented, will increase efficiency and reduce your monthly energy usage.
- You will receive personalized energy concierge support, project rebates and funding guidance, and you'll be eligible to receive follow-up benchmarking services post project completions.



Exclusively provided by DTE through the SCORE and CitySmart Programs.

- Receive a list of participating contractors to complete the recommended projects, or you can select your own contractor.
- We also offer a no-cost energy master planning workshop to help stakeholders in your organization collaborate on short- and long-term plans for managing energy more effectively.
- After you've implemented one or more of the suggested energy efficiency improvements, we can perform re-benchmarking services at no cost so that you can measure your energy savings progress and continue improving the efficiency of your buildings.

How to participate

1. To sign up for this no-cost benchmarking service from DTE Energy, call us at **313.816.1612** or email **DTEbenchmarking@clearesult.com**.
2. A program representative will then collect data from your buildings and provide a comprehensive benchmarking report. Our team will then set up a no-cost energy master planning workshop to bring long-term energy savings.

Energy efficiency and benchmarking facts

- Organizations that consistently subject their commercial buildings to energy benchmarking can reduce their energy bills by seven percent over three years, according to the U.S. Environmental Protection Agency.
- New technologies and renewable energy sources have advanced and grown in popularity in recent years, but according to ENERGY STAR, energy efficiency remains the easiest and most cost-effective way to reduce energy consumption.*

Questions?

Contact account manager Ameilia Latimer at **313.816.1612** or email **DTEbenchmarking@clearesult.com**.

*Source: energystar.gov



REQUEST FOR LEGISLATION
February 4, 2025

For: Mayor and City Council

From: Steve Wilcoxon, Mayor Pro-Tem, Roland Tooson, Council Member

Subject: Discussion regarding Water Street Fence Repair and Tree Removal.

SUMMARY & BACKGROUND:

RECOMMENDED ACTION:

ATTACHMENTS:

CITY MANAGER APPROVAL:

COUNCIL AGENDA DATE: February 4, 2025

CITY MANAGER COMMENTS:

FISCAL SERVICES DIRECTOR APPROVAL:



REQUEST FOR LEGISLATION
February 4, 2025

For: Mayor and City Council

From:

Subject: Discussion regarding Boards & Commissions Policy & Procedure

SUMMARY & BACKGROUND:

RECOMMENDED ACTION:

ATTACHMENTS:

CITY MANAGER APPROVAL:

COUNCIL AGENDA DATE: February 4, 2025

CITY MANAGER COMMENTS:

FISCAL SERVICES DIRECTOR APPROVAL:

SEARCH PROCESS

Profiles Phase

To begin the search process, the search facilitator will coordinate a work session with council to develop a recruitment profile. During these sessions, the facilitator will spur the development of an ideal recruitment profile that the City can agree on and be proud of. This ensures the quality of applicants recruited, as well as manages and clarifies the expectations of the new position.

- The recruitment profile has two primary components:
 - ♦ **The Candidate Profile** details the qualifications, experience, and professional characteristics required for the position. It is designed to reflect the goals and priorities of the community, and goes beyond what is normally found in succinct ad language. The completed profile is used throughout the selection process as an objective tool for determining the most appropriate candidates to be interviewed, and ultimately a final selection. An essential part of developing the candidate profile is for the community leaders to work with the facilitator to make sure desired qualifications match available financial resources.
 - ♦ **The Community Profile** provides a description of the position, the organization (i.e. organizational structure, culture, services provided, etc.), and the community itself.

This component is an excellent opportunity to highlight the quality of life aspects of your City or region to prospective candidates (i.e. local and regional attractions, school systems, community strengths, and cultural or entertainment opportunities.)

- The profile is used to develop a professionally designed recruitment brochure that will be featured on the League's classifieds page, which receives an average of 5,000 hits per week.
- During the profiling meeting, the facilitator will provide salary information and recommendations in order to attract the best applicants.
- **Note:** It is important for council to consider the salary recommendations carefully to create a competitive posting, one which will attract candidates to meet your expectations. If the community chooses to offer a compensation package outside of the range of the facilitator recommendations, we cannot guarantee a successful recruitment.

Optional: We are happy to facilitate a third session to meet with City-identified stakeholders to gather additional input on the prerequisites for an administrative executive

Advertisement Phase

In order to recruit and select the most qualified candidates, it is necessary to effectively market the position to widest and most appropriate audience. To accomplish this, we will develop an outreach and advertisement campaign that includes placing advertisements in various professional publications specific to the area of expertise being sought, such as:

- Utilization of our extensive network of professional contacts to identify professionals in transition and managers who may have an interest in the opportunity;
- Featured placement on the League's Classified Ads website, featuring the full recruitment brochure;
- ICMA Website;
- League social media outlets;
- Professional associations as appropriate (i.e. MGFOA, MAP, MME, etc.); and
- Other professional organizations as appropriate to encourage a diverse pool of candidates.

Screening & Shortlist Phase

We receive resumes directly and assess each applicant against the criteria established in the recruitment profile to identify viable candidates who most closely meet the municipality's requirements. Following the closing date for receipt of resumes, the League will proceed with resume review and prescreening interviews by:

- Assessing each applicant against the criteria established in the recruitment profile.
- Conducting initial prescreening and online searches, as well as screen the top candidates either by phone or in person.

- Conducting preliminary reference reviews to verify an applicant's prior work history and learn more about the candidates' experience, past performance, and management style.

At the conclusion of the initial screening process, we will:

- Present a confidential summary of the applicants and their qualifications. This serves as the basis for a suggested "shortlist" of candidates for further consideration.
- After discussion and consideration, the City of Ypsilanti officials will determine whom to invite for personal interviews.
- **Note:** Once invitations to interview have been extended and accepted, the names and resumes of candidates are no longer protected by confidentiality. Until that time, we closely guard the identity of confidential applicants to ensure your search process yields the strongest pool of candidates. Please note that we do not ever release the name, resume, other identifiers, or application materials of confidential applicants who are not qualified candidates. We only lift confidentiality for candidates who agree to participate in the interview process.

We love where you live.



Interview & Selection Phase

Once a list of final candidates has been developed, we will:

- Assist in coordinating and scheduling interviews;
- Coordinate and attend community forums, held as an informal “meet and greet” between candidates and residents to gather community feedback of the semi-finalists;
- Offer recommendations on an appropriate and robust interview format and process;
- Develop interview questions that focus on the priorities outlined within the candidate profile;
- Offer guidance and advice concerning appropriate interview topics; and
- Attend and participate in the entire interview process.

At the conclusion of the interview process, the facilitator will:

- Facilitate discussion and evaluation of each candidate.
- Help the community reach consensus on a final candidate from the finalists provided. In the unlikely event that consensus cannot be reached by the elected body, the parties agree that the League will have met its contractual obligation.
- **Note:** While our executive search facilitators have extensive experience in the field of human resources, and specifically interview and selection, they are not attorneys. It is always advisable for the municipal attorney to be apprised of the proposed interview and selection process.
- **Note:** Keep in mind that our search facilitators do not presume to choose the best candidate for the position. That important decision is completely at the discretion of the municipality. Rather, we aide in assessing interview responses and how they relate to the objective criteria established in the candidate profile and



Final Phase

After the community has chosen a candidate, the search facilitator will perform the following tasks:

- Extend a conditional offer on behalf of the client and introduce the two negotiating parties to each other. Please note that the facilitator does not advocate for either party.
- Initiate a thorough background check, as well as conduct additional reference reviews as necessary. The background check is processed by a contracted third party who specializes in employment investigation and includes:
 - ◆ Federal, state, and county criminal check;
 - ◆ Civil record search;
 - ◆ Employment and education verification;
 - ◆ Credit and driving check; and
 - ◆ Sex offender registry.
- Once an agreement is reached with the individual selected for the position, the facilitator will perform closing tasks, such as personal notification of unsuccessful candidates.

- **Note:** In the unlikely event that an offer is withdrawn from the finalist, the finalist withdrawals from the search, or if negotiations fall through, the League will work with the city to determine what additional steps should be taken. There are generally a few different options available to address these situations and your search facilitator will work with the City to determine the best option for your community. Under certain circumstances, however, additional fees may apply.

Search Timeline

Timing is critical in an executive search and any delay in action can often result in losing a highly sought-after candidate. We encourage our client communities to establish a well-defined project timeline with the search facilitator at the first meeting to ensure the process moves quickly and positions the community to compete for the best talent. An approximate timeline is provided below with the first profiling meeting as the start date.

WEEK 1-3	Hold Initial Meeting(s): Create Profiles, Recruitment Strategy, Ad Language
WEEK 3	Place Advertisements
WEEK 3-6	Direct Recruitment, Active Solicitation of Candidates
WEEK 3-7	Application Screening, Initial Reference Checks
WEEK 8-9	Develop Short List, Meet and Review Candidates
WEEK 11-12	Conduct Interviews
WEEK 13-14	Extend Conditional Offer
WEEK 15	Conduct Background Check
WEEK 16	Perform Close Out Activities



2024 Annual Report Ypsilanti Planning Commission

INTRODUCTION

The Planning Commission of the City of Ypsilanti is governed by the Michigan Planning Enabling Act, State of Michigan Public Act 33 of 2008, and by the City of Ypsilanti's Zoning Ordinance.

In 2024, the Planning Commission's membership was as follows –

Matt Dunwoodie (Chair) (Liaison to the ZBA)	Phil Hollifield
Michael Simmons (Vice Chair)	Carl Schier
Eric Bettis (Resigned May 2024)	Amanda Smith
Jessica Donnelly (Resigned February 2024)	Brian Jones-Chance
Mike Davis Jr.	Michelle Marin (Joined June 2024)

Under the Planning Enabling Act, the Commission must provide an annual report to City Council, as the legislative body of the City. This report discusses –

1. The operations of the Commission during the past year,
2. The status of any on-going planning activities,
3. Recommendations to the legislative body related to planning and development.

PLANNING COMMISSION OPERATIONS

The Planning Commission held 10 total meetings, acting on 23 items during 2024.

In November 2023, Holli Andrews resigned from her position as City Planner. The Planning Department hired Joshua Burns in January 2024 to fulfill the duties of staff city planning.

Applications

The Commission reviewed five site plan review-related applications. The Commission also reviewed three special use permit applications. All of the site plan reviews and special use permit applications were approved.

There were three **Zoning Ordinance Text Amendments**, all of which were recommended for approval to the City Council.

1. Sections 122-537 and 122-538 were amended to strengthen locational buffers for marihuana microbusinesses; marihuana retailers and/or provisioning centers.

2. Sections 122-203, 122-560, 122-561, and 122-562 were amended to establish relaxed regulations for recreational vehicle storage on residential lots while also improving the clarity of these amended sections.
3. Sections 122-417, 122-422, 122-427, 122-432, 122-442, 122-447, 122-452, 122-462, 122-664, and 122-665 were amended to permit electronic message boards and establish regulations for these signs.

Two **Planned Unit Developments** were approved this year.

1. 120 and 124 Pearl | Mixed-Use and Multifamily Development
2. 202 – 218 E. Forest | Highscope Childcare and Community Learning Resource Center

Affordable Housing Developments rounded out 2024 in December –

- 220 N. Park | Dorsey Estates completed its home lottery on October 23, 2024, providing homeownership opportunities for people making between 40 and 80% area median income. Occupancy of these homes is expected in 2025.
- 206-210 N. Washington | Avalon Housing has completed its detailed engineering review process and is expected to officially purchase the property before the end of the 2024 calendar year.
- 845-945 W. Clark | Huron Vista Apartments and the Residences at Huron are wrapping up construction. Residents have begun moving in this year.

Figure 1 Planning Applications by Type | Past Five Years

	2020	2021	2022	2023	2024
Site Plan Review	13	6	13	5	6
Site Plan Amendment	--	3	--	--	--
Special Use Permit	12	8	12	4	4
Zoning Map Amendment	--	--	--	--	--
Zoning Text Amendment	3	3	3	1	3
Master Plan Update/ Amendment	1	1	1	--	--
Planned Unit Development	--	--	--	--	2
Amend Approved PUD	--	--	--	--	--
Alley/Street Closure/Vacation	--	1	--	1	--
Change in Non-conforming Use	--	--	--	--	--
Capital Improvements Reviews	--	1	--	--	--
Special Topic Planning	2	2	2	--	--
Conditional Rezoning	--	--	--	--	--
Other					8
Total Applications / Deliberations	31	25	31	11	23

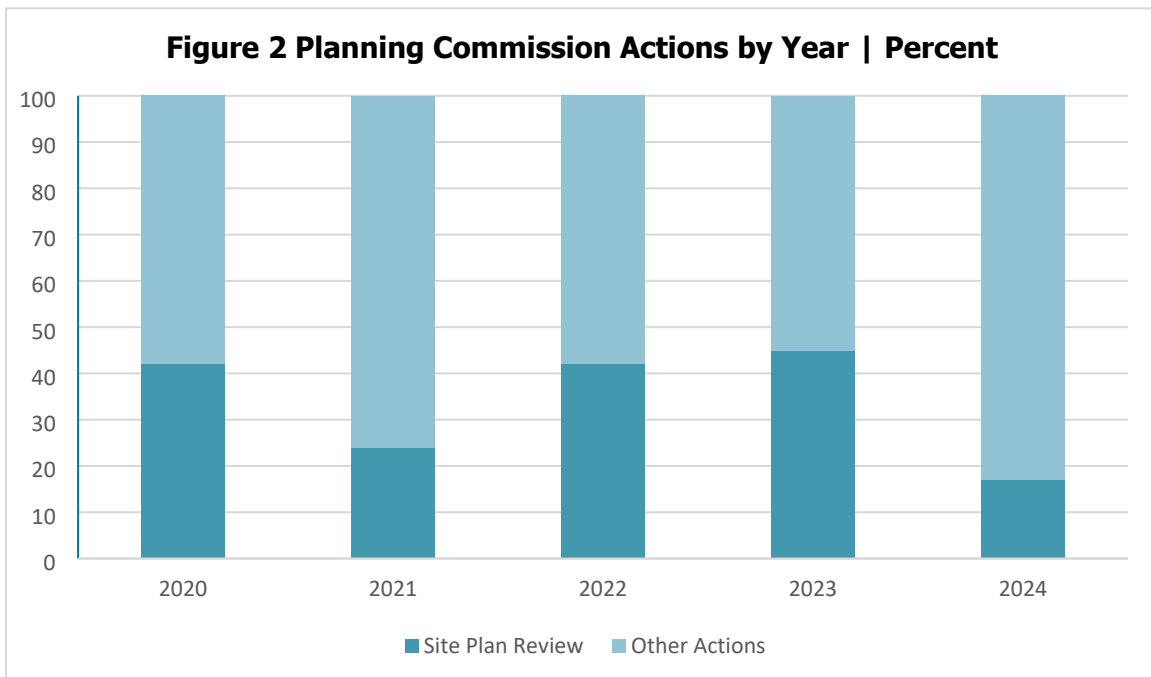


Figure 3 | Planning Decision Stats

Item	Decision/ Motion Date	Action	Key
Electronic Messaging Boards	Approved March 20; Revised and Approved August 21	ZTA	Purple
Recreational Vehicles	Approved March 20	ZTA	
Strengthening Locational Buffers	Approved February 21	ZTA	
10 S. Prospect	Approved	SUP	Dark Blue
23 N. Washington	Postponed March 20	SUP	
815 N. Huron River	Approved September 18	SUP	
201 N. Park	Approved September 18	SUP	Light Green
120 – 124 Pearl (136 N. Washington)	Postponed March 20; Approved May 15	PUD	
202-218 E. Forest	Approved August 21	PUD	
10 S. Prospect	Approved February 21	LSP	Yellow
23 N. Washington	Postponed March 20	LSP	
708 Pearl	Approved May 15	SPR	Green
612 S. Mansfield	Approved September 18	SPR	
815 N. Huron River	Approved September 18	SPR	
201 N. Park	Approved September 18	SPR	
480 S. Hamilton Temporary Sign Permit	Approved July 17	OTHER	Orange
229 W. Michigan Temporary Sign Permit	Approved September 18; Amended and Approved November 21	OTHER	
616 E. Michigan Temporary Sign Permit	Approved November 21	OTHER	
Reappointment to NMAC (Jenny Rose)	Approved May 15	OTHER	

Appointment to NMAC (Kyler Melmoth)	Approved May 15
Reappointment to NMAC (Dylan Goings, Bob Krzewinski, and Mike Davis Jr.)	Approved November 20
Appointment to NMAC (Philip Rentschler)	Approved December 18
Approving NMAC's Bylaw Changes	Approved July 17



Action	#Decisions	
Zoning Text Amendment (ZTA)	3	
Special Use Permit (SUP)	4	
Special Planning Topic (SPT)	0	
Sketch Plan	0	
Site Plan Review (SPR)	4	
Planned Unit Development (PUD)	2	
Limited Site Plan Review (LSP)	2	
Other	8	
Total Items	23	
Marijuana Related	13%	



Master Plan Implementation

These goals and subtitles are taken directly from the Master Plan updates adopted in May 2021.

- Orange highlighting indicates that progress has been made and is ongoing.
- Green highlighting indicates that an item has been completed.

Action	Timeframe	Location	Safety	Diversity	Equity	Environmental Sustainability	Economy
Continue and expand the number, type, and location of festivals and events	Ongoing	All centers		x			x
Continue efforts to fill upper stories	Ongoing	All centers		x	x	x	x
Maintain and expand transportation options	Ongoing	Downtown	x		x	x	x
Draft a business attraction plan for Downtown, Depot Town and Cross Street	1-5 years	All centers		x			x
Encourage business and event activity during the day and evening	1-5 years	All centers	x	x	x		x
Marketing campaign for the City of Ypsilanti	1-5 years	All centers					x
Curbless "festival" street on Washington	1-5 years	Downtown	x		x		x
Use vacant storefronts for temporary retail uses	1-5 years	Downtown	x		x		x
Permanent year-round home for Downtown Farmer's Market	1-5 years	Downtown	x	x	x	x	x
Permanent year-round home for Depot Town Farmer's Market	1-5 years	Depot Town	x	x	x	x	x
Increase walkability (2-way streets & raised intersections)	1-10 years	Downtown	x		x		x
Curbless "festival" street on River and Cross Streets	1-10 years	Depot Town	x		x		x
Create a public space at new train station	1-10 years	Depot Town	x		x		x
Separate Cross and Washtenaw	1-10 years	Cross Street	x			x	x

Create a “front door” for EMU with reconfiguration of Cross and Washtenaw	1-10 years	Cross Street	x	x			x
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Neighborhoods

Action	Timeframe	Location	Safety	Diversity	Equity	Environmental Sustainability	Economy
Continue and increase rental inspections and enforcement	Ongoing	All neighborhoods	x		x	x	x
Assist continuation and expansion of EMU Live Ypsi program	Ongoing	All neighborhoods		x			x
Regulate the form of buildings to preserve the character of neighborhoods	Ongoing	All neighborhoods		x	x		x
Create “Eco-Districts” in neighborhood parks	1-10 years	All neighborhoods		x		x	
Re-survey of the Historic District	1-10 years	All neighborhoods			x	x	
Consider new opportunities for accessory dwelling units	1-5 years	All neighborhoods		x	x	x	x
Allow for density increases in residential zoning districts for the purpose of affordable housing.	1-10 years	All neighborhoods			x	x	x
Relax dwelling size, lot area, and lot dimensions requirements	1-10 years	All neighborhoods			x	x	x
Create visitability requirements	1-5 years	All neighborhoods	x	x	x		
Make corner lot duplexes allowable by-right	1-10 years	All neighborhoods			x	x	x
Revisit home occupation requirements and consider live-works	1-10 years	All neighborhoods		x	x	x	x

Preserve Bell-Kramer residential land uses	Ongoing	Central neighborhoods	x		x	x	
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Corridors

Action	Timeframe	Location	Safety	Diversity	Equity	Environmental Sustainability	Economy
Designate the appropriate building form for each corridor based on existing patterns and vision for that corridor	Form-based code	All corridors	x	x	x		x
Retain the mix of uses within each corridor but allow them throughout the area	Form-based code	All corridors		x	x		x
Reinforce the preservation of historic buildings	Form-based code	Historic corridors		x			x
Maintain River Street as a historic boulevard	Form-based code	Historic corridors	x	x			x
Require a pedestrian-friendly building form while allowing a mix of uses for both students and residents along Huron River Drive, Leforge & Railroad corridors	Form-based code	General corridors	x	x	x		x
Coordinate regulations for Washtenaw Avenue with the Washtenaw County Re-Imagine Washtenaw Plan	1-10 years	General corridors	x	x	x		x
Restore Harriet Street as the Main Street of adjacent neighborhoods	1-10 years	General corridors	x	x	x		x
Restore two-way function to Cross, Huron, and Hamilton Streets	1-10 years	Historic corridors	x		x	x	x

Districts

Action	Timeframe	Location	Safety	Diversity	Equity	Environmental Sustainability	Economy
Update regulations to create walkable areas at the border of the City and Campus	Form-based code	EMU	x	x	x		x

Create regulations that support the existing building form but assure access by all modes of transportation	Form-based code	Health & Human Services	x	x	x	x	
Allow renewable energy facilities, such as solar panels, on industrial land	Form-based code	Job Districts				x	x
Reduce minimum lot size and width in the industrial park to create more opportunity	Form-based code	Job Districts		x			x
Align economic development incentives and programs to encourage emerging sectors that align with the Guiding Values and the employment potential of residents	1-5 years	All Districts					
Create "Welcome to Ypsilanti" packages for new EMU students, including a web version	1-5 years	EMU		x	x		x
Encourage the use or redevelopment of unused parking lots	1-5 years	Health & Human Services & Job Districts		x		x	x
Create a "front door" for EMU in the area created by the reconfiguration of Cross Street and Washtenaw Ave.	1-10 years	EMU	x	x		x	x

LOOKING FORWARD

At the end of 2024, these planning projects remain in progress:

- Implementation of more Master Plan policy recommendations, including goals of housing affordability, density, and sustainability.
- Reviewing the Master Plan
- Zoning amendments include reviewing the lighting ordinance, density requirements, home occupation requirements, and lot requirements.
- Implementation of Non-Motorized Transportation Plan policy recommendations.
- Re-development of Water Street.

